

ORAL STATEMENT

British Humanist Association (BHA)

International Humanist and Ethical Union (IHEU)

European Humanist and Ethical Union (EHF)

Humanist Union of Greece (HUG)

UN Human Rights Council, 33rd Session (13 – 30 September 2016)

Item 6 – Greece UPR

Cordelia Tucker O’Sullivan

Suggested recommendations to Greece on combating racism and abolishing blasphemy laws

Thank you Mr. President.

I give this statement on behalf of the International Humanist and Ethical Union, the European Humanist Federation, the Humanist Union of Greece, and the British Humanist Association.

Our organisations welcome the UN CERD’s concluding observations on the periodic reports of Greece¹ published on 29 August 2016, and request that the recommendations raised therein are accepted by Greece and integrated into their legal framework.

In particular, we urge Greece to:

- Recognise that the fundamental right to freedom of expression should not undermine the principles of dignity, tolerance, equality, and non-discrimination, as the exercise of the right to free expression carries with it special responsibilities, among which is the obligation not to disseminate ideas relating to racial superiority or hatred, a principle reiterated by the UN CERD;²
- As a consequence of the above, bring its anti-racism legal framework into full compliance with the requirements of article 4 of the ICERD, by restoring the criminalisation of the dissemination of ideas based on racial superiority, as recommended by the UN CERD, and also in February 2015 by the European Commission against Racism and Intolerance;³
- Declare illegal, and prohibit, organisations which promote and incite racial discrimination, such as the Golden Dawn political party, as recommended by the UN CERD both in 2009 and again in 2016,⁴ and also by the Special Rapporteur on contemporary forms of racism, racial discrimination, and xenophobia related to intolerance,⁵ as well as by the Council of Europe Commissioner for Human Rights⁶ and;
- Ensure that they follow through with their commitment to ensure religious freedom and tolerance by decriminalising blasphemy, as recommended by the delegation of Brazil⁷, and abolish articles 198 and 199 from its Criminal Code⁸ that are used in a discriminatory manner only in cases of blasphemy against the official Orthodox Christian religion, as recommended by the UN CERD.⁹

Thank you.

¹ CERD/C/GRC/CO/20-22

² Ibid.

³ <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Greece/GRC-CbC-V-2015-001-ENG.pdf>

⁴ CERD/C/GRC/CO/20-22

⁵ A/HRC/32/50/Add.1

⁶ [https://wcd.coe.int/ViewDoc.jsp?p=&Ref=CommDH\(2013\)6&Language=lanEnglish&Ver=original&BackColorInternet=B9BDEE&BackColorIntranet=FFCD4F&BackColorLogged=FFC679&direct=true](https://wcd.coe.int/ViewDoc.jsp?p=&Ref=CommDH(2013)6&Language=lanEnglish&Ver=original&BackColorInternet=B9BDEE&BackColorIntranet=FFCD4F&BackColorLogged=FFC679&direct=true)

⁷ CERD/C/GRC/CO/20-22; 134.93

⁸ **Article 198 of Criminal Code (CC):** “*Malicious Blasphemy: 1. One who publicly and maliciously and by any means blasphemes God shall be punished by imprisonment for not more than two years. 2. Except for cases under paragraph 1, one who by blasphemy publicly manifests a lack of respect for the divinity, shall be punished by jailing for not more than six months or by pecuniary penalty of not more than 3,000 euros.*” **Article 199 CC:** “*Blasphemy Concerning Religions: One who publicly and maliciously and by any means blasphemes the Eastern Orthodox Church of Christ or any other religion tolerated in Greece shall be punished by imprisonment for not more than two years.*”

⁹ CERD/C/GRC/CO/20-22