

Annex 1

The Fez Program

- (i) Parliamentary visits to PAM countries to foster understanding and partnerships
- (ii) PAM Youth Assembly to be hosted in rotation by PAM national parliaments
- (iii) « Université d'été » (university summer school) of one to two weeks' duration, which will be attended by 3-4 students from each PAM country to meet and exchange with PAM parliamentarians, academics and important figures from civil society
- (iv) PAM prize or scholarship to be awarded to students who have prepared academic research or a thesis on subjects relating to PAM activities, such as intercultural and inter-religious dialogue
- (v) Educational activities for primary school children
- (vi) Celebration of the Mediterranean Day (visibility/awareness activities) with the collaboration all PAM national delegations to include activities for the promotion of dialogue and understanding
- (vii) Teaching programmes for teachers on cultural awareness and inter-religious dialogue (with the aim of promoting the knowledge and the history of religions and not dogma in schools)
- (viii) Responsibilising the media by organising encounters to develop awareness and sensitivity
- (ix) Meeting of Special Task Force with students and religious representatives in Rome and Assisi
- (x) Launch a regional competition "dialogue among cultures" to promote intercultural dialogue (literary, cinema, art work, science, etc.).

Annex 2

A Questionnaire about the national experiences and policies of PAM Countries in promoting dialogue and understanding among cultures and religions

Introduction: the aim and background of this questionnaire

PAM is very aware of the central place of the Mediterranean in issues of relations between cultures and religions, that could either threaten or promote international peace and harmony. This questionnaire is being promoted by PAM's Standing Committee on Dialogue among Cultures and Religions. This questionnaire aims to compile a picture of what is going on in each PAM country in this important area for the future of the Mediterranean and the world. The results of this consultation will be compiled and presented to the Assembly at its meeting in Monaco in November, as basis for a PAM White paper on how all AM countries can promote mutual understanding as well as a common approach towards harmonising future legislation and policies based on best practices and shared values. The objective of this consultation is to share information. As emphasised by the recommendations of the meeting that took place in Morocco in June, information must be governed by strict neutrality. The report must not give value judgements. Where a matter might be controversial, such expressions as 'it seems that' or 'are perceived as.. by...' and other expressions that avoid value judgements are encouraged.

How to fill this questionnaire

Various PAM representatives can use different methods to fill this, that can range from individual answers to the compilation of expert opinion through focus groups. Answers should be brief, in point form wherever it helps. The filled questionnaire, including both questions and answers, should not, in any case, exceed 5,000 words.

Deadline and Address to send filled questionnaire

Please send the filled questionnaire by the [date] to [address].

Any queries about filling this questionnaire are to be addressed to [-----]

Part 1

Who is to be acknowledged for the filling of this questionnaire?

Please briefly state who is to be acknowledged for the filling of the questionnaire for your country at the stage of the dissemination of its results. Please also specify **which country** this questionnaire describes.

Create an overview of the main ethnic groups in your county and their interrelations

Which are the main ethnic and religious groups in your country? Please give some idea of their relative size. On what basis is each group seen as a different group (nationality, citizenship of a national or supranational entity, religion, race, migratory history, legal status..)

How do they relate to each other insofar as tolerance and acceptance of each other, friendly or hostile stereotypes, access to rights, mutual perception in terms of hostile stereotypes, being seen as a threat or support to identity, prosperity, freedom, way of life?

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

Relevant areas would be legal provision regarding

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum that deal with relations among cultures or religions
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Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, inter-religious and intercultural relations in general:

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum that deal with relations among cultures or religions
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Describe influential events and trends and their impact

Describe important events, local, national and international (especially recent ones) that influence the intercommunal, inter-religious or intercultural relations, as well as recent trends that have emerged that seem to have had a significant impact on such relations.

Identify and describe good practices

Please list and describe a number of good practices by government or civil society (including entities mentioned above) that have recently helped or at present are helping to improve intercommunal, inter-religious and intercultural relations and understanding.

By way of summary, can you create an overview of the situation you have described in the form of a SWOT analysis?

Can you list the main weaknesses of your country's society (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

Can you list the main strengths of your country's society (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

What events, developments, facts, trends or plausible future events outside your country pose or could pose a threat to your country's contributing positively to the harmony among cultures and religions?

What events, developments, facts, trends or plausible future events outside your country offer or could offer an opportunity for your country's contributing more positively to the harmony among cultures and religions?

What lines of action do you propose for improvement?

Re each line of action please identify its aims, who should be the actors, and using what means. State also the role of parliamentarians or the Parliamentary Assembly of the Mediterranean can have in each. Describe also the expected impact, as well as the conditions that seem to be required for it to succeed.

Suggested line of action 1

Suggested line of action 2 etc...

Annex 3

Answers to the Questionnaire

CROATIAN PARLIAMENT-SABOR

Relying on the fundamental principles of the United Nations Charter and the Universal Declaration of Human Rights as well as the International Covenant on Civil and Political Rights, in particular those pertaining to freedom of opinion, conscience, belief and conviction, the Republic of Croatia values freedom, general, ethnic and gender equality, peace-keeping commitments, social justice, respect for human rights, the inviolability of property, the conservation of nature and the environment, the rule of law and a democratic multi-party system as the highest values of its constitutional order (Article 3 of the Croatian Constitution).

The Republic of Croatia accords great importance to the promotion of understanding, tolerance and mutual respect through the appreciation of all differences, including those of religious, as well as ethnic, cultural and linguistic nature. Therefore, the Constitution of the Republic of Croatia guarantees freedom of conscience and religion as well as the free public profession of religious and any other conviction (Article 40). Additionally, Article 41 of the Constitution states that all religious communities are equal before the law and separate from the state. Religious communities are free to perform religious services, open schools, educational faculties and other institutions or social and charitable organisations and to manage them in compliance with law. In performing their activities, they enjoy the protection and assistance of the state.

In order to enhance interreligious dialogue and given the exceptionally important role played by religious communities in society and the family, the Croatian Government established a Committee on Relations with Religious Communities on 2 July 1993. One of the Committee's tasks is to regulate relations among religious communities and the state and to initiate development of the required legislation.

Before the adoption of the Religious Community Legal Status Act in 2002, the relevant piece of legislation had been the Religious Community Legal Status Act of 1978. According to this law, religious communities were free in the performance of their religious tasks and services, they enjoyed equal rights and had the same legal status, and no one could be constrained in the exercise of any right to which he/she was entitled under the Constitution or other legislation. In addition, it was possible to perform religious services in hospitals, with guarantees also being provided for other rights, including distribution of the religious press, attendance of religious education, establishment of schools, etc. Religious communities – i.e. their particular organisations – had the status of civil-law persons, which means that all religious communities – including the smallest ones – could exercise their rights under the Constitution and other legislation.

As early as 1999, the Prison Sentence Execution Act stipulated that any inmate had the right to profess his/her faith, talk to his/her religious representative and receive an appropriate diet, in accordance with the dictates of his/her faith.

In addition, the Health Care Act stipulates that any person receiving health care has the right to be receive a diet in accordance with his/her world-view during his/her stay in any health-care institution, to perform religious services in a room designated for such purpose, and, in the event of death, to be

attired in the mortuary subject to the observance of all religious and such other practices of paying reverence to the deceased.

The Ministry of Defence has issued a questionnaire and provided instructions to ensure that each believer who is a member of the armed forces can exercise his/her constitutional right to profess his/her faith, including contacts with an authorised representative of his/her religious community even in cases where such religious community has not concluded an Agreement on Issues of Common Interest with the Croatian Government.

The Republic of Croatia first regulated its relations with the Roman Catholic Church, whose following accounts for the majority of Croatia's population (Roman Catholics constitute 87.97 of the country's total population). In addition to the Roman Catholic Church, with which it has concluded an international agreement, the Government of the Republic of Croatia has signed agreements covering a total of seventeen churches and religious communities. The churches and religious communities that have signed agreements with the Republic of Croatia or the Croatian Government receive regular financial assistance on an annual basis, unlike other religious communities.

Although they do not receive financial assistance, the churches and religious communities that have not concluded agreements with the Croatian Government are not entitled to organise religious education and teaching in pre-school institutions and primary and secondary schools; however, their religious weddings do not produce the legal effect of civil marriage. The latter issue is not governed by the Religious Community Legal Status Act, but the Family Act (as published in Croatia's official journal *Narodne novine*, no 116/03).

It is important to note that – through the efforts of its working bodies and, in particular, the Human and National Minority Rights Committee of the Croatian Parliament, as the supreme legislative authority in the country, considers all legislative proposals in the light of, *inter alia*, its commitment to prevent all forms of discrimination, especially that based on religious, ethnic, gender-based, cultural and such other differences. Through its membership composed of parliamentarians representing national minorities in the Republic of Croatia and – as external members – a representative of the dominant religious community (the Roman Catholic Church) and a representative of all other religious communities, as well as two representatives of human rights organisations and two representatives of women and youth interest groups, the aforementioned Committee ensures the involvement of all relevant stakeholders in the work of the Committee and, by extension, Parliament.

Also, with a view to strengthening parliamentary dialogue among civilisations and cultures, the Parliament's Interparliamentary Co-operation Committee has established a total of 61 interparliamentary friendship groups which have worked successfully for many years now towards enhancing an exchange of experiences in many fields and promoting interparliamentary co-operation.



CYPRUS

References in the Constitution concerning ethnic or religious minorities *

PART I – General provisions

Article 2

“ For the purposes of this Constitution:

(1) the Greek Community comprises all citizens of the Republic who are of Greek origin and whose mother tongue is Greek or who share the Greek cultural traditions or who are members of the Greek Orthodox Church;

(2) the Turkish Community comprises all citizens of the Republic who are of Turkish origin and whose mother tongue is Turkish or who share the Turkish cultural traditions or who are Moslems;

(3) citizens of the Republic who do not come within the provisions of paragraph (1) or (2) of this Article shall, within three months of the date of the coming into operation of this Constitution, opt to belong to either the Greek or the Turkish Community as individuals, but, if they belong to a religious group, shall so opt as a religious group and upon such option they shall be deemed to be members of such Community;

Provided that any citizen of the Republic who belongs to such a religious group may choose not to abide by the option of such group and by a written and signed declaration submitted within one month of the date of such option to the appropriate officer of the Republic and to the Presidents of the Greek and the Turkish Communal Chambers opt to belong to the Community other than that to which such group shall be deemed to belong;

Provided further that if an option of such religious group is not accepted on the ground that its members are below the requisite number any member of such group may within one month of the date of the refusal of acceptance of such

option opt in the aforesaid manner as an individual to which Community he would like to belong.

For the purposes of this paragraph a " religious group " means a group of persons ordinarily resident in Cyprus professing the same religion and either belonging to the same rite or being subject to the same jurisdiction thereof, the number of whom, on the date of the coming into operation of this Constitution, exceeds one thousand, out of which at least five hundred become on such date citizens of the Republic;

(4) a person who becomes a citizen of the Republic at any time after three months of the date of the coming into operation of this Constitution shall exercise the option provided in paragraph (3) of this Article within three months of the date of his so becoming a citizen;

(5) a Greek or a Turkish citizen of the Republic who comes within the provisions of paragraph (1) or (2) of this Article may cease to belong to the Community of which he is a member and belong to the other Community upon

(a) a written and signed declaration by such citizen to the effect that he desires such change, submitted to the appropriate officer of the Republic and to the Presidents of the Greek and the Turkish Communal Chambers;

(b) the approval of the Communal Chamber of such other Community;

(6) any individual or any religious group deemed to belong to either the Greek or the Turkish Community under the provisions of paragraph (3) of this Article may cease to belong to such Community and be deemed to belong to the other Community upon

(a) a written and signed declaration by such individual or religious group to the effect that such change is desired, submitted to the appropriate officer of the Republic and to the Presidents of the Greek and the Turkish Communal Chambers;

(b) the approval of the Communal Chamber of such other Community;

(7) (a) a married woman shall belong to the Community to which her husband belongs;

(b) a male or female child under the age of twentyone who is not married shall belong to the Community to which his or her father belongs, or, if the father is unknown and he or she has not been adopted, to the Community to which his or her mother belongs. "

Article 109

“ Each religious group which under the provisions of paragraph 3 of Article 2 has opted to belong to one of the Communities shall have the right to be represented, by elected member or members of such group, in the Communal Chamber of the Community to which such group has opted to belong as shall be provided by a relevant communal law.
”

Part II – Fundamental Rights and Liberties

Article 18

“ 1. Every person has the right to freedom of thought, conscience and religion.

2. All religions whose doctrines or rites are not secret are free.

3. All religions are equal before the law. Without prejudice to the competence of the Communal Chambers under this Constitution, no legislative, executive or administrative act of the Republic shall discriminate against any religious institution or religion.

4. Every person is free and has the right to profess his faith and to manifest his religion or belief, in worship, teaching, practice or observance, either individually or collectively, in private or in public and to change his religion or belief.

5. The use of physical or moral compulsion for the purpose of making a person change or preventing him from changing his religion is prohibited.

6. Freedom to manifest one's religion or belief shall be subject only to such limitations as are prescribed by law and are necessary in the interests of the security of the Republic or the constitutional order or the public safety or the public order or the public health or the public morals or for the protection of the rights and liberties guaranteed by this Constitution to any person.

7. Until a person attains the age of sixteen the decision as to the religion to be professed by him shall be taken by the person having the lawful guardianship of such person.

8. No person shall be compelled to pay any tax or duty the proceeds of which are specially allocated in whole or in part for the purposes of a religion other than his own. ”

Many other articles in the Constitution guarantee for every person the fundamental rights and freedoms such as the right to freedom of speech and expression to peaceful assembly. Also, every person, alone or jointly with others, has the right to acquire, own, possess, enjoy or dispose of any movable or immovable property, the right to practice any profession or to carry on any occupation, trade or business.

Article 28

" 1. All persons are equal before the law, the administration and justice and are entitled to equal protection thereof and treatment thereby.

2. Every person shall enjoy all the rights and liberties provided for in this Constitution without any direct or indirect discrimination against any person on the ground of his community, race, religion, language, sex, political or other convictions, national or social descent, birth, color, wealth, social class, or on any ground whatsoever, unless there is express provision to the contrary in this Constitution. "

Article 29

" 1. Every person has the right individually or jointly with others to address written requests or complaints to any competent public authority and to have them attended to and decided expeditiously; an immediate notice of any such decision taken, duly reasoned, shall be given to the person making the request or complaint and in any event within a period not exceeding thirty days.

2. Where any interested person is aggrieved by any such decision or where no such decision is notified to such person within the period specified in paragraph 1 of this Article, such person may have recourse to a competent court in the matter of such request or complaint. "

Article 31

Every citizen has, subject to the provisions of this Constitution and any electoral law of the Republic or of the relevant Communal Chamber made thereunder, the right to vote in any election held under this Constitution or any such law.

PART III - Representatives of religious groups in the House

The religious groups of the Maronites, Armenians and the Latins were represented in the Greek Communal Chamber by elected Representatives, up until the transfer of the Chamber's legislative functions to the House of Representatives in March 1965. From 1965 to 1970, each of these three Representatives represented their respective group in the House through an extension of their mandate on an annual basis. In 1970 the House enacted the Law on Religious Groups (Representation), which provides for the representation of each religious group in the House by one Representative, who is elected among voters of his/her respective group, according to the provisions of the electoral law. Ever since then, the three Representatives of the religious groups are elected, like Representatives of the House, every five years, they participate in the House Standing Committee on Education, attend plenary meetings of the House and express their views on matters concerning their group without, however, a right to vote. They also enjoy the same rights and privileges (non-liability, immunity, remuneration, tax exemptions) as other Representatives. It has to be underlined that nay member of the three religious groups can also vote and be voted and elected as a Representative in the House, in the framework of the general elections. This applies also t presidential elections.

Other references concerning the religious groups

APPENDIX E

" Statement by Her Majesty's Government

The rights of smaller Religious Groups in Cyprus

In the negotiations leading up to the establishment of the Republic of Cyprus, Her Majesty's Government has been concerned to secure for the minor religious groups in Cyprus (Armenians, Maronites and Latins) the continued enjoyment of the liberties and status which they have had under British rule. The following paragraphs set out the safeguards, which are to this end being provided in the Constitution of the Republic.

1. The Armenians, Maronites and Latins constitute three separate religious groups in the island. A statement by Her Majesty's Government on constitutional safeguards for these groups in accordance with paragraph B (2) (i) of the United Kingdom Declaration made at the London Conference of February, 1959 (Document III of Cmnd. 679) is at Appendix E to this Paper. This statement has been accepted by Archbishop Makarios and Dr. Küтчүк.

2. Under the Constitution, members of these groups will, as individuals, be guaranteed human rights and fundamental freedoms comparable to those set out in the European Convention for the protection of Human Rights and Fundamental Freedoms and the Protocol thereto. Both as individuals and as groups, they will also enjoy constitutional protection against discrimination.

3. The Constitution will enable the Armenians, the Maronites and the Latins, as groups, to choose to belong to either the GreekCypriot or the TurkishCypriot Community. In the event of option, the members of the group will enjoy the same benefits as the other members of the Community. For example, they will be eligible for the Public Service of the Republic.

4. Any religious group which has opted as a group to belong to one of the two Communities will have the right under the Constitution to be represented in the Communal Chamber of the Community for which it has opted.

5. It will also be possible under the Constitution for any religious group, in common with other bodies, to have recourse as a group to the Supreme Constitutional Court to complain of any breach of the Constitution or abuse of power directly affecting the group as a body.

6. Finally, the Constitution will provide for members of the smaller religious groups to enjoy no less extensive rights in respect of religious matters than they enjoyed in law before the Constitution came into force and matters of personal status will be under the jurisdiction of the religious groups themselves. In respect of education and cultural matters, the President-elect and the Vice President elect have given an assurance that the smaller religious groups need have no fear that they will be at a disadvantage in future in the allocation of public funds.”

International Relations Service.

April 2009

DK/YC

*Note: Texts in italics are explanatory comments by the House of Representatives International Relations Service. The rest are excerpts from the Constitution of the Republic of Cyprus.

France

Answer of the French National Assembly to the questionnaire on interreligious dialogue

With reference to the legal framework that governs religions in France (question no. 1), the fundamental text, and historical starting point of what is known as the *French secularism*, is the law of 9 December 1905 concerning the separation of the churches and the State. This law lays down two very important and clear principles. Article 1 refers that the Republic ensures freedom of conscience. It guarantees the free exercise of religious worships, subject to the sole restrictions provided for below and in the interest of public order. Article 2, regarding this matter, defines that the Republic does not recognise, remunerate or subsidise any religious worship.

As a consequence, the initiatives taken as regards interreligious dialogue (question no. 2) can only be private, even if they have the support of public authorities. Concerning the problems that remain to be solved (question no. 3), they are essentially related to the conditions of the Muslim worship in France. Indeed, Islam is the second religion in France due to the number of believers (about 5 million people) but it has a considerably weaker presence in comparison with the other great religions historically practiced in France, which is simply a reflex of the recent waves of immigration that led the Muslim populations to settle in our country. The number of mosques is insufficient in relation to the number of believers of Muslim worship and, generally, they do not benefit from the same “architectural visibility” of the worship places of other religions, whose practice is much more ancient. Therefore a debate was held in order to understand if it were convenient to make some kind of “positive discrimination” concerning the Islam by using public funds to build mosques. Nevertheless, this proposal, contrary to the principles of the law of 1905, was not consensual enough to be implemented. On the other hand, a Foundation for Islam in France was created in 2005 and effectively installed in October 2008 in order to transparently receive private donations (in particular coming from foreign States) intended to build mosques. Furthermore, the creation of the French Council for the Islamic Faith, in 2003, had already made possible an Islam institutional representation in France.

Please find bellow some documents regarding each one of the three questions.

1- Legal framework of the exercise of religious worship in France

Complete history on the issue:

<http://www.assemblee-nationale.fr/histoire/eglise-etat/chronologie.asp>

Up-to-date text of the law of 1905:

<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006070169&dateTexte=20090305>

Particular situation on Islam:

http://www.botschaft-frankreich.de/IMG/culte_musulman.pdf

French Council for the Islamic Faith:

<http://www.portail-religion.com/FR/dossier/islam/pratique/institutions/CFCM/index.php>

Speech of the Minister of Home Affairs, responsible for religious worship, in the Big Mosque of Paris:

http://www.interieur.gouv.fr/misill/sections/a_1_interieur/le_ministre/interventions/iftar-grande-mosquee-paris/view

2- Positive experience in matters of interreligious dialogue (in France and abroad)

World Congress of Imams and Rabbis for Peace: <http://www.imamsrabbis.org/>

Islamic-Christian Research Group: <http://www.gric.asso.fr/spip.php?rubrique20>

Catholic-Muslim Forum:

http://www.ochres.org/offres/gestion/menu_83_perso_83_7045/declaration-finale-conjointe-du-1er-seminaire-catholique-et-musulman.html

3- Problems yet to be solved:

Official report to review the situation on the issues currently under debate:

<http://www.ladocumentationfrancaise.fr/rapports-publics/064000727/index.shtml>

Point of view on the problematic relations between religions and secularism in Europe:

<http://assr.revues.org/index2388.html>

Partial answer on the previous subject: <http://assr.revues.org/index1512.html>

Foundation for Islam in France: http://www.portail-religion.com/FR/dossier/islam/pratique/institutions/Fondation_oeuvres_islam_France/index.php

http://www.portail-religion.com/FR/dossier/islam/pratique/institutions/Fondation_oeuvres_islam_France/index.php

Foundation and parallel financing: http://www.lexpress.fr/actualite/societe/l-islam-de-france-n-a-qu-une-seule-fondation_470705.html

FYROM (Former Yugoslav Republic of Macedonia)

Reply of the Questionnaire on National experience and policies of the PAM Member States PAM for Promotion of the dialogue and understanding between the cultures and religions.

Part one

1. Who is to be acknowledged for the filling of this questionnaire?

- The part of the Questionnaire referring the actual data without political evaluation was filled in by the Department on Research, Analyses, Library and Documentation of the Assembly of the Republic of Macedonia.

2. Create an overview of the main ethnic groups in your country and their interrelations?

- According to the Preamble of the Constitution of the Republic of Macedonia, the Republic of Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanics and other nationalities living in the Republic of Macedonia.

According to the last official census of the population from 2002, in the Republic of Macedonia registered are:

Macedonians	1297981
Albanians	509083
Turks	77959
Romans	53879
Vlachs	9695
Serbs	35939
Bosnians	17018
Others	20993

According to the data from the Committee on Relations Among the Communities, besides the Macedonian Orthodox Church and the Islamic Community in the Republic of Macedonia, the Catholic Church, the Evangelist and Methodist Church, there are other religious communities and religious groups. The other registered religious groups are:

- The Christian Adventist Church (The Seventh-day Adventist Church in the Republic of Macedonia)
- The Christian Adventist Church in the Republic of Macedonia
- The Christian Baptist Church “Joyful News” in the Republic of Macedonia

- Jehovah's Witnesses- Christian religious group
- The Evangelistic and Congregational Church
- The Holy Seat and Crown of the Islamic Erenleric Taricatic Religious Community in the Republic of Macedonia
- The New Apostolic Church in the Republic of Macedonia
- The Satya Sai Centre - Skopje
- The Evangelistic Church in the Republic of Macedonia
- The Vaishnavic Religious Community
- The Pra-Christian community -"Universal Life"
- The Christian Centre in the Republic of Macedonia
- The God's Church in the Republic of Macedonia
- The Christian religious group New Hope
- The Bectesh Community in the Republic of Macedonia
- The Christian Church Letter of Hope
- The Christian Church Holy Voice
- The International Church of Christ Skopje
- The Independent Church of Christ
- The Christian Church Good News
- The United Biblical Church – Biblical Centre

All these ethical and religious groups in the Republic of Macedonia are connected by tolerance, mutual acceptance and friendship, and have equal access to all rights and freedoms.

3. Who are the most influential actors in the field of relations among cultures and religions and ethnic groups?

The Committee on Relations among the Communities

The Committee considers questions concernin the relations among the communities in the Republic of Macedonia, and especially:

- Monitors the securing of the rights of the representatives of the communities which are not majority in the Republic of Macedonia determined with the Constitution and the laws;
- Reviews the fundamental issues in the field of the relations among the communities and the implementation of the laws, the other regulations and general acts in this field;
- Points to the need for adoption of laws and other regulations and general acts adopted by the Assembly in the field of the relations among the communities;

- Monitors the realization of the right to use the language and alphabet of the communities which are not the majority in the Republic of Macedonia, determined with the Constitution and the laws;
- Monitors the realization of the right to education on the language of the communities which are not the majority in the Republic of Macedonia, determined with the Constitution and the laws;
- Monitors the realization of the right to express the identity and the community attributes of the communities which are not the majority in the Republic of Macedonia in the field of culture, information, publishing and other fields, as determined with the Constitution and the laws; and
- The implementation of the principle of adequate and equitable representation of the citizens who belong to all the communities in the bodies of public authorities and the other public institutions on every level.

The Committee on Relations among the Communities presents its opinion and proposals for resolution of the issues within its competence to the Assembly of the Republic of Macedonia.

The Committee also decides in the case of a dispute with regard to the implementation of the voting procedure in the Assembly in the adoption of laws concerning the:

- Culture
- Language
- Education
- Personal documents
- Use of the symbols

Within the Government of the Republic of Macedonia functions the **Secretariat for Implementation of the Framework Agreement** functions, while the **Committee on the Inter-Ethnic and Inter-Religious Relations** is an independent body dealing with the issues concerning the legal position of the religious communities and religious groups, as well as issues concerning the relations among the state, the religious communities and the religious groups.

The Office for supporting and promoting the culture of the members of the communities in the Republic of Macedonia functions as a body of the Ministry of Culture.

4. Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity.

In 1991, with the changes to the political, economy and legal system in our state, and with the introduction of the pluralism, multi-party system of parliamentary democracy and market economy, a complete freedom in the work of the religious communities has been provided in the Republic of Macedonia.

The Constitution of the Republic of Macedonia established the legal position of the religious groups, which guarantees the freedom and publicity of practicing religion, separately or in a joint community. The religious communities and religious

groups which exist in the country are before the Constitution and the law. Moreover, it provides the possibility for the religious communities and religious groups are free to establish religious schools and social and charity institutions according to a procedure stipulated by law.

The degree of religious freedom can be seen from the fact that the right for free expression of religion and non-discrimination on the basis of religion is protected by the Constitution - as the highest legal act in the state.

A separate Law on the Religious Communities and Religious Groups, adopted in 1997, attempts to implement the freedom and the rights of religion deriving from multilateral agreements, stipulating more precisely the rights and freedoms of the functioning of the religious communities and the believers' freedom, as well as the relation of the state towards the religious community.

The new Law on Religious Communities and Religious Groups, adopted on 5 September 2007, fully implements the international legal standards referring to the freedom of religious beliefs and non-discrimination on the basis of religion.

5. Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, inter-religious and intercultural relations in general.

The Constitution, in its provisions on the human rights and fundamental freedoms, stipulates that Citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status. Also, the Constitution guarantees the freedom of personal conviction, conscience, thought and public expression of thought. Furthermore, the Constitution guarantees the protection of the ethnic, cultural, linguistic and religious identity of the nationalities. In order to prevent violation of the right to free religious expressing, the Constitution stipulates that the freedoms and rights of the individual and citizen can be restricted during states of war or emergency. The restriction of freedoms and rights cannot discriminate on grounds of sex, race, colour of skin, language, religion, national or social origin, property or social status, and the restriction of freedoms and rights cannot be applied to the right to freedom of personal conviction, conscience, thought and religious confession.



ΒΟΥΛΗ ΤΩΝ ΕΛΛΗΝΩΝ

HELLENIC PARLIAMENT

ΔΙΕΥΘΥΝΣΗ ΔΙΕΘΝΩΝ ΣΧΕΣΕΩΝ
DIRECTORATE FOR INTERNATIONAL RELATIONS

**QUESTIONNAIRE ABOUT THE NATIONAL EXPERIENCES AND POLICIES OF PAM COUNTRIES IN
PROMOTING DIALOGUE AND UNDERSTANDING AMONG CULTURES AND RELIGIONS**

Who is acknowledged for the filling of this questionnaire?

Greece:

- a) Hellenic Parliament,
- b) Ministry of Foreign Affairs,
- c) Ministry of Culture,
- d) Ministry of National Education and Religious Affairs,
- e) Ministry of Interior.

Create an overview of the main ethnic groups in your country and their interrelations

By virtue of the 1923 Laussane Treaty, the Muslim minority in Thrace (of Turkish, Pomak and Roma origin) is the only recognized minority in Greece, whereas the Greek State undertook obligations emanating from the relevant articles of this Treaty.

Who are the most influential actors in the field of relations among cultures and religious and ethnic groups?

State, formal and informal education including family upbringing, civil society and cultural bodies are the main influential actors in the field of relations among cultures and religious and ethnic groups. State provides the legal framework, which promotes tolerance and respect for religious and cultural diversity. Formal and informal education including family upbringing have a great impact in young generation, teaching the value of mutual understanding and cooperation. The actors of civil society raise awareness regarding the equal treatment of groups with different cultural traits.

The initiatives undertaken by the Hellenic Ministry of Culture's Directorate of Modern Cultural Heritage involve:

Ø cataloguing, safeguarding and promoting all tokens of traditional culture

- Ø implementing the Ministry of Culture's policy on Museums of Modern Cultural Heritage
- Ø implementing policies (relevant to the field of cultural heritage) related to the social integration of individuals from distinct cultural and religious traditions (i.e. Gypsies, etc) as well as immigrants, refugees, individuals with special needs, and other minority groups (i.e. individuals taking part in drug-rehabilitation programs organised by community aid groups).

More specifically, the Intercultural Affairs Section of the Directorate of Modern Cultural Heritage has been assigned with a number of detailed responsibilities it must carry out to the best of its abilities. **Firstly**, surveying, recording and documenting the cultural characteristics of all the aforementioned groups residing within Greece and carrying out research programs of an intercultural nature. **Secondly**, supporting programs aimed at the smooth social integration of the above groups into Greek society. **Thirdly**, undertaking publishing and supporting publications. Furthermore, organising and supporting cultural events and exhibitions. Finally, using all available means to present the cultural tokens of all the above groups to the public. These responsibilities may be carried out in collaboration with other cultural and scientific organisations (Presidential Decree 191/2003 "Ministry of Culture Organisation", Article 14, Paragraph 3).

Greek legal order ignores confessional convictions as a factor in the relationship between citizen and State, or between any other actors in the legal field. All Greeks are equal before the Law (Article 4.1 of the Constitution), irrespective of religious creed. Article 3 of the Constitution does refer to Church and State relations, acknowledging Eastern Orthodoxy as the "prevailing" religion in the land. However, this is simply a statement of statistical fact and does not affect other religious groups active in Greece. Therefore, the main actors in Greece's legal environment, as concerns intercultural and inter-religious relations are Parliament, political parties, the Administration, academic institutions, religious bodies and organizations, NGO's etc.

Numerically, the largest religious bodies in Greece are the Orthodox Church of Greece, followed by the Muslim minority in Thrace, the Roman Catholic Church in Greece, the Israelite Community and various smaller groups, mainly Pre-Chalcedonian and Protestant. Immigration in recent years brought a significant Muslim presence, from Asian and African countries, established mainly in the larger urban centers. Finally, many formerly Orthodox Greek citizens, perhaps 15% of the total, adhere to parties professing non-confessional values.

Religious affiliation is not recorded in Greek censuses and in fact never was (the first Greek census was taken in 1828). Therefore all the figures given here-below should be treated as mere estimates.

Orthodox Church of Greece- Headed by His Eminence Hieronymos, Archbishop of Athens and All Greece.

As noted above, Article 3 of the Greek Constitution records the statistical fact, that "the Eastern Orthodox Church is the prevailing religion of the Greek nation". An estimated 98% of the population is generally thought to profess Orthodox Christianity, or to have originated from Orthodox families (see above for atheists or agnostics). However, attendance has fallen sharply over the years, as in the rest of Western Europe.

At any rate, as Orthodox Christianity does remain very largely in the majority, compared to other creeds, in Greece and as the mainstream Church of Greece boasts a very rich historical record, it enjoys considerable prestige among both the elites and the wider popular strata.

A splinter group, known as the Old Calendarists, adhering rigorously to arcane Greek Orthodox practices, have put themselves outside the jurisdictional framework of the Church of Greece and have formed a number of independent and mutually exclusive communities, generally in the Athens area. Their numbers are not known, as they tend to gravitate in and out of the orbit of the official Church and they maintain the rites and beliefs of the Church of Greece.

The Muslim minority in Thrace- Headed by the Most Learned Muftis Mr. Mehmet Emin Sinikoglou of Xanthe, Mr. Metso Tzemali of Komotini and Mr. Mehmet Serif Damadoglou, locum tenens of Didymoteichon.

Recent Muslim immigrant groups-Variou prayer leaders:

Islam, until the recent past, was mainly associated with the corresponding religious minority in Thrace. However, Muslim groups outside this latter region have since proliferated and are not solely composed of illegal immigrants. An effort to map this presence on national territory has been launched in 2008, by a multi-ministerial Task Force. This program, when completed, should help the Administration in establishing a stable and open relationship with the Muslim presence in Greece and cater properly to the needs of its members.

To cater to the needs of Muslim residents in the Athens area, the construction of a Mosque (unlike the case with most European capitals, to be built on a prominent downtown site in Athens) and a cemetery are underway, although, because of their magnitude, both must be expected to advance at a pace analogous to that of other major public projects.

The Roman Catholic Church in Greece- Head of the Synod: Mons. Frangiskos Papamanolis, Bishop of Syros, Thera and Crete. Archbishop of Athens: Mons. Nicholaos Fuskolos.

The exact number of Catholics in Greece are not known with any degree of precision. The Catholic Church has variously estimated the numbers of Greek citizens of the Catholic faith, from 13,000 to 50,000, although the lower figure has been given more often. The majority live in the urban agglomerations, the Cyclades, the Dodecanese, some of the Ionian Islands etc. All of these parishes are centered around their own churches, often endowed with other facilities (schools, cemeteries, cultural centers etc.). In recent years, foreign Catholics residing or working in the country have far exceeded the numbers of the autochthonous community. Apart from a sizable Philippino contingent, engaged in the tertiary sector, most are E.U. citizens, working for the local branches of international firms, with pensioners, established mainly in the islands and foreign spouses of Greek citizens making up for the remainder.

The Israelite Community- President of the Central Israelite Council: Mr. Moses Constantinis. Chief Rabbi of Athens: His Honour, Rabbi Jacob Arar.

According to the Central Israelite Council, approximately 5.000 Jews live in eight communities in Greece today. Jewish communities have been present in Greece since the Hellenistic age. Known as the

Romaniote Jews, these are totally integrated in the social fabric of Greece, so much as to escape detection by the rampaging Nazis in World War II. A larger group arrived in Greece in the 14th-15th centuries, to escape persecution in Spain and established themselves mainly in Thessaloniki, which, in the 16th to 18th centuries, was one of the largest in the Mediterranean world and a beacon for Jewish culture and rabbinical learning. Unfortunately, such a distinctive presence was doomed to attract the attentions of the occupying Nazis, in 1941-1944, who did their worst to obliterate it.

Pre-Chalcedonian denominations:

These Eastern Christian Churches split from the then united Church in the 4th to 7th centuries and are mainly centered in Armenia and the Fertile Crescent area. They are represented in Greece by sizeable community of Greek citizens of Armenian descent (Bishop of Athens of the Armenian Orthodox: His Eminence Horen Togramadjian) and by recent Christian immigrants from Syria, Egypt, Iraq and Iran.

Protestant denominations:

The size of Protestant and other Christian groups cannot be verified. The aggregate of the numbers given by the various denominations fluctuates widely, from 25,000 to 55,000, with the lower figure being more credible. Protestants have been present in Greece since the mid-XIX century, initially with the Evangelical Church, still active today, and comprise both Greek citizens and foreign residents, mainly European and North American staff in local branches of international companies, pensioners etc., much as in the case of foreign Catholics in the country.

The legal status of these groups has evolved with Greek legislation. The turning point was the adoption of the 1975 Constitution and Article 13, then, in 1979, Greece's accession to the then European Communities that enabled her to revamp much of her legal apparatus, by adapting to European *acquis*. Groups that had faced problems until the early 1970's, notably Jehovah Witnesses, who typically ran into trouble because of their refusal to perform military service (an act of civil disobedience and a very unpopular one, in a country that faced external threats until recently), found their situations fully normalized, before the 1990's were out.

Non-monotheistic religions:

These presences are mainly the result of very recent (mid-2000's) immigration from China, Indochina and the Indian sub-continent. Comprising Hindus, Sikhs, Buddhists and others, they are still the subject of categorization efforts by a multi-ministerial Task Force.

The legal framework, as it has been established by the Constitution and the laws of the Greek State, is in principle the main regulator of the intercultural and interreligious relations. At a Ministry of Education and Religious Affairs level and concerning the contribution of education to the issue of intercultural understanding, a series of measures, actions and programmes has been established. Indicatively, the objective is to integrate immigrant pupils into the regular educational environment through specific measures. On the basis of Presidential Decrees and circulars, the registration of immigrant pupils in all Greek public schools is facilitated, even in the case of missing supporting documents, under certain circumstances. The smooth integration of the above is enhanced through private tutoring courses (frontistiria) and integration classes, and, naturally, through (25) Schools of Cross-cultural Education. Targeted programmes are offered to facilitate the integration of the children of repatriates and immigrants into primary and secondary education, along with training courses for the teaching staff, programmes for the education of gypsy children that will facilitate their integration into a "regular"

school environment (leniency in the case of missing supporting documents, student card, preparatory classes, intervention schools, in-school tutorial teaching, workshops for the creative engagement of students, production of teaching material etc).

In particular, regarding the social and educational support towards the religious – Muslim minority of Thrace, administrative measures are offered, such as the exemption from the requirement of attaining at least the base grading (10) during the University admission exams. Also, the special percentage of 0,5% for admission to Higher Education still applies in their case, a percentage that now also includes graduates of Technical Vocational Schools. The State Scholarships Foundation has established a special scholarship programme for Muslim students in Thrace, while as of the school year 2006 – 2007, on a pilot basis, the Turkish language is taught as second foreign language of choice in the public secondary schools in Thrace. It should also be mentioned that, in Thrace, there are 194 minority primary schools, two minority secondary schools in Xanthi and Komotini, as well as two religious secondary schools in Komotini and in Echi-nos in the Municipality of Myki/Xanthi.

At a social level, in principle, we are experiencing the peaceful coexistence of social groups of different religious and social origin in Greece. At a social practices level at present, taking into account the democratic tradition and cultural openness of the Greek society, multicultural diversity (enhanced as of late by the intense, incessant migration flows) is actively endorsed with a series of targeted measures and actions that create sustainable integration infrastructures (educational, professional and social) for the social groups with a diverse national and religious origin. The civil society actively facilitates this integration and this is proven daily through every day practices and the absence of organized xenophobic phenomena.

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

Modern Greek legal thinking holds the notion of religious tolerance to be obsolete. The Constitution, in Article 13, as well as general legal practice, promote religious freedom, instead.

Religious freedom is guaranteed by Article 13 of the Greek Constitution, which actually enjoins the State to be pro-active in the defense of religious liberties. Consistent constitutional practice maintained ever since 1822, further relevant legislations enacted by Parliament, as well as an important corpus of Supreme Court jurisdiction, from 1828 to our day, form the juridical basis for the defense of religious freedom in Greece.

Specialized legislation combating religious and other discrimination is quite extensive. Apart from Article 13 of the Constitution, it comprises:

- Law 927/1979, on religious racial and other discrimination in general.
 - The Code of Criminal Procedure, as amended in 1984, specifically defines “religious
-

- discrimination” as a criminal act, in all its articles referring to discrimination.
- Law 3304/2005 also falls within the scope of anti-discrimination legislation and, despite its primary labour-relations orientations it has also been cited in Supreme Court case-law, referring to discrimination in general.
- Resolution 2285/2001 of the Council of State, abolishing reference to religious creed on identity cards, also includes guidelines on administrative or criminal procedure.

Many other statutes also include anti-discriminatory provisions.

Most importantly, it should be remembered that Greek legal order, as it exists today, is among the oldest in Europe, dating back to 1822 and therefore contemporary to such legal orders as those of Belgium or Holland and predating, e.g. the legal orders of Italy, or Germany, or indeed many of the Amendments to the U.S. Constitution. Greece’s Supreme Court is functioning uninterruptedly ever since 1828; Greece has been a fully constitutional State since 1843. It should be expected, such a legal environment would have produced, by now, a rather consistent corpus of jurisprudence on most important social issues and such is the present case indeed. The need for brand-new ad hoc legislation, on this matter-as on others- is not as important in Greece, as in the new States sprung up, mainly in Eastern Europe and the Balkans, since 1989; rather, the usual legislative and judicial processes, familiar to the rest of the countries in the Western world, are also to be found at work here.

Members of the Muslim minority are beneficiaries of nationwide programs and projects, co-financed by the EU, designed for vulnerable social groups, in particular on gender equality, combating racism and xenophobia, promoting tolerance, equal opportunities, access to employment and intercultural dialogue.

Furthermore, in the frame of conducting a dialogue with civil society and designing policies which promote the integration of migrants in all sectors, a National Committee for the Integration of Migrants has been set up under the Ministry of Interior. The Committee, among others, establishes forms of dialogue between public administration and the various cultural communities that live in Greece.

We note the following legal framework: Emergency Law 1363/38 (“Establishing Religious Freedoms”), Law 1920/91 (“On Muslim Religious Functionaries”), Law 3536/07 (“On Hiring Preachers and Teachers of the Holy Koran in the three Mufti Offices in Thrace”).

In the education policy framework (competency of the Ministry of Education and Religious Affairs), the conditions of tolerance and respect for diversity are achieved first through the legal framework for cross-cultural education (Law 2413/96), which concerns young people with “special academic, social, cultural or educational needs” and, second, through the diffusion of the value of respect towards diversity in the entire spectrum of education, through extensive study programmes and specific actions or programmes.

In particular, in the framework of the cross-subject approach of the analytical study programmes, the Pedagogical Institute (PI) contributes by ensuring the creative use of the language and cultural diversity through the diffusion of the relevant values into the study programmes. The PI organizes training programmes for the teaching staff regarding the management of problem solving in the classroom, training programmes which enhance the acceptance of diversity and the management of multicultural diversity, while supporting, at the same time, students with different cultural identities. In addition, in

the framework of the actions by the General Secretariat on Life Long Learning there is a Cooperation Network of Support for Young People which intervenes in a positive manner, especially in the case of students facing integration problems due to their origin and cultural identity. In the framework of the Adult Training Centres, training and support programmes are offered to the children of gypsies and immigrants. Special care is taken with the education of Muslim children (inter alia, as of October 2006 the Parent Teacher Associations in cooperation with the Adult Training Centres organize the programme "Education and Advisory Support to the families of Gypsies, Muslims, Expatriates and Immigrants").

Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, interreligious and intercultural relations in general

Greece implements policies, which encourage intercultural dialogue, on national as well as on regional and local level, with the consultation of all the competent authorities. In the field of culture, the EU Directorate Ministry of Culture, established a Strategy for the European Year of Intercultural Dialogue 2008 that includes all the necessary guidelines and framework of coordinated action among all the bodies dealing with this issue. Ministry of Culture undertakes several initiatives in the field of educational programs for Roma children and facilitates their access in cultural goods.

In addition, the Greek Ministry of Interior has been promoting the concept of intercultural dialogue as an essential feature in the international partnerships of the Hellenic first and second level Local Authorities, bringing in touch people from different countries, offering local societies members the chance to exchange experience and opinions on issues of common interest and developing tolerance and mutual understanding among citizens, through the respect and the promotion of cultural and linguistic diversity.

In accordance with the relevant provisions of the new Municipal and Communal Code (Law 3463/2006), twinnings between municipalities and Communities are being dealt with on a new basis, since a new procedure and new fields of action are being introduced to promote financial, cultural, educational and social relations at an international level as well as to enable the development of opportunities for their participation in international networks and programs.

Much of what falls under the heading of inter-religious dialogue is being put into practice through Greece's general policies on intercultural dialogue. The main instrument for formulating and executing such policies, towards non-Greek citizens, is the Minister of the Interior's "Integrated Action Plan for the Social Integration of Third Country Nationals" (ESTIA, Law 3386/2005) and the National Committee for the Social Integration of Immigrants (Law 3536/2007). A special Unit for Multicultural Issues is functioning, since 2003, within the Ministry of Culture (Presidential Decree 151/2003). Planning for the European Integration Fund for Third Country Nationals in another part of this effort, which is also conducted at multi-ministerial and local authorities' level.

Strategic planning for international interreligious dialogue is handled by the Ministry of Foreign Affairs (E2 Directorate, established in 1837), apart, of course, from the interested religious denominations themselves.

Religious communities mainly composed of Greek citizens have an interlocutor in the General Directorate for Cults of the Ministry of National Education. However, as most issues of interest to them have been settled, within the mid-1990's at the latest, the main item on the agenda, at the present moment, is the modernization of the legal status of a number of these communities. The Orthodox Church of Greece was to have its Charter reviewed, starting in early 2008, but work has not started yet. The status of the Roman Catholic Church, on the other hand, is being currently reviewed and new legislation should come on stream within the next few months (mid-2009). On the other hand, both the Muslim minority of Thrace and the Israelite community have had their charters brought up to date fairly recently (mid-2000's), whereas, by virtue of Law 3647/2008 "on the administration and management of the Muslim Wakifs in Thrace", a long standing demand of the former (the Muslim minority) is met through the election of their three main Management Committees. Most other groups are still being charted, but the Administration's intention is to have their status brought up to modern standards, in line with the "citizens-first" concept currently prevailing in European and Greek constitutional thought.

School curricula have been adapted to reflect the new realities of intercultural and interconfessional education, especially as large numbers of non-Orthodox pupils now study in Greek schools. Orthodox catechism has been made optional (2008), even for children from Orthodox families and a course on the History of Religions has been introduced. Particular attention is devoted to combating religious prejudice, especially anti-Semitism, through tailored programs aimed at familiarizing students with such issues as the Shoah.

Confessional agencies do not have a say on family relations and hereditary rights, which are regulated by secular legislation alone, mainly by the Civil Code (Articles 1346 to 2035). However, members of the Muslim minority in Thrace retain the privilege to choose, by mutual consent of the parties, to have family or heritage affairs judged by the Muftis (who are thus considered officers of Justice and are on the Emoluments List of the respective Ministry), according to the relevant tenets of the Shariah.

Acts of religious intolerance and discrimination are considered criminal, under current legislation and although cases brought before the Courts are rather few, they are being dealt with severity, if not speed (the multi-stage Greek judicial system is not noted for its rapidity, however reform is on stream).

Describe influential events and trends and their impact

Greece has enjoyed, over the centuries, privileged relations with many religious organizations, both Christian and non-Christian. The involvement of religious organizations based in this country, in Ecumenical (inter-Christian) and inter-religious dialogue is therefore crucial on both these levels. The Church of Greece and the Patriarchates of the Greek world (based abroad, but retaining strong cultural ties to their Byzantine and post-Byzantine past), are, together with the Holy See, the prime movers of the Ecumenical Dialogue. The excellent relations of Greek Orthodoxy with the Muslim world and to a large extent, with other world religions, have brought it to the forefront of interreligious dialogue. The relevant events are thus too numerous to recount.

The State, on the other hand, cannot involve itself directly in such activities, which pertain to the religious sphere, however, when called upon, occasionally provides a measure of logistics support to particular events. Thus, in recent months, Administration entities participated in or assisted events in Cyprus (Day of Prayer for Peace, organized by the Holy See and the Church of Cyprus, November, 16-18 2008), in Athens (Seminar for Interreligious Training of Young Christian and Muslim Faith Leaders,

organized by the Ecumenical Patriarchate and Islamic Organizations, December 11-13, 2008) and in Paris (Seminar on the Relations between State and Religions, organized by the Ministry of the Interior of France, December 18, 2008). In the later case, the official delegation of Greece, was composed of Foreign Ministry officials and representatives of the Orthodox Church, the Muslim minority and the Israelite Community, a first for all four organizations. Several such events are also on stream for 2009.

EU Directorate of the Hellenic Ministry of Culture, as National Coordination Body of the Year, implemented a series of actions with a great impact, in the framework of the European Year of Intercultural Dialogue 2008. Concerts were given by famous Greek and foreign artists all over Greece, conferences with the participation of music teachers and ethnomusicologists as well as a photo exhibition entitled 'Journeys of the Roma' took place. An educational program with the participation of students of intercultural schools was held in the Museum of Greek Folk Art, as closing event of the Year. Furthermore, a media and communication campaign was implemented by the Ministry of Culture with distribution of informative material, publication of articles and creation of relevant web page in order to raise awareness of the value of intercultural dialogue.

Identify and describe good practices

The Greek good practices are targeting at the creation of a frame that will allow and encourage the free and creative expression of the various cultural groups within the Greek territory, additionally contributing to creativity and innovation. The aim was to perform actions that would operate on three levels:

- a) Acquaintance of the "others" with Greek culture
- b) Acquaintance of the Greeks with the culture of "others"
- c) Cooperation of both in the performance of common "dialogue" actions on their particular cultural features and joint creativity.

The Ministry of Culture, in the context of the broader policy on the fight against social exclusion and racism, has coordinated and implemented special programs of intercultural nature since the early 1990s. The first example of best practice we can refer to was the formation of a special Office of Intercultural Issues that was established by the Directorate of Modern Cultural Heritage and evolved into the Unit of Intercultural Issues, in 2003.

The Secretary General of Adult Education of the Ministry of National Education and Religious Affairs, in the frame of its mission for long-life education of citizens in the country-regardless of their educational, religious and other features- as well as that of expatriated Greeks, has established special educational structures and independent educational programs throughout the territory.

Special emphasis has been put on targeted actions, such as the program "Teaching the Greek language to immigrants as a second language" as well as on pilot programs aiming at the integration of immigrants into the Greek society. In particular:

- In the frame of Adult Education Centers special programs are being implemented aiming at the smooth and equal integration of vulnerable social groups into the Greek society, as well as at the improvement of their position and their integration into the labor market.
- In the frame of Adult Education Centers and Parent Schools for the years 2006-2007 and 2007-2008 the program "Education and Counseling to Gypsy families, members of the Muslim minority, expatriated people and migrants" has been implemented throughout the country. The

program was addressed to parents of the target groups, enabling them, on the one hand, to help their children with their homework and thus eliminate academic failure and drop out, particularly high within these target groups and on the other hand, integrate them into the Greek society. In the frame of that particular program, a training material has been elaborated on the following thematic units: a) Greek language for Roma parents, b) Greek language for parents of the Muslim minority, c) Counseling to parents belonging to vulnerable social groups, d) Health education of vulnerable social groups. This training material has used the intercultural dialogue as a methodology and tool enabling the integration of such groups into the Greek society.

- The Parents Schools programs. These programs provide training to migrant parents, expatriated people and gypsies. Exchanges of views and experience take place among trainees, the value of diversity is recognized and the intercultural dialogue encouraged.
- The independent training programs “Teaching the Greek language as a second language to immigrant workers II & III” are addressed to immigrant workers regardless of their ethnic origin, to spouses of Greek nationals as well as to third country nationals wishing to obtain the long term resident status in Greece, a prerequisite for it being the certified sufficient knowledge of the Greek language and Greek history and civilization.
- The General Secretariat for Youth, Ministry of National Education and Religious Affairs participated in the Steering Committee of the “All equal all different” campaign which was organized in cooperation with the National Youth Council, with the aim to develop the intercultural dialogue.
- The General Secretariat for Youth has promoted intercultural dialogue by establishing Local Youth Councils, throughout the country, through which young people have the opportunity to express their views and promote intercultural cooperation. Another institution that was established is the Youth Entrepreneurship Support Structures, which contributes to the social integration of young people and provides equal opportunities.

As in most other western European countries, “good practices” in this field are directly derived from developments in the legal-especially constitutional field-and as a result of evolving thinking within the society at large. To just resume what has been described above, one could list the following:

- The institution of specialized Units for intercultural dialogue within the Administration.
- The adoption and implementation of special legislation for the integration of immigrants.
- The adaptation of school curricula to cater to the needs of intercultural education.
- The adoption and implementation of specific school programs, to combat religious intolerance, in particular, anti-Semitism.
- The criminalization of acts of religious intolerance and discriminations, in the relevant Codes and legislation; this is already reflected in recent Greek jurisprudence.
- The modernization of the status of religious organizations, within Greece’s legal order, either already finalized (Israelites, Muslims), or on stream (Orthodox, Roman Catholics).
- The institution of multi-agency Task Forces, to map recent and lesser known religious groups, in order to establish contact and provide to their needs.
- Collaboration of Government agencies with religious groups, irrespective of creed, both within Greece and abroad.
- The ongoing review of legislation, in line with the concept of a “citizens-first” State.

SWOT analysis

Can you list the main weaknesses of your country's society (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

None.

Can you list the main strengths of your country's society (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

The main strengths of Greek society that help it in its task of improving its intercultural and inter-religious relations are municipalities, cultural groups, universities, Ministry of Culture and Ministry of National Education and Religious Affairs.

What events, developments, facts, trends or plausible future events outside your country pose or could pose a threat to your country's contributing positively to the harmony among cultures and religions?

-

What events, developments, facts, trends or plausible future events outside your country offer or could offer an opportunity for your country's contributing more positively to the harmony among cultures and religions?

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What lines of action do you propose for improvement?

Suggested line of action 1

The projection and the promotion of intercultural dialogue as much on national level as on Community level can and should be useful as bridge and step of dialogue between the states and between the different groups that live together inside each state. More specifically, in the current world, a world of globalization, the need of the promotion of intercultural dialogue on worldwide level is at imperative paramount importance.

Suggested line of action 2

Creation of joint cultural projects between different cultural background groups will result as a fruitful exchange of information and knowledge, decreasing social malfunctions, such as the xenophobia and nationalistic and religious intensities.

Suggested line of action 3

Promotion of free expression of groups with different cultural origin, via the access of all their members in cultural products and services and under the framework of respect of the constitution and the national heritage of each member state will contribute to a peaceful and constructive coexistence of multicultural societies.

Suggested line of action 4

Increase of the role of education in the growth of fertile intercultural education, which is catalytic, because it contributes to the knowledge, to the maintenance and to the fruitful growth of origin of different cultural groups that live together in the same society.

Suggested line of action 5

Support via the Media of the diversity of cultural actions of groups with different cultural characteristics that could create a harmonious living together which constitutes a perpetuity constant and permanent value.

Suggested line of action 6

Civil society can include the cultural diversity in the planning of social benefits, as well as in the concretization of European programs, which support action of proportional character.

Jordan

A Questionnaire about the national experiences and policies of PAM Countries in promoting dialogue and understanding among cultures and religions

Introduction: the aim and background of this questionnaire

PAM is very aware of the central place of the Mediterranean in issues of relations between cultures and religions that could either threaten or promote international peace and harmony. This questionnaire is being promoted by PAM's Standing Committee on Dialogue among Cultures and Religions. This questionnaire aims to compile a picture of what is going on in each PAM country in this important area for the future of the Mediterranean and the world.

The results of this consultation will be compiled and presented to the Assembly at its meeting in Monaco in November, as basis for a PAM White paper on how all AM countries can promote mutual understanding as well as a common approach towards harmonising future legislation and policies based on best practices and shared values.

The objective of this consultation is to share information. As emphasised by the recommendations of the meeting that took place in Morocco in June, information must be governed by strict neutrality. The report must not give value judgements. Where a matter might be controversial, such expressions as 'it seems that' or 'are perceived as.. by...' and other expressions that avoid value judgements are encouraged.

How to fill this questionnaire

Various PAM representatives can use different methods to fill this that can range from individual answers to the compilation of expert opinion through focus groups.

Answers should be brief, in point form wherever it helps. The filled questionnaire, including both questions and answers, should not, in any case, exceed 5,000 words.

Deadline and Address to send filled questionnaire

Please send the filled questionnaire by the [date] to [address].

Any queries about filling this questionnaire are to be addressed to [-----]

Part 1

Who is to be acknowledged for the filling of this questionnaire?

Please briefly state who is to be acknowledged for the filling of the questionnaire for your country at the stage of the dissemination of its results. Please also specify **which country** this questionnaire describes.

The Royal Institute for Inter-Faith Studies in Amman, Jordan in Cooperation with the General Secretariat of the Lower House of the Parliament should be acknowledged for the filling of this questionnaire. The Answers of this questionnaire are specifically about Jordan.

The Royal Institute for Inter-Faith Studies (RIIFS) is a non-governmental non-profit organizations that provides a venue in Jordan and the Arab world for the interdisciplinary study and rational discussion of religion, religious issues and cultural and religious diversity.

Create an overview of the main ethnic groups in your county and their interrelations

Which are the main ethnic and religious groups in your country? Please give some idea of their relative size. On what basis is each group seen as a different group (nationality, citizenship of a national or supranational entity, religion, race, migratory history, legal status..)

How do they relate to each other insofar as tolerance and acceptance of each other, friendly or hostile stereotypes, access to rights, mutual perception in terms of hostile stereotypes, being seen as a threat or support to identity, prosperity, freedom, way of life?

The main ethnic groups in Jordan are:

Circassians: They number about 190,000 and were historically forced to emigrate from their home land towards the Arab East after they suffered from persecution by the Czarist Russia in the 1800s.

Although Circassian communities in Jordan have their own language and traditions, they were able to fully integrate into the Jordanian society, through mixed marriages, schools and the like. They all master the Arabic language written and spoken.

Chechens are another ethnic minority who also emigrated from Russia and found home in Turkey, Syria and Jordan at the turn of the twentieth century. They belong to the Naqshbandi Tariqat. Their estimated number in Jordan is approximately 15,000.

Both Circassians and Chechens have full citizenship and both enjoy the

Jordanian Nationality.

Armenians: In 1948 the number of Armenians living in Jordan was estimated to be 16,000. They immigrated to Jordan as a result of persecution and political turmoil during the First World War. Yet, as a result to the high unemployment rate in the early seventies of the last century, many left Jordan for the United States, the United Kingdom, Canada and Australia making their number drop to 3500.

Even though Armenians in Jordan have integrated into the prevailing cultural patterns they have retained a strong sense of their Armenian identity and they have held on and preserved their native language and culture. This integration can be felt on several levels including acceptance of mixed marriages and affiliation with Arabic social institutions. Armenians in Jordan speak Arabic fluently besides their Armenian language which they have inherited from their ancestors. Armenians in Jordan are mostly Roman Orthodox.

Kurds: It is estimated that there are 30,000 Kurds in Jordan. The number includes those who settled in Jordan during the last quarter of the Nineteenth Century and the first quarter of the Twentieth Century, and those who came from Palestine as refugees in 1948 and 1967.

Today, Kurds live in various cities and towns around the country and they are a part of the social, political and economic fabric of Jordan. They have also had their share in the building of modern Jordan.

There are a number of factors that contribute to the concord between Arab Jordanians and Kurds most important of which are the similarities in traditions and customs, shared faith which is Islam, geographical proximity of Kurdistan and Bilad Al Sham and Iraq, common history and intermarriages.

Turkmens: The number of Turkmens does not exceed 25,000. They have integrated completely into the Jordanian society to the extent that they became Arabs of Turkmen's origin.

Religious groups in Jordan:

Muslims count to about 90% of the population where the vast majority are Sunni with a small number of Shi'i Muslims (from Iraq mainly). Islam by constitution is the official of the state in Jordan.

Christianity has its deep roots in Jordan, where Jesus Christ was baptized. Most of Christians in Jordan descend from Arab tribes and they follow the Orthodox Church. They enjoy their full rights of nationality and citizenship guaranteed by

the constitution and make approximately 5% of the Jordanian population.

Christians play a very vital role in all spheres of public life in Jordan, and in spite of their relatively small number their contribution and presence surpasses their small number. They have seats in the Parliament and they occupy high ranking government jobs and on the ministerial level too.

Druze: The estimated number of Druze in Jordan is about 1215. Most of them live in al Azraq area in the western desert of Jordan. Some live in Amman and other big cities. Druze people started moving into Jordan from Jabal Druze (their home land) which is close to al Azraq, due to the deteriorating situation during the French occupation of Syria and Lebanon. Although the Druze integrated into the Jordanian cultural patterns they have retained a strong sense of their identity and they have hold on to their culture

Who are the most influential actors in the field of relations among cultures and religious and ethnic groups?

List the main actors who are influential in the area of relations among cultures and religious and ethnic groups.

These could be state, governmental or political entities and leaders, supranational organisations, pressure groups, media, religious groupings and institutions, family upbringing and everyday socialising and cultural influences, NGOs and sections of civil society.

Regarding as many among the above that you see as influential, please describe their influence, the messages they give, the means that they use, the type and significance of impact that they have.

The Jordanian state as a whole with all its different branches is very influential and supportive of providing a common shared living for all the cultural, ethnic and religious components of the Jordanian Society.

- The Social institutions, traditional like the family and tribal systems, and modern like the family associations and charitable organizations are influential in the preservation of the identity of the smaller groups and at the same time supporting a collective Jordanian cultural identity and personality for the society at large.

- Political, social and religious leadership are also very influential.

- Civil Society organizations play an important role in preserving diversity .

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

Relevant areas would be legal provision regarding

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum with relations among cultures or religions
-

The legal framework in Jordan, provide for and promotes tolerance. The

constitution allows for the freedom of religion and faith to all Jordanians, regardless of his ethnic or religious origin.

Access to political, civil and welfare rights is guaranteed by the Jordanian constitution and law to all Jordanians regardless of their ethnic or religious background.

While in family matters, the law is heavily influenced by Islamic Jurisprudence (Shari' a), the Christian community have there own judiciary councils to solve disputes between followers of different denominations of Christianity.

Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, inter-religious and intercultural relations in general:

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum that deal with relations among cultures or religions
-

The Jordanian constitution and the body of Jordanian legislations ensure and provide for complete equality for All Jordanians regardless of their ethnicity religion or cultural background. The constitution allows for the freedom of religion and faith to all Jordanians, regardless of his ethnic or religious origin.

The policies designed and carried out by the successive Jordanian governments provide for and promotes coexistence and common living. The constitution allows for the freedom of religion and faith to all Jordanians, regardless of his ethnic or religious origin.

The Jordanian Law provides protection to all Jordanians against any aggression or any discriminatory treatment. Special attention in given by the law enforcement agencies in combating and actions that might cause harm to communal harmony and peace.

Describe influential events and trends and their impact

Describe important events, local, national and international (especially recent ones) that influence the intercommunal, inter-religious or intercultural relations, as well as recent trends that have emerged that seem to have had a significant impact on such relations.

-Amman Message (Nov. 2004): The message emphasizes that Muslim faith is based on belief in one God and the message of His Prophet. The message calls for unity of the human race, equal rights and obligations, peace, security, social equality, the honouring of pledges, respect for others, the protection of belongings and property. Islam's principles also provide common ground among different faiths and peoples. Islam honours every human being, without distinction of colour, race or religion.

- Cultural and religious dialogue is a continuous process of Jordanian institutions. Over the past few years several events organised around inter-faith and inter-cultural themes, by governmental, nongovernmental and civil society actors. Often these events are jointly hosted and organised with several local, regional and international partners.

-In November 1999, the World Conference on Religion and Peace (WCRP) held its Seventh World Assembly, in cooperation with the Royal Institute for Inter-Faith Studies on the theme Global Action for Common Living: The Role of Religions in the Next Millennium. The Assembly was held under the patronage of HM King Abdullah II of Jordan and the chairmanship of HRH Prince El Hassan bin Talal.

Identify and describe good practices

Please list and describe a number of good practices by government or civil society (including entities mentioned above) that have recently helped or at present are helping to improve intercommunal, inter-religious and intercultural relations and understanding.

Celebration of Religious holidays publically at the national level is a very important good practice. Usually main religious celebrations like Eid el Adha (after the Pilgrimage) Eid el Fetr (after Ramadan) in Islam, or Christmas and Easter in Christianity. The public celebrations of these activities provides and opportunity of reminding all components of the society about the others. Also the patronage of His Majesty the King and the participation of the top political and religious leadership in these celebrations send a very strong message all the time.

In the Jordanian parliament, the main religious and ethnic groups are represented to allow for access to the political and legislative systems.

On the Social level, religious and social activities are celebrated in total freedom, with acceptance and participation of other groups. For example Inter-faith marriages are becoming more common and more accepted by the society.

Generally, ethnic and religious groups are allowed, and sometimes encourage to establish community groups and cultural societies to preserve their cultural, ethnic or religious identity and to better communicate their needs and requests to the government and other public decision making bodies.

By way of summary, can you create an overview of the situation you

have described in the form of a SWOT analysis?

Can you list the main weaknesses of your country's society (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

Can you list the main strengths of your country's society (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

What events, developments, facts, trends or plausible future events outside your country pose or could pose a threat to your country's contributing positively to the harmony among cultures and religions?

What events, developments, facts, trends or plausible future events outside your country offer or could offer an opportunity for your country's contributing more positively to the harmony among cultures and religions?

What lines of action do you propose for improvement?

Re each line of action please identify its aims, which should be the actors, and using what means. State also the role of parliamentarians or the Parliamentary Assembly of the Mediterranean can have in each. Describe also the expected impact, as well as the conditions that seem to be required for it to succeed.

Suggested line of action 1

There are several efforts in the region to enhance cultural and religious understanding dialogue and understanding. The Parliamentary Assembly of the Mediterranean should take note of all these initiatives on the regional and Mediterranean level and try to adopt or support some of them. The PAM could also proceed to involve the parliamentarians on the national level to advocate these initiatives and programs on the local level in their respective communities

Suggested line of action 2

PAM should take conduct a thorough study on the situation of religious and ethnic groups in all its member states in cooperation with the national parliaments. Once such study is conducted, areas of weakness and strength should be mapped out and programs could be devised to share experiences and good practices between different country members of PAM. The help of regional and local partners in this effort could be solicited. The Work of the Anna Lindh Foundation for Euro Mediterranean Dialogue among Cultures could be useful in this respect.

The results of this study and mapping could lead to legislations on the local level that would promote more interaction, dialogue and common living.

Malta

A Questionnaire about the national experiences and policies of PAM Countries in promoting dialogue and understanding among cultures and religions

Introduction: the aim and background of this questionnaire

PAM is very aware of the central place of the Mediterranean in issues of relations between cultures and religions, that could either threaten or promote international peace and harmony. This questionnaire is being promoted by PAM's Standing Committee on Dialogue among Cultures and Religions. This questionnaire aims to compile a picture of what is going on in each PAM country in this important area for the future of the Mediterranean and the world.

The results of this consultation will be compiled and presented to the Assembly at its meeting in Monaco in November, as basis for a PAM White paper on how all AM countries can promote mutual understanding as well as a common approach towards harmonising future legislation and policies based on best practices and shared values.

The objective of this consultation is to share information. As emphasised by the recommendations of the meeting that took place in Morocco in June, information must be governed by strict neutrality. The report must not give value judgements. Where a matter might be controversial, such expressions as 'it seems that' or 'are perceived as.. by...' and other expressions that avoid value judgements are encouraged.

How to fill this questionnaire

Various PAM representatives can use different methods to fill this, that can range from individual answers to the compilation of expert opinion through focus groups.

Answers should be brief, in point form wherever it helps. The filled questionnaire, including both questions and answers, should not, in any case, exceed 5,000 words.

Deadline and Address to send filled questionnaire

Please send the filled questionnaire by 12 March to:

secretariat@apm.org.mt / Fax +356 22484215

Rita.Ferreira@ar.parlamento.pt / Fax+351 213917495

Any queries about filling this questionnaire are to be addressed to the contacts listed above.

Part 1

Who is to be acknowledged for the filling of this questionnaire?

Please briefly state who is to be acknowledged for the filling of the questionnaire for your country at the stage of the dissemination of its results. Please also specify **which country** this questionnaire describes.

MALTA

Hon Justyne Caruana MP – Malta Representative within the 3rd Standing Committee

Mr James Carabott – Research Analyst, Social Affairs, Malta PAM National Contact Point

Create an overview of the main ethnic groups in your county and their interrelations

Which are the main ethnic and religious groups in your country? Please give some idea of their relative size. On what basis is each group seen as a different group (nationality, citizenship of a national or supranational entity, religion, race, migratory history, legal status..)

How do they relate to each other insofar as tolerance and acceptance of each other, friendly or hostile stereotypes, access to rights, mutual perception in terms of hostile stereotypes, being seen as a threat or support to identity, prosperity, freedom, way of life?

Malta's total population is 404,962, having 49.6% males and 50.4% females. 98% of Maltese populations are Roman Catholic. A 2006 National Statistics Office review indicated that Maltese population increased by 2,804 and only 3.4% were non-Maltese citizens. 24% were attributed to natural increase and 76% due to net migration. Discrimination based upon race and ethnicity has arguably increased in visibility over the past years, mainly due to altered migration patterns. The phenomenon of irregular immigration has captured Maltese attention and brought up challenging tensions between policy considerations of international law and minimum care standards, social support practices, human rights and security, and crime concerns. Nevertheless, these concerns are not only problems in their own right, but also contribute to larger policy issues such as attraction, settlement, empowerment, integration and retention of irregular immigrant communities. The number of persons who applied for asylum status in 2008 was 2223 compared to 1072 in 2007. The total live births in 2007 stood at 3,871. In 2007, irregular immigrants came from sub-Saharan Africa mainly Somalia (613), Eritrea (211), Ivory Coast (162), Nigeria (136), Mali (123), Ethiopia (107) and Ghana (84). All immigrants arrive illegally by small boats and by means of well-organized networks of human traffickers within the Southern Mediterranean borders.

The high numbers of irregular immigrants and related issues brought up xenophobic sentiments amongst the Maltese population. In a research project commissioned by a Maltese newspaper Vassallo (2005) revealed the extent of Maltese xenophobia. Vassallo tested people's perceptions in August, the month when good weather heightens the problem of illegal immigration. The results were disturbing. While 90% of the respondents had no objection of having a European person as a neighbour, an equal 90% responded that they would not like a person of Arab or African origin as their neighbour. Moreover, more than 75% of the participants claimed that they would not give shelter to persons who were trying to escape their native land because of political persecution, war or civil war, hunger or mass poverty. The general perception is that Malta is far too small to receive migrants, no matter how serious their problems are.

Xenophobic acts were linked to arson attacks, mainly to persons who have voiced their concern about the welfare of immigrants, including a media editor, a journalist, the Catholic Jesuit Community and their lawyer, and a human rights poet.

Anti-racist behaviours have been reported such as cases of refusal of access to public places to African persons, such as discos and pubs. It appears that no action was taken by police. African immigrants are sometime neglected from renting an accommodation in Malta. The largest category is primarily of Arabic origin, leading to homelessness, solitude, poverty, criminality and social exclusion. Black-market employment, especially in the construction and catering industries, is on the increase and is also intrinsically related with irregular immigration. This could lead to abuses, including lower wages, health and safety issues, longer working hours, no insurance and sick leave coverage. Moreover, there have been some reports of police misconduct on immigrants. In 2001 the Police Academy introduced a new course to sensitise police on racism, xenophobia and discrimination.

Although some newspapers and television programmes address issues of racism and discrimination in Malta in a responsible and informative fashion, it is also reported that other media tend to report on incidents involving immigrants in a fashion which may increase prejudices and stereotypes, for example by mentioning the ethnic origin of alleged perpetrators of crimes when these are not Maltese. It also appears that Maltese have in some cases used the media to express racist views, for example in letters to the editor. It is imperative that the criminal law provisions concerning

incitement to racial hatred should be rigorously used to combat racist material printed or broadcast in the media. Nevertheless, it could be argued that the Broadcasting Authority Act, Press Act, and the Institute of Maltese Journalists are legislative tools and organisations set-up to monitor and prohibit racism and intolerance discussions within media.

Who are the most influential actors in the field of relations among cultures and religious and ethnic groups?

List the main actors who are influential in the area of relations among cultures and religious and ethnic groups. These could be state, governmental or political entities and leaders, supranational organisations, pressure groups, media, religious groupings and institutions, family upbringing and everyday socialising and cultural influences, NGOs and sections of civil society. Regarding as many among the above that you see as influential, please describe their influence, the messages they give, the means that they use, the type and significance of impact that they have.

Organisation	Aim
The National Commission for the Promotion of Equality	The National Commission for the Promotion of Equality (NCPE) is an independent, government funded body set up by virtue of Chapter 456 of the Laws of Malta in January 2004. The Commission works to ensure that Maltese society is a society free from any form of discrimination based on: (i) sex / gender and family responsibilities in employment, and (ii) racial / ethnic origin and gender in the provision of goods and services and their supply.
OIWAS	State-run organization created to manage integration and welfare of asylum seekers
APPOGG	Offering courses on education, life skills, and employment issues to asylum seekers
General Workers Union, Malta Red Cross, Employment and Training Corporation	Offering courses on education, life skills, and employment issues to asylum seekers
Jesuit Refugee Services and UNHCR	Asylum seekers' reception and status
Medecins sans Frontier	Asylum seekers' health care services in detention/reception centres

The People for Change, Broadcasting Authority, Journalists' Committee and Institute for Maltese Journalists	Media sensitivity towards ethnic issues
Fondazzjoni Suret il-Bniedem	Asylum seekers' reception and status
Refugee Commission	Asylum seekers' legal and social assistance
Amnesty International Malta and International Organisation of Migrants Malta	Asylum seekers' legal and social assistance
<i>DAR Project – Ministry for Foreign Affairs</i>	<p>Ministry for Foreign Affairs is running an Assisted Voluntary Return Project called DAR project. DAR is a pilot project for the development of humane and sustainable programmes for the return and re-integration of irregular migrants into their communities. It is a project submitted under the EU RETURN programme and runs from August 2007 to January 2009 (18 months).</p> <p>The programme emphasises AVR (Assisted Voluntary Return, as opposed to Forced Return) measures and will offer concrete benefits to prospective returnees (e.g. cash, tools, education courses, etc.) DAR lays special emphasis on the re-integration aspects of return. Training prior to departure on the return journey home and, if necessary, after arriving back home, will form an important part of the project, as will the mentoring of the returnees until they re-integrate successfully.</p> <p>The first to be repatriated under the DAR AVR project were three Sudanese nationals who left Malta on 2 June 2008.</p>
University of Malta	<p>ESTEEM project where socially disadvantaged persons are empowered through education and training.</p> <p>Introduction of a Masters studies (Social Policy) on Immigration</p>

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

Relevant areas would be legal provision regarding

- freedom of religious faith and worship and freedom of expression,

- access to political, civic and welfare rights,
- protection against xenophobic or discriminatory treatment
- options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
- entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
- centrally prescribed items in the educational curriculum that deal with relations among cultures or religions

INTERNATIONAL Legal Instrument	Accession and/or Ratification
Convention for the Protection of National Minorities	Yes
European Charter for Regional or Minority Languages	No, still in process of consideration
European Convention on the Legal Status of Migrant Workers	No, still in process of consideration
European Convention on Nationality	Signed (2003), but not ratified
European Social Charter	Signed and Ratified (2005)
UN Convention to the Status of Refugees	Signed but with reservations, Reservations were removed in 2004
European Convention on Human Rights	Yes, however Protocol No12 was not ratified
European Directive 2000/43/EC	Directives are now fully transposed by LNs 85/07, 86/07 and also by LN461/04
European Directive 2000/78/EC	

THE 7 CORE UN HUMAN RIGHT TREATIES - MALTA

CERD – International Convention on the Elimination of All Forms of Racial Discrimination

Signed: 5 September 1968
 Ratified: 27 May 1971

CEDAW – Convention on the Elimination of Discrimination against Women

Acceded: 8 February 1991
 Optional Protocol: Not Signed

CAT – Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment

Acceded: 13 September 1990
 Optional Protocol: 24 September 2003

CRC – Convention on the Rights of the Child

Signed: 26 January 1990
 Ratified: 30 September 1990
 OP-Armed Conflict: Signed 7 September 2000; Ratified 9 May 2002

OP-Sale of Children: Signed 7 September 2000

CESCR – International Covenant on Economic, Social and Cultural Rights

Acceded: 13 December 1990

CCPR – International Covenant on Civil and Political Rights

Acceded: 13 December 1990

CRMW – International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

Not Signed

DOMESTIC LAWS

Article 32 of the Maltese Constitution stating that every person is entitled to the fundamental rights of the individual: “*whatever his race, place of origin, political opinions, colours or creed*”.

Article 45 prohibits discriminatory treatment by any person acting by virtue of any written law or in the performance of the functions of any public office or authority.

Year	Major National Attainments and Legislations to combat racism and discrimination in Malta
1854	Criminal Code (Amended)
1974	Press Act (Amended)
1991	Broadcasting Act (Amended)
1995	The Social Affairs Committee, within the House of Representatives, was set-up. One of the main responsibilities of this Committee is the discussion on racism, intolerance and fundamental human rights.
1995	Office of the Ombudsman
2000	Refugees Act (Amended to reflect EU directives including 2004/83/EC and 2005/85/EC)
2000	Employment and Training Services Act
2002	Employment and Industrial Act
2003	Gender Equality Act
2004	National Commission for the Promotion of Equality between Men & Women (NCPE)
2004	Chapter 456 –Equality for Men and Women Act
2005	Domestic Violence Act
2007	Legal Notice 85 Equal Treatment of Persons Order
2008	Legal Notice 181 - Access to Goods and Services and their Supply (Equal Treatment) Regulations
2009	Amendment to the Criminal Code Cap. 9

Nevertheless the National Minimum Curriculum ensures that Maltese students respect multi-

cultural societies, and different religions. It could be argued that even health care professionals, police and other public officers that provide hands-on service to irregular immigrants are being sensitised to the subject.

Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, inter-religious and intercultural relations in general:

- freedom of religious faith and worship and freedom of expression,
- access to political, civic and welfare rights,
- protection against xenophobic or discriminatory treatment
- options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
- entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
- centrally prescribed items in the educational curriculum that deal with relations among cultures or religions

See above tables

Describe influential events and trends and their impact

Describe important events, local, national and international (especially recent ones) that influence the intercommunal, inter-religious or intercultural relations, as well as recent trends that have emerged that seem to have had a significant impact on such relations.

-
- ***European Year for Intercultural dialogue (2008)***
 - ***The inception of the Parliamentary Assembly of the Mediterranean and the Mediterranean Day***
 - ***The setting up of the National Commission for the Promotion of Equality***

Identify and describe good practices

Please list and describe a number of good practices by government or civil society (including entities mentioned above) that have recently helped or at present are helping to improve intercommunal, inter-religious and intercultural relations and understanding.

-
- ***General Workers Union – draft of a policy paper “Immigrants workers”***
 - ***EQUAL 7 Project (Appogg) – educative programme***
 - ***DAR (see table above) – Assisted voluntary return***
 - ***ESTEEM (University of Malta) – see table above***
 - ***ARUPPE Programme at a local church school aiming at sensitising issues of discrimination and social justice within formal curriculum. The programme also involves a number of awareness activities, visits and themed workshops.***

By way of summary, can you create an overview of the situation you have described in the form of a SWOT analysis?

Can you list the main weaknesses of your country's society (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

- **MONITORING, SURVEILLANCE AND IMPLEMENTATION OF LAWS.**
- **LACK OF EDUCATION ON ANTI-RACIST BEHAVIOURS AND XENOPHOBIA.**
- **LACK OF FORMAL TRAINING ON MULTICULTURALISM TO STUDENTS AT THE UNIVERSITY OF MALTA**

Can you list the main strengths of your country's society (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

- **A SOUND LEGISLATIVE FRAMEWORK**

What events, developments, facts, trends or plausible future events outside your country pose or could pose a threat to your country's contributing positively to the harmony among cultures and religions?

- **INCREASE IN IRREGULAR IMMIGRATION CAUSING XENOPHOBIC SENTIMENTS**

What events, developments, facts, trends or plausible future events outside your country offer or could offer an opportunity for your country's contributing more positively to the harmony among cultures and religions?

- **MORE EDUCATION**
- **EU FUNDED PROJECTS on INTERCULTURAL DIALOGUE AND MUTUAL RESPECT**

What lines of action do you propose for improvement?

Re each line of action please identify its aims, who should be the actors, and using what means. State also the role of parliamentarians or the Parliamentary Assembly of the Mediterranean can have in each. Describe also the expected impact, as well as the conditions that seem to be required for it to succeed.

Suggested line of action 1

Every effort should be made for all PAM Member States to sign and ratify the 7 core UN Human Rights Treaties, and also to lessen the gap between legal and social provision.

Suggested line of action 2

Dialogue about ideas and cooperation are to be promoted at all levels, inter, sub-, regional and supranational, to facilitate and promote inter-cultural awareness and concrete actions. EDUCATION has a key role to play in instilling notions of cultural and religious diversity and mutual respect.

Suggested line of action...

All persons should if possible be enabled to pursue their life project in their country of origin and migration should result either as a choice or last resort, rather than as a necessity to escape persecution, violence, political instability, poverty, war, cultural intolerance, xenophobia and racism. Immigrants, on the other hand, are to be viewed as welcome enrichers of social capital, able to promote development and reduce poverty in their countries of origin, as well as to contribute to the prosperity of destination countries. Pre-migration programmes are a useful means to ease the future integration of immigrants in other societies and cultures, within a perspective of enhanced legal migration.

Managed migration should be a central part within a Mediterranean strategy for economic growth, particularly by supporting circular labour migration, seasonal programmes according to the persons' interest and to labour market demand and supply.

Suggested line of action...

Suggested line of action...

MONACO

A Questionnaire about the national experiences and policies of PAM Countries in promoting dialogue and understanding among cultures and religions

Introduction: the aim and background of this questionnaire

PAM is very aware of the central place of the Mediterranean in issues of relations between cultures and religions, that could either threaten or promote international peace and harmony. This questionnaire is being promoted by PAM's Standing Committee on Dialogue among Cultures and Religions. This questionnaire aims to compile a picture of what is going on in each PAM country in this important area for the future of the Mediterranean and the world.

The results of this consultation will be compiled and presented to the Assembly at its meeting in Monaco in November, as basis for a PAM White paper on how all AM countries can promote mutual understanding as well as a common approach towards harmonising future legislation and policies based on best practices and shared values.

The objective of this consultation is to share information. As emphasised by the recommendations of the meeting that took place in Morocco in June, information must be governed by strict neutrality. The report must not give value judgements. Where a matter might be controversial, such expressions as 'it seems that' or 'are perceived as.. by...' and other expressions that avoid value judgements are encouraged.

How to fill this questionnaire

Various PAM representatives can use different methods to fill this, that can range from individual answers to the compilation of expert opinion through focus groups.

Answers should be brief, in point form wherever it helps. The filled questionnaire, including both questions and answers, should not, in any case, exceed 5,000 words.

Deadline and Address to send filled questionnaire

Please send the filled questionnaire as soon as possible to:

secretariat@apm.org.mt / Fax +356 22484215

Rita.Ferreira@ar.parlamento.pt / Fax+351 213917495

Any queries about filling this questionnaire are to be addressed to the contacts listed above.

Part 1

Who is to be acknowledged for the filling of this questionnaire?

Please briefly state who is to be acknowledged for the filling of the questionnaire for your country at the stage of the dissemination of its results. Please also specify **which country** this questionnaire describes.

Département des Relations extérieures (Ministry for Foreign Affairs), Gouvernement de la Principauté de MONACO.

Create an overview of the main ethnic groups in your country and their interrelations

Which are the main ethnic and religious groups in your country? Please give some idea of their relative size. On what basis is each group seen as a different group (nationality, citizenship of a national or supranational entity, religion, race, migratory history, legal status..)

How do they relate to each other insofar as tolerance and acceptance of each other, friendly or hostile stereotypes, access to rights, mutual perception in terms of hostile stereotypes, being seen as a threat or support to identity, prosperity, freedom, way of life?

Who are the most influential actors in the field of relations among cultures and religious and ethnic groups?

List the main actors who are influential in the area of relations among cultures and religious and ethnic groups. These could be state, governmental or political entities and leaders, supranational organisations, pressure groups, media, religious groupings and institutions, family upbringing and everyday socialising and cultural influences, NGOs and sections of civil society.

Regarding as many among the above that you see as influential, please describe their influence, the messages they give, the means that they use, the type and significance of impact that they have.

(Réponse groupée aux 2 questions précédentes)

Il n'existe pas de statistiques sur l'appartenance ethnique.

Pour ce qui concerne les groupes religieux et le dialogue interreligieux, l'Archevêque de Monaco distingue deux niveaux :

- le dialogue entre Eglises chrétiennes (= œcuménisme)
- et le dialogue avec les autres religions (= non chrétiennes).

1° - Avec les Eglises chrétiennes. Un délégué épiscopal est chargé de ces relations qui vont au-delà du dialogue puisqu'un certain nombre d'activités communes sont réalisées chaque année :

- lors de la semaine de prière pour l'unité des chrétiens (veillée sous le chapiteau à l'occasion du Festival international du cirque, célébrations dominicales avec échange de chaires) ;
- une prière œcuménique de Carême, célébrée chaque année dans un lieu différent : Temple de l'Eglise Réformée, église Saint Paul de l'Eglise anglicane, une des églises catholiques du diocèse ;
- des communautés chrétiennes des différentes Eglises organisent pour leurs membres des temps de réflexion. L'Archevêque, des prêtres catholiques, le pasteur, le prêtre anglican sont invités comme intervenants ;
- invitations régulières à participer aux grands événements des différentes Eglises ;
- Repas fraternels entre les différents responsables des Eglises ;
- L'Archevêque Monseigneur BARSİ reçoit personnellement, lors leurs visites à Monaco, les hauts responsables des Eglises implantées dans la Principauté de Monaco ;
- des catholiques de Monaco participent régulièrement à un groupe œcuménique : l'A.C.A.T. (Action des Chrétiens pour l'Abolition de la Torture).

Le dialogue est constant avec les Eglises chrétiennes de Monaco (Eglise Réformée, Communion Anglicane, Eglise Orthodoxe Russe, Eglise Evangélique Luthérienne, Eglise Luthérienne Danoise, Eglise Evangélique Baptiste, Eglise Luthérienne Suédoise, Armée du Salut).

2° - Le dialogue interreligieux s'est noué également autour du Judaïsme présent dans la Principauté de Monaco et du Culte Musulman.

- les relations entre la Communauté israélite et l'Eglise catholique sont récentes et bonnes, même si elles se situent, pour l'instant, au niveau de leurs responsables : Rabbin et Président du Consistoire. Echanges de lettres de vœux à l'occasion de Yom Kippour et du nouvel an juif. Rencontres avec le Rabbin de Monaco à l'archevêché.

Invitation à la circoncision du dernier fils du rabbin. Présence du rabbin aux obsèques du Prince Rainier III. Participation, en janvier 2006, à une émission radiophonique sur Radio Shalom.

Pour le culte musulman, Monseigneur BARSİ a rencontré à plusieurs reprises et à l'occasion de ses voyages dans la Principauté de Monaco, le docteur Dalil BOUBAKEUR, Recteur de la Mosquée de Paris et Président du Conseil français du Culte Musulman.

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

Relevant areas would be legal provision regarding

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum that deal with relations among cultures or religions
-

Please describe the policies that regulate, administer, influence or provide for the same areas and intercommunal, inter-religious and intercultural relations in general:

- freedom of religious faith and worship and freedom of expression,
 - access to political, civic and welfare rights,
 - protection against xenophobic or discriminatory treatment
 - options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
 - entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities
 - centrally prescribed items in the educational curriculum that deal with relations among cultures or religions
-

(Réponse groupée aux 2 questions précédentes)

L'exercice des libertés fondamentales garanti par la Constitution monégasque de 1962 modifiée en 2002 n'est conditionnée par aucun traitement différencié en fonction de la race, de la couleur, du sexe, de la langue, de la religion, de l'opinion politique ou de toute autre critère. En effet, la Principauté de Monaco est un Etat de droit attaché au respect des libertés et des droits fondamentaux (article 2 de la Constitution).

Le Titre III de la Constitution détermine précisément les droits et libertés fondamentaux (articles 17 à 32 de la Constitution) lesquels regroupent, à la fois, des droits d'ordre personnel (légalité de peines, droit au mariage par exemple), des droits de l'individu dans ses rapports avec le monde extérieur (correspondance) et des libertés publiques (liberté de culte, association).

S'agissant des mesures juridiques spécifiques prises par les Autorités monégasques pour lutter contre

les phénomènes de racisme et d'intolérance, la **loi n° 1.299 du 15 juillet 2005 sur la liberté d'expression publique** prévoit en son article 16-3 que « *sont punis des mêmes peines (cinq ans d'emprisonnement et de l'amende prévue au chiffre 4 de l'article 26 du Code pénal, ou de l'une de ces deux peines seulement) ceux qui, par l'un des moyens énoncés à l'article 15, provoquent à la haine ou à la violence à l'égard d'une personne ou d'un groupe de personnes à raison de leur origine, de leur appartenance ou de leur non appartenance à une ethnie, une nation, une race ou une religion déterminée, ou à raison de leur orientation sexuelle, réelle ou supposée* ».

La Principauté de Monaco a récemment intégré à son dispositif pénal une mesure de prévention contre toute atteinte à la dignité humaine via Internet. L'article 21 de la **loi n° 1.344 du 26 décembre 2007 relative au renforcement de la répression des crimes et délits contre l'enfant** ainsi rédigé : "*Le fait soit de fabriquer, de produire, de transporter, de diffuser par quelque moyen que ce soit et quel qu'en soit le support un message à caractère violent ou pornographique ou de nature à porter gravement atteinte à la dignité humaine, soit de faire commerce d'un tel message, est puni d'un emprisonnement de six mois à deux ans et de l'amende prévue au chiffre 3 de l'article 26 lorsque ce message est adressé à des mineurs. La tentative est punie des mêmes peines*".

Le projet de loi déposé au Conseil National le 8 août 2006, concernant les délits relatifs au système d'information prévoit d'insérer un article 294-4 dans le Code pénal qui énonce : « *Le fait soit de fabriquer, de produire, de transporter, de diffuser par quelque moyen que ce soit et quel qu'en soit le support un message à caractère violent ou pornographique ou de nature à porter gravement atteinte à la dignité humaine, soit de faire commerce d'un tel message, est puni d'un emprisonnement de six mois à trois ans et de l'amende prévue au chiffre 3 de l'article 26 lorsque ce message est susceptible d'être vu ou perçu par un mineur* ».

La **loi 1.165 du 23 décembre 1993 relative aux traitements d'informations nominatives** prévoit en son article 12 que la collecte, l'enregistrement et l'utilisation d'informations qui feraient apparaître des appartenances raciales ou religieuses sont prohibés sauf acceptation écrite et expresse de la personne intéressée.

De surcroît, il est envisagé d'intégrer au nouveau Code pénal une définition de la notion de discrimination raciale, ainsi qu'une circonstance aggravante liée au caractère raciste, antisémite ou xénophobe de l'infraction. Quoiqu'il en soit les crimes ou délits ayant de tels mobiles sont dès à présent punissables au travers du droit commun.

Le droit pénal monégasque repose essentiellement sur le principe du libre choix de la peine à prononcer, entre un minimum et un maximum, par les juridictions appelées à connaître de l'infraction. Or, ce choix est bien entendu exercé en tenant compte à la fois de la personnalité de l'individu et de la gravité du fait délictueux ou criminel. Il n'est donc pas nécessaire qu'une disposition expresse de la loi envisage une circonstance aggravante pour que les tribunaux puissent prononcer une peine plus élevée, en présence d'un crime ou d'un délit motivé par la haine raciale.

La Direction de la Sûreté Publique a inséré dans son registre « main courante » une mention spéciale permettant au plaignant de spécifier si l'infraction dont il a été victime revêt un caractère raciste.

Enfin, la Principauté de Monaco s'est dotée en 2006, à l'instar de la France et d'autres pays européens, d'une Commission chargée d'assister les victimes de spoliations de biens subies dans la Principauté de Monaco pendant la seconde guerre mondiale. Cette Commission composée de cinq membres nommés pour une période de trois années renouvelable propose des mesures d'indemnisation ou d'autres modalités de réparation appropriées, ainsi qu'une procédure de conciliation, le cas échéant.

Engagements internationaux :

La Principauté de Monaco, très active dans la défense des droits de l'homme, a pris un certain nombre de mesures en faveur de la lutte contre le racisme et l'intolérance. Celles-ci incluent la ratification de

plusieurs instruments internationaux, dont la *Convention européenne des Droits de l'Homme*.

En outre, la Principauté de Monaco est Partie aux Conventions internationales suivantes ayant pour objet la lutte contre le racisme et l'intolérance :

- Convention européenne de sauvegarde des Droits de l'Homme et des Libertés fondamentales (Rome, 4 novembre 1950) ;
- Convention pour la prévention et la répression du crime de génocide (New York, 9 décembre 1948) ;
- Convention relative au statut des réfugiés (Genève, 28 juillet 1951) ;
- Convention internationale sur l'élimination de toutes les formes de discrimination raciale (New York, 7 mars 1966) ;
- Pacte international relatif aux droits économiques, sociaux et culturels et Pacte international relatif aux droits civils et politiques (New York, 16 décembre 1966).

Conformément au paragraphe 1 de l'article 14 de la Convention internationale sur l'élimination de toutes les formes de discrimination raciale, la Principauté de Monaco a déclaré reconnaître la compétence du Comité pour l'élimination de la discrimination raciale pour recevoir et examiner des communications émanant de personnes ou de groupes de personnes relevant de sa juridiction, qui se plaignent d'être victimes d'une violation commise par la Principauté de Monaco de l'un quelconque des droits énoncés dans ladite Convention .

Describe influential events and trends and their impact

Describe important events, local, national and international (especially recent ones) that influence the intercommunal, inter-religious or intercultural relations, as well as recent trends that have emerged that seem to have had a significant impact on such relations.

Au travers de l'éducation civique dispensée dans les établissements scolaires monégasques, les équipes éducatives s'attachent à construire avec leurs élèves les relations de respect, de tolérance, de coopération nécessaire à la vie en société. Des voyages scolaires sont organisés ponctuellement par des professeurs de collège ou lycée sur des thèmes précis qui nécessitent un travail important de préparation. En 2005, des élèves de terminale du Lycée Albert Ier se sont rendus en Allemagne lors de la commémoration du 60^{ème} anniversaire de la libération des camps de concentration nazis. Cette année, des collégiens accompagnés de leur professeur de français et d'histoire-géographie se rendront à Berlin, capitale européenne et lieu de mémoire.

Identify and describe good practices

Please list and describe a number of good practices by government or civil society (including entities mentioned above) that have recently helped or at present are helping to improve intercommunal, inter-religious and intercultural relations and understanding.

- Formation des magistrats et des fonctionnaires de police :

Il semble important de souligner que les magistrats en poste à Monaco, qu'ils soient de nationalité française ou monégasque, reçoivent la même formation initiale et continue, telle que dispensée par l'Ecole Nationale de la Magistrature (école française de formation des magistrats).

Cette formation inclut bien entendu la matière des Droits de l'Homme et, plus spécifiquement, celle des discriminations.

En outre, la Direction des Services Judiciaires organise périodiquement à Monaco des conférences, dont certaines visent à sensibiliser les acteurs du monde judiciaire à ces questions et à élargir le champ de leurs connaissances.

De plus, des instructions permanentes sont données aux fonctionnaires de police afin que les personnels de la Sûreté Publique se comportent avec le public dans le respect absolu des personnes quelles que soient leurs nationalités, origines ou convictions religieuses, suivant le principe de non-discrimination. Au besoin, ces instructions pourraient à terme constituer un Code de bonne conduite formalisé pour les forces de l'ordre.

- Mesures dans les domaines de l'enseignement, de l'éducation, de la culture et de l'information :

En 2006, l'enseignement public a accueilli des élèves issus de 65 nationalités différentes.

Depuis 1977, un enseignement du français en tant que langue étrangère permet aux enfants primo-arrivants non-francophones ne maîtrisant pas ou peu cette langue de connaître les éléments de base.

De plus, des mesures destinées à assurer la prise en charge d'enfants issus d'horizons différents, telles que la formation des enseignants à la pédagogie différenciée ont été mises en place par les Autorités monégasques.

Dans le domaine de l'éducation et de la sensibilisation aux droits de l'homme, un certain nombre de mesures sont mises en œuvre dans les établissements scolaires. Ainsi, dès la maternelle, est tenue le 20 novembre de chaque année, une Journée des droits de l'enfant. De plus, un programme d'éducation civique, fondé sur le respect de soi et la responsabilité individuelle, permettant d'étudier les institutions et les pratiques de la citoyenneté, est offert aux élèves de l'école primaire et du collège. Sont également organisées des actions ponctuelles, telles que la Journée de la Mémoire de la Shoah et de la prévention des génocides, tenue le 26 janvier de chaque année, ainsi que des échanges ou voyages dans d'autres pays.

S'agissant du corps enseignant, une formation spécifique pour les chefs d'établissements a été organisée en février 2006 par le Centre de Formation Pédagogique. Cette formation comprenait, entre autres, une présentation d'ouvrages et un rappel des textes officiels. De même, une formation pour 75 enseignants (enseignants des lettres, histoire, géographie, philosophie et des documentalistes) s'est tenue les 28 et 29 novembre 2006.

En outre, la campagne « Tous différents, tous égaux : campagne pour la diversité, les droits de l'homme et la participation » a été mise en œuvre au niveau national, dans la totalité des établissements.

Au travers de l'éducation civique dispensée dans les établissements scolaires monégasques, les équipes éducatives s'attachent à construire avec leurs élèves les relations de respect, de tolérance, de coopération nécessaire à la vie en société. Des voyages scolaires sont organisés ponctuellement par des professeurs de collège ou lycée sur des thèmes précis qui nécessitent un travail important de préparation.

- Education à la Citoyenneté :
-

Dès le primaire, chaque classe élabore son code de conduite afin de s'approprier les droits, devoirs et obligations de chacun ; les élèves participent également à diverses actions visant à l'acquisition d'un comportement civique ; prévention routière, économie d'énergie, protection de l'environnement, etc ...

Dans le secondaire, l'Education à la Citoyenneté Démocratique s'exerce notamment lors des élections des délégués des élèves.

➤ Education aux Droits de l'Homme :

La Déclaration des Droits de l'Homme et la Convention Internationale des Droits de l'Enfant sont les références permanentes pour les actions menées par les établissements, notamment dans le domaine humanitaire.

Ainsi depuis plus de cinq années, l'ensemble des écoles de Monaco collecte des fonds par le biais d'actions diverses dans le cadre de la Journée européenne et mondiale des Droits de l'Enfant ; les sommes récoltées sont versées au profit d'associations oeuvrant dans un but humanitaire. Il est à noter que l'éducation à la Citoyenneté Démocratique et aux Droits de l'Homme trouve sa place dans la formation continue des professeurs par la promotion de méthodes d'enseignement qui responsabilisent et encouragent la participation des élèves.

By way of summary, can you create an overview of the situation you have described in the form of a SWOT analysis?

Can you list the main weaknesses of your country's society (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

Can you list the main strengths of your country's society (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally?

What events, developments, facts, trends or plausible future events outside your country pose or could pose a threat to your country's contributing positively to the harmony among cultures and religions?

What events, developments, facts, trends or plausible future events outside your country offer or could offer an opportunity for your country's contributing more positively to the harmony among cultures and religions?

What lines of action do you propose for improvement?

Re each line of action please identify its aims, who should be the actors, and using what means. State also the role

of parliamentarians or the Parliamentary Assembly of the Mediterranean can have in each. Describe also the expected impact, as well as the conditions that seem to be required for it to succeed.

Suggested line of action 1

Suggested line of action 2

Suggested line of action...

Suggested line of action...

Suggested line of action...

MONTENEGRO

INFORMATION FOR THE QUESTIONNAIRE ON THE PRACTICE AND POLICIES OF THE COUNTRIES OF PAM (PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN) IN PROMOTING DIALOGUE AND UNDERSTANDING BETWEEN CULTURES AND RELIGIONS.

A) DEMOGRAPHIC DETAILS

The last census of population, households and dwellings was carried out from 1 to 15 of November 2003. Unlike previous censuses, which also included Montenegrin citizens on temporary work abroad and members of their families (without regard to length of stay), this census, according to international recommendations and the recommendation concerning the census, included those Montenegrin citizens who stay abroad for less than a year.

Population distribution according to national identity¹

N	National Identity	1991		2003	
		No. of inhabits.	Percent.	No. of inhabits.	Percent.
1.	Montenegrins	380,467	61.86%	267,669	43.16%
2.	Serbs	57,453	9.34%	198,414	31.99%
3.	Yugoslavs	26,159	4.24%	1,860	0.30%
4.	Albanians	40,415	6.57%	31,163	5.03%
5.	Bosnians	-	-	48,184	7.77%
6.	Egyptians	-	-	225	0.04%
7.	Italians	58	0.01%	127	0.02%
8.	Macedonians	1,072	0.17%	819	0.13%
9.	Hungarians	205	0.04%	362	0.06%
10.	Muslims	89,614	14.57%	24,625	3.97%

11.	Germans	124	0.02%	118	0.02%
12.	Roma	3,282	0.53%	2,601	0.42%
13.	Russians	118	0.02%	240	0.04%
14.	Slovenes	369	0.06%	415	0.07%
15.	Croatians	6,244	1.02%	6,811	1.10%
16.	Others	1,001	0.16%	2,180	0.35%
17.	Undeclared	943	0.15%	26,906	4.34%
18.	Regional Identity	998	0.16%	1,258	0.20%
19.	Unknown	6,076	0.99%	6,168	0.99%
	TOTAL	615,035	100%	620,145	100%

Population distribution according to religion²

N	Religion	Number	Percentage
1.	Islamic	110,034	17.74%
2.	Jewish	12	0.002%
3.	Catholic	21,972	3.54%
4.	Orthodox	460,383	74.28%
5.	Protestant	383	0.06%
6.	Oriental Cults	58	0.009%
7.	Other Religions	2,424	0.39%
8.	Undeclared	13,867	2.24%
9.	Non-believers	6,003	0.97%
10.	Unknown	5,009	0.81%
	TOTAL	620/145	100%

Currently, Montenegro has about 8,474 refugees from former Yugoslav republics³, as well as 16,136 displaced persons from Kosovo⁴. The number of refugees has reached **24,610**, that is, 4.2% of the **total population**. After the gaining of independence, on 20 June 2006, the Government of Montenegro adopted the ***Decision on the provisional retention of the status and rights of refugees and displaced persons in Montenegro***, which defines the provisional retention of the status of the persons referred to in Montenegro, in accordance with the laws regulating the issues of asylum and

¹ Source: MONSTAT

² Source: MONSTAT

³ Source: Ministry of Foreign Affairs and Public Administration

⁴ Source: Institute in Charge of Refugees

foreigners and according to the strategy concerning a durable solution for refugees and displaced persons in Montenegro, as well as documents relating to the settlement of regional issues concerning refugees and displaced persons.

B) INSTITUTIONAL FRAMEWORK FOR THE PROTECTION OF MINORITIES

In Montenegro there exist several important organizations and institutions responsible for protecting and promoting the status of minorities.

As a result of democratic development and the fundamental trends mentioned in the "Agreement on minimum principles for the development of a democratic infrastructure in Montenegro⁵" of 1997, there was established, in the year immediately following, and after the extraordinary parliamentary elections, a ***Ministry for the Protection of the Rights of Ethnic and National Groups***. Owing to a structural reorganization of the Government of the Republic of Montenegro in 2006, this ministry changed its name to **the Ministry for the Protection of Human and Minority Rights**, thereby assuming responsibility for human rights protection, which did not fall within the remit of other bodies. The purpose of this government department is to monitor, study and protect the rights of minorities, in accordance with the Constitution of Montenegro and international documents on this issue, taking into account the democratic trends to which Montenegro aspires.

In line with its scheduled orientation towards the protection of human and minority rights, the Ministry is striving to achieve its basic strategic projections. The basis of this strategy is the full integration of minority peoples within society, whilst maintaining and developing their national and cultural

characteristics and promoting their rights and freedoms. This project is being conducted by way of a permanent dialogue between the Ministry and the representatives of all minority peoples, political ideologies, NGOs, various institutes and institutions, and through partnership relations with relevant international organizations and institutions responsible for the protection of human rights and minorities.

5 Source: Agreement signed between the Government of Montenegro and the opposition of that time.

The Parliament of Montenegro formed a permanent working group – designated the **Committee for Human Rights and Freedoms** - responsible for studying the various issues, particularly the proposed norms governing human and minority rights.

Furthermore, the **Ombudsman for the rights and freedoms of man** operates in Montenegro as an independent and autonomous institution. The Ombudsman for human rights and freedoms in Montenegro has a responsibility to protect human rights and freedoms guaranteed by the Constitution, by law and by international treaties ratified, relative to human rights and rules of customary international law, wherever they are violated in act, action or omission by the organs of state, local government, by public services and other elected holders of public office. It is a body that citizens can use with ease, without individual costs or formalities, to obtain rapid and effective intervention, but one that can also act on its own initiative. Procedures are confidential, so that anyone who submits a complaint or participates in any other way in a process conducted by the Ombudsman can not be held responsible or be placed in an unfavourable position. It will put their analyses, their points of view and their opinions before Parliament and the general public, contributing to the openness and transparency of public administration and other departments and public bodies in relation to Parliament, Government and citizens. Under the

current regulatory arrangements, the Ombudsman has two deputies, one of whom is responsible for the protection of minority rights.

Minority Councils - In order to implement the Law on the rights and freedoms of minorities, the Ministry for the Protection of Human Rights and Minorities adopted the **Rules concerning the first election to the minority councils and the Procedure concerning the particular formulations governing the organization of elections of board members** ("Official Gazette of the Republic of Montenegro" No. 46/07). These rules and procedure determine the number and composition of members of the minority councils, and the clear steps to be followed in this process. The legal conditions necessary for the election of the first minority councils have thus been created. In addition, these documents are published on the official website of the ministry and printed as an appendix in the newspaper 'Pobjeda' and the weekly "Koha Javore", published in Albanian. These documents are also broadcast by the Public Service RTCG, TV IN and other radio stations and local television stations. Finally, many meetings have taken place with nongovernmental organizations from all ethnic communities so as to demonstrate the procedures for the establishment of minority councils. Owing to legal provisions, meetings have so far been organized for the election of members to the following councils: the Croatian Council (on 21 December 2007), the Bosnian Council (on 15 March 2008), the Rom Council (on 22 March, 2008), the Muslim Council (on 29 March 2008), the Albanian Council (on 19 April 2008) and the Serbian Council (on 27 September, 2008). Sessions were then held for constituent councils and, finally, the councils were registered at the Ministry for the Protection of Human Rights and Minorities. Since August 2008, the Ministry has commenced funding the activity of these councils.

As proposed by the Government of Montenegro, Parliament took the decision to establish a **Fund for Minorities** in February 2008 ("Official Gazette of Montenegro, No 13/08). The Fund for Minorities is intended to support activities important to

the safeguarding and development of the national and ethnic characteristics of minority peoples and other minority national communities within the framework of their national, ethnic, cultural, linguistic and religious identities. In July 2008, a management committee was elected consisting of fifteen members, while the Law on changes and amendments to the Law relating to the Budget of Montenegro for the year 2008 allocated the sum of 422,125 euros to finance the Fund's operations. For the year 2009, the planned budget amounts to 1,018,000 euros.

The culture and the safeguarding of the cultural heritage is one of the basic components in the protection of national identity as a whole. Recognizing the importance of this intercultural aspect and of the cultural diversity of Montenegro, the Ministry for the Protection of Human Rights and Minorities made efforts to create a Centre for the safeguarding and development of minority cultures. Following the adoption of amendments to the Decision to found the **Centre for the safeguarding and development of minority cultures** (on 12 April 2007), four members were appointed to the Management Committee and determined upon the precise area of their activity and the means necessary to its implementation. Following this, a director was appointed, and the institution commenced operations in 2009.

In Montenegro there is a whole series of **associations and non-governmental organizations** responsible for issues relating to the protection of minority rights and the improvement of the status of minority communities in Montenegrin society.

C) LEGAL FRAMEWORK FOR THE PROTECTION OF MINORITIES

The Constitution of Montenegro represents a basis in law for the promoting, strengthening and improving the protection of

human rights and fundamental freedoms and ensures the commitment of Montenegro to respect international standards in this context. Almost half of the articles of the Constitution (from 68 to 158) legislate for the rights and freedoms of man, underlining its importance from the point of view of norms.

Among the key provisions of the Constitution, three are essential to the enjoyment of human rights and freedoms. **Article 6** provides for the guarantee of universal protection of human rights and freedoms as inviolable categories. **Article 7** defines the ban on incitement to hatred or intolerance regardless of the reason for this, while **Article 8** regulates the prohibition of discrimination, as a prerequisite for the general enjoyment of all human rights and freedoms. More specifically, Article 8 guarantees the banning of all 'direct or indirect discrimination irrespective of the ground' and also, 'the rules and application of specific measures geared towards creating the conditions for realizing equality of rights and of gender. In short, universal equality as well as the protection of persons who are in a state of inequality, whatever the reasons, shall not be considered discrimination'. Specific measures will only be applied when the objectives intended by such measures are achieved', which leaves room for the application of mechanisms of protection and promotion of minority rights, i.e. the integration of minorities, including the safeguarding of minority characteristics.

The second chapter of the Constitution consists of 65 articles which guarantee the rights and freedoms of man, civil and civic rights, political, economic, social and cultural rights, as well as minority rights.

Apart from national legislation to ensure respect for the fundamental rights and freedoms of man and the rights of minorities, Montenegro specifies in **provision 9** of the Constitution that internationally ratified and published treaties and universally accepted rules of international law are an integral part of the internal legal order, and thus take precedence over national legislation and are applied

directly to regulate relations in cases where the national legislation is different.

Among **the instruments of the UN** the following should be referred to: the International Covenant on Civil and Political Rights, with the two optional protocols, as well as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Status of Refugees, with the Protocol, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of all Forms of Discrimination with Regard to Women, the International Convention on the Rights of the Child, the Convention against Torture and other Punishments or Cruel, Inhuman and Degrading Treatment. It may also be assumed that Montenegro respects the Universal Declaration of Human Rights, though this is not a contractual obligation but an obligation arising out of international custom.

Among the instruments of the **Council of Europe**, the following should be referred to: the Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention Against Torture and other Cruel, Inhuman and Degrading Treatment, the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages, the European Social Charter.

Apart from human rights and fundamental freedoms, the Constitution and the laws of Montenegro give to minorities a series of **additional rights** in order to safeguard the national identity as a whole.

The second chapter of the Constitution, in Articles 79 and 80, **guarantees citizens originating from minority communities and other national minorities rights and freedoms, from which they may benefit individually or with others, and which prohibit the assimilation of members of minority peoples and other minority national**

communities. It assumes that the State will protect citizens of minority peoples and other minority national communities from all forms of forced assimilation.

The CONSTITUTION guarantees the following rights of minorities:

- the right to freedom of expression, and to the protection and development of their national, ethnic, cultural and religious identity;
 - the right to the choice, use and presentation of national symbols and the celebration of national holidays;
 - the private, public, and official use of their own language and its alphabet;
 - the right of instruction in their own language and its alphabet, in public establishments; and educational programs that include the history and culture of minorities and other minority national communities;
 - local governments and the administrative and judicial authorities should also use the language of minority peoples and other minority national communities in the places where the percentage of minority members in the general population is significant.
 - the right to establish educational, cultural and religious associations with the material assistance of the State;
 - the right of the citizen to use and write his name and surname in his own language and alphabet in official documents;
 - the right to have traditional local names, names of streets and localities, and topographical names written in the language of national minorities and other minority communities in places where the percentage of minority members in the general population is significant.
 - the right to genuine representation in the Parliament of Montenegro and in meetings of local government (municipal councils), where minorities represent a significant proportion in relation to the overall population, and this is in accordance with the principle of 'affirmative action';
-

- the right to proportional representation in the public services, in the organs of public authority and local government;
- the right to be informed in the relevant mother tongue;
- the right to establish and maintain contacts with citizens and organizations beyond the borders of Montenegro, to which national minorities may be linked by national or ethnic origin, or by cultural, historical or religious ties;
- the right to establish a council for the protection and promotion of specific rights.

The law on the protection of rights and freedoms of minorities ('Official Gazette of the Republic of Montenegro', No 31/06), governs a number of minority rights, as well as mechanisms for their protection. The law concerns the protection of national minority identities, namely the protections relative to assimilation and to effective participation in public life.

D) RELIGIOUS RIGHTS

The right to freedom of religion and profession of faith in public or in private, is guaranteed by the Constitution and the law to all citizens, including minority citizens. Similarly, every person has the right not to declare himself in regard to faith and religious identity. The Constitution and laws provide for, *inter alia*, the religious identity of citizens of minority origin. Minority citizens have the right to associate in religious associations, with the material assistance of the State. State support of religious communities is achieved through participation in the pension scheme contributions, disability, health and church contributions (50%) as well as through investments in sacred buildings, including those considered cultural monuments. In addition, the State provides financial aid for the religious events and cultural

activities of religious communities.

Religions are separate from the State, in view of which Montenegro is a secular state. This means that there is no religion or an 'official' or 'state' church. All religions have equal status and freedom for the practice of religious rites and for the exercise of religious affairs. They enjoy the same rights and occupy the same legal position. The State does not intervene in their internal organization or their conduct of religious affairs, leaving these matters under the authority and responsibility of religious communities: they deal autonomously with their own organization and affairs. The only question asked is that such organization and such affairs be conducted within the framework of the law.

Freedom of expression of religious beliefs is provided by legal resolutions, which enable believers to enjoy a license for their most important religious festivals. The law on the celebration of religious festivals provides a right of paid leave in order to celebrate religious festivals. Orthodox believers are permitted to stop work on Christmas Eve and Christmas Day (two days), on the eve of Easter and Easter Day itself (the second day) as well as for their family celebration; Catholics on Christmas Eve and Christmas Day (two days), on the eve of Easter and Easter Day itself (the second day) and on All Saints Day; Muslims over Ramadan (three days) and Curban Bairam (Festival of the Sacrifice) (three days); Jews on Pessah - the Jewish Easter (two days) and Yom Kippur (two days). This law provides for penalties or fines for those enterprises or institutions and other holders of legal authority, public agencies or businesses that do not grant believers paid holiday to celebrate their religious festivals.

In accordance with the Law on the legal status of religious communities, the creation of institutions and religious organizations is free, subject to an obligation to declare the inception or cessation of activity to the body responsible for

internal affairs in the local government area where the seat of the religious community so established or so extinguished is located. The law expressly prohibits the abuse of religious communities and their institutions and religious activities, or indeed, their religious sentiments, for political purposes. The law provides for appropriate measures and penalties in case of non-compliance with these and other provisions. In view of the freedom of religion guaranteed by law, any forced association into a religious community is prohibited, as well as coercion to participate in religious rites.

People who are members of social institutions, such as health organizations or other such, and those serving a sentence of imprisonment, have the opportunity to practice their religion within the ordinary limits of the institution concerned. If they so require, they may receive a visit from ministers of religion or those who carry out religious rites.

As part of their work, religious communities have the right to establish religious schools and homes for the accommodation of participants. These schools do not belong within the public education system of Montenegro and are run directly by religious communities, which prescribe their plan and program of education and the teaching staff to implement it. All religious communities have the right and the opportunity to organize the religious education in their institutions. Similarly, religious communities have the option, in the context of their activity, to publish and distribute religious material. To this form of activity, rules on information and publishing activities apply. Religious communities have that right, although there do exist internal publications in all the religious communities in Montenegro.

Romania

Romanian national legal regulations on relations with ethnic or religious minorities

Constitutional provisions

The main legal constitutional text regulating the principle of equal treatment is Article 16, paragraph 1: "Citizens are equal before the law and public authorities, without any privilege or discrimination."

The fundamental law does not define concepts like "discrimination" or "privilege" and limits discrimination's ban to the legal area and to the relations with public authorities.

Unlike other constitutional texts, Article 16, paragraph 1 is invoked both solely and corroborated with other constitutional texts such as Article 4 on unity of the nation and equality among citizens (which stipulates in paragraph 2 that: "Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin.") or Article 6 on the right to identity (which stipulates that: "1. The State recognizes and guarantees the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity. 2 The protection measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens").

Criminal provisions

As regards the criminal provisions against discrimination, the relevant law texts in the field are:

A. the Criminal Code

Article 247 - Limitation, by a public employee, of the use or exertion of a right by a citizen, or putting the latter in a position of inferiority on grounds of nationality,

race, sex or religion, is punished by 6 months to 5 years of jail.

Article 166 - The propaganda for establishing a totalitarian state, performed through any means and in public, is liable of imprisonment between 6 months and 5 years and suspension of certain rights.

The propaganda consists of the systematic circulation of ideas, concepts and doctrines meant to pursue and attract new supporters.

Article 317 - Nationalist-chauvinistic propaganda, stirring the national or racial hatred, if the deed cannot be framed as the crime stipulated in art. 166, is punished by 6 months to 5 years of jail.

Article 318. - Hindering or disturbing the free exertion of a religious cult organized and functioning under the law, is punished by 1-6 months of jail or fine.

Article 357. - Perpetration, with the purpose of destroying, wholly or in part, a community or a national, ethnic, racial or religious group, of one of the following deeds:

- a) killing the members of the community or group;
- b) seriously harming the physical or mental integrity of the members of the community or group;
- c) subjecting the community or group to life conditions or treatment meant to lead to physical destruction;
- d) taking measures in order to impede births within the community or group;
- e) forced transfer of children belonging to the community or group into another community or group,

is punished by jail for life or 15-25 years of jail and suspension of certain rights.

If the deed is committed during war, the punishment is jail for life.

Conniving in order to commit the crime of genocide is punished by 5-20 years of jail and suspension of certain rights

B. Government Emergency Ordinance no.31/2002 that forbade the organizations and symbols with a fascist, racist or xenophobic character, as well as the promotion of the cult of persons guilty of committing crimes against peace and humankind

Civil and administrative provisions

Romania's negotiations for the accession to the European Union and, in this context, its obligation to harmonize the legislative frame constituted favorable premises for the improvement of the legal frame on judicial protection against discrimination. The process was initiated through the adoption of the Government Ordinance no. 137, from August 2000, on the prevention and punishment of all forms of discrimination, which was later modified by Law 48/2002 and Law 324/2006. Government Ordinance no. 137 defines the term discrimination as any differentiation, exclusion, restriction or preference based on race, nationality, ethnic origin, language, religion, social category, personal convictions, sex or sexual orientation, for being a member of a disadvantaged category or on any other criteria, that aim at or result into the restriction or the denial of acknowledgement, use or exercise, on a equal footing, of human rights and fundamental freedoms or of the rights recognized by the law, be they political, economic, social, cultural or

related to any other area of public life. It also contains provisions intended to create the legal frame that shall protect the said. Violation of its provisions may end up in fines ranging from 500 to 1000 units in local currency. Article 23 stipulates that a National Council for Combating Discrimination that shall operate as a specialized agency of the central public administration subordinated to the Executive shall be set up within 60 days as from its publication.

Furthermore, Law no.324 of 14 July 2006 amended the Government Ordinance no. 137/2000 on the prevention and punishment of all forms of discrimination. The amendments dealt with the definition of the term discrimination, with the liability entailed by the discriminating behavior, with the definition of the National Council for Combating Discrimination of Discrimination and its responsibilities and attributions, with the right of the discriminated person to notify the said Council and with the action taken by the Council and with its management and with several other aspects specific to the matter.

At present, the republished form of the Government Ordinance no. 137/2000 regulates the following concepts:

- intentional and unintentional discrimination (Art.1)
- disposition to discriminate (Art.2)
- favorable, unfavorable and unfair behavior (Art.2)
- harassment (Art.2)
- victimization (Art.2)
- assertive measures (Art.2)
- disadvantaged category (Art.4)
- personal dignity (Art.15)

The republished form of the Government Ordinance no. 137/2000 is also applied to aspects concerning civil, political, economic, social and cultural rights, its provisions being applied both to natural and legal persons, as well as to public institutions with responsibilities as regards: conditions of employment, terms and conditions for recruitment, selection and promotion of personnel, access to all forms and levels of vocational training, social security, access to the educational system, etc.

The right to use one's mother tongue

The right to use one's mother tongue is stipulated by the Romanian fundamental law, which in Article 6 states that "the State recognizes and guarantees the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity".

The right to use one's mother tongue in the educational system

According to Article 32 of the Romanian Constitution, education at all levels shall be carried out in Romanian. Education may also be carried out in a foreign language of international use, under the terms laid down by law.

The right to use one's mother tongue in the courts of law

According to Article 128 of the Romanian Constitution, Romanian citizens belonging

to national minorities have the right to express themselves in their mother tongue before the courts of law, under the terms of the organic law. The way for exercising the right stipulated above includes the use of interpreters.

The special law that regulates this right is Law no. 304/2004 on the organization of the judiciary, which stipulates that Romanian citizens belonging to other national minorities have the right to express orally in their mother tongue before the court, situation in which, according to paragraph 3, Article 14, the court must provide an interpreter for free. When all the parties agree or demand the use of their mother tongue, the court has the obligation, according to paragraph 4, Article 14, to ensure the carrying on of the oral procedure in the respective mother tongue. In exchange, according to paragraph 5, Article 14, requests and other written procedures must be drawn up only in Romanian.

The right to use one's mother tongue in the relations with public authorities

According to paragraph 2, Article 120 of the Romanian Constitution, in the territorial-administrative units where citizens belonging to a national minority have a significant share, provision shall be made for the oral and written use of that national minority's language in the relations with the local public administration authorities and the decentralized public services, under the terms stipulated by the organic law.

This right is also regulated through the provisions of Law no. 215/2001 on local public administration which stipulates that "in the territorial-administrative units where citizens belonging to a national minority hold a share of over 20% of the total number of the inhabitants:

- the decisions of normative character shall be brought to the public knowledge also in the mother tongue of the respective minority, while those of individual character shall be communicated, on request, in the mother tongue, too.
- in the relations with the public authority, the abovementioned citizens may also address a public authority, orally or in writing, in their mother tongue and shall receive the answer both in Romanian and in their mother tongue.

Law 215/2001 on local public administration also stipulates that the local public administration authorities shall ensure the inscribing of the name of the localities and institutions under their authority, as well as the posting up of the announcements of public interest also in the mother tongue of the citizens belonging to the respective minority.

Moreover, Law 188/1999 regarding the status of civil servants stipulates that in the local administrative units where persons belonging to a minority are over 20%, a part of the civil servants in the positions that imply direct contact with citizens are to know the language of that minority.

Correlative Law 360/2002 sets out the obligation for public authority to hire policemen who speak the mother tongue of the citizens belonging to a national minority that hold a share of over 20% of the total number of the inhabitants.

The right to be represented in the Parliament

According to article 62, paragraph 2, of the Romanian Constitution organizations of citizens belonging to national minorities, which fail to obtain the number of votes for representation in Parliament, have the right to one Deputy seat each, under the terms of the electoral law. Citizens of a national minority are entitled to be represented by one organization only.

Thus, Law 35/2008 on the election of the Chamber of Deputies and the Senate stipulates that legally established organizations of citizens belonging to national minorities which fail to obtain in the elections at least one seat in the Chamber of Deputies or the Senate shall have the right to one mandate in the Chamber of Deputies, in accordance with Article 62 (2) of the Constitution, provided that their share of the vote is at least 10% of the average number of validly cast votes in the entire country necessary for the election of a deputy. The minority organizations that are not already represented in parliament are allowed to participate in the election if they fulfill certain conditions.

Institutions responsible for ethnic or religious minorities' affairs

These are three:

- The Department for Interethnic relations, established in 2003 under the Romanian Government, has several territorial representativities.
- The National Council for Combating Discrimination, established in 2001, is responsible for applying Romanian and [European Union](#) anti-discrimination laws and supervising the implementation of the National Anti-Discrimination Plan.
- The Research Institute for National Minorities Affairs.



National Assembly of the Republic of Serbia

Questionnaire about the national experiences and policies of PAM Countries in promoting dialogue and understanding among cultures and religions

By answering this questionnaire relating to national experiences in PAM member countries in the field of promotion of dialogue and understanding among cultures and civilizations and starting from fostering of peace in the world as well as the issues promoted and dealt with by the member countries of this international parliamentary institution, and with the aim of supporting the work of the committee for intercultural and inter-religious dialogue, on behalf of the delegation of the Republic of Serbia I make an input in the form of this written Questionnaire and give, in the first place, the account of the major ethnic groups in the Republic of Serbia and the relations among them.

According to the last census conducted, Serbia has 7, 500,000 inhabitants.

6,300,000.00 of that number comprise Serbs (there are 6,100,000 Christian Orthodox Serbs); there are 5,000 Serbs of Protestant confession, there are 4, 500 Serbs of Roman Catholic confession; there are 1,000 Serbs of Islamic confession; there are 34 Serbs of Judaic confession. There are 70,000 Montenegrins, and there are 80,000 citizens of Serbia who declare themselves as Yugoslav nationals.

It is impossible to give a certain number of citizens of Roma nationality. The Government of the Republic of Serbia has adopted the Roma Inclusion Strategy, but, yet, due to the low educational level, which borders on illiteracy, majority of Roma population is not registered in the places of their residence (this population is of Muslim, Christian Orthodox and, in small number, of Roman Catholic confession). Further on there are as follows (numbers speak for themselves):

5,000 Goranci,
Approximately 70,000 Croats,
Approximately 20,000 Bunjevci,
More than 60, 000 Slovaks
Over 2,000 Czechs,
More than 5 000 Ukrainians,
Approximately 13,000 Rutheninas,
2, 500 Russians,

Over 5,000 Slovenians,
Over 35, 000 Romanians,
Approximately 20,000 Bulgarians,
Approximately 25,000 Macedonians,
About 4, 000 Germans, etc.

It is interesting to highlight the fact that there are 107,731 ethnically uncommitted citizens.

Next to the prevailing Christian Orthodox people, who make 6, 371,584, or 84.98% of the population, there are 410,976 Roman Catholics, or 5.48%, and Muslim community members 3.19% or 239,658. There are also 785 Jews and there are 40,068 atheists and 197,031 uncommitted.

Citizens of the Republic of Serbia satisfy their religious needs within the following churches and religious communities:

Serbian Orthodox Church: Serbs, Roma, Vlachs, Bulgarians in eastern Serbia,

Islamic religious community: Bosniaks, Albanians, Roma,

Roman Catholic Church together with Greek Catholic Church: Hungarians, Croats, Bosniaks, Shokci, Czechs, Germans, Slovaks (just one village), Bulgarians in Banat, Ukrainians, Ruthenians,

Reformist Christian Church: Hungarians (a smaller part)

Jewish community: Jews

Vicary of the Romanian Christian Orthodox Church in Banat

Moscow Patriarchate Branch: Russians

Further on, concerning the national minorities, the largest national minority (or the so-called minority community) is the Hungarian national community (which consists of 290,000 members), Slovak, Romanian community, etc. we think that in the Republic of Serbia they have been provided with the highest European standards relating to exercising their minority rights in the field of communication (they have printed media in their own languages, TV and radio broadcasts), education (both primary, secondary and university level, where they have departments where they are educated in the national minorities' languages). They can take and conduct court proceedings in the minorities' languages with the sworn-in-court-interpreters provided. There is a possibility to speak in the minorities' languages in the National Assembly of the Republic of Serbia, and there is a national minorities' parliamentary group established in the parliament of Serbia. Within the parliamentary group "For European Serbia" there are members of all national minorities. In some towns and municipalities on all the institutional buildings, such as courts of justice, there are bilingual plaques in national minorities' languages.

Who are the most influential actors in the field of relations among cultures and religious and ethnic groups?

Politicians, political parties, president of the Republic, and traditional religious communities.

Please describe the legal framework that helps promote tolerance and respect for religious and cultural diversity

The Constitution of the Republic of Serbia prescribes by virtue of the Articles 11, 43, 44 and 49 freedom of religious confession and the position of churches and religious communities.

The first paragraph lays down the principle of the secular character of state, and the second paragraph indicates the separate position of churches and religious communities from the state. In the third paragraph it is stated that no religion may be established as state or mandatory religion. Taking in consideration that in Europe there is a prevailing situation that the state is separated from the church as the most acceptable framework for ensuring equality, Serbia has aligned its constitutional practice with the European standards in this sensitive field.

The Constitution proclaims the full equality of churches and religious communities which makes it

impossible to have discrimination in legislative activities or practice.

Articles 43 and 44 of the Constitution of the Republic of Serbia are embedded in the part of the Constitution dealing with human and minority rights and freedoms. The first paragraph guarantees the freedom of thought, conscience, beliefs and religion, the right to stand by one's belief or religion or change them by choice; while the second paragraph explains that no person shall have the obligation to declare his religious or other beliefs.

By comparing the first two paragraphs as the most important for ensuring the right to freedom of religion, it could be concluded that they are fully in line with the Article 18 of the Universal Declaration of Human Rights, with the Article 9, paragraph 1, of the European Convention for the Protection of Human Rights and Fundamental Freedoms, with Article 8, paragraph 1, of the International Pact on Civil and Political rights and freedoms, with the final documents of the OSCE Vienna meeting of 15th January 1989, and the Charter of Paris of a New Europe, of 21st November 1990.

By guaranteeing the freedom of thought, conscience and religion, the framer of the Constitution has laid down that everyone shall have the freedom to manifest their religion or religious beliefs in worship, observance, practice and teaching, individually or in community with others, and to manifest religious beliefs in private or public.

Article 44 of the Constitution of the Republic of Serbia prescribes the equality of the churches and religious communities but also that they are separated from the state. Further to that, churches and religious communities are equal and free to organize their internal structure, religious matters, to perform religious rites in public, to establish religious schools, social and charity institutions and to manage them. Constitutional Court may ban a religious community only if its activities infringe the right to life, the public safety, public order, etc.

It is necessary to underscore here that the Assembly of the Republic of Serbia has adopted the Law on prohibition of discrimination during its, so-called, spring session.

In the process of adoption of the law on churches and religious communities, several public debates were held, and the Venice commission and other international bodies involved in monitoring of religious rights have given their opinions, too.

In the Republic of Serbia the following churches and religious communities have the traditional status of such institutions: Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelistic Church, Reformist Christian Church, Evangelistic Christian Church, Islamic religious community and Jewish religious community.

Churches and religious communities acting in the Republic of Serbia have started an active dialogue in order to overcome the recent traumatic experiences, bitter historical legacy and to attain the spiritual enlightenment. Thanks to this process the religion withdraws from the political conflicts and social tensions and joins the reconciliation processes and processes of establishing true spiritual unity of people of diverse religious and political interests. We believe that in the Republic of Serbia, being a democratic and multi-confessional country, tolerance is cherished and appreciated as the supreme civilisational achievement.

In Belgrade
12. 05.2009.

Head of the Delegation of
The National Assembly
of the Republic of Serbia

Ms. Maja Laušević

SLOVENIA

INTERCULTURAL AND INTERRELIGIOUS DIALOGUE

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Order No: 20/2009

Descriptor/Geslo: Etnična skupina/Ethnic group, Verska skupina/Religious group, Narodna manjšina/National minority

Date: 9 March 2009

The material does not represent the official opinion of the National Assembly.

1. CREATE AN OVERVIEW OF THE MAIN ETHNIC GROUPS IN YOUR COUNTRY AND THEIR INTERRELATIONS

In the Republic of Slovenia, there are two traditional national minorities - the Italian and the Hungarian national communities - and a special Roma ethnic community. All three communities enjoy constitutional protection (Art. 64 and 65 of the Constitution).

With a population of about two million, the Republic of Slovenia is one of the smallest European countries. Its national structure is rather homogeneous, with Slovenes representing 87.5% of the population. There are also two autochthonous national minorities: the Hungarian national community accounting for 0.32% (6,243 members) and the Italian national community accounting for 0.11% (2,258 members) of the total population. Special constitutional protection is also granted to the members of the Roma community. The latter has been living on the Slovenian territory since the 15th century and has 7,000-10,000 members.

To fulfil government's responsibilities, coordinate the relevant activities and provide that the issues pertaining to national communities are dealt by the state bodies, the Government of the Republic of Slovenia established the Office for Nationalities. The Government Office for Nationalities supervises the implementation of constitutional and legal obligations toward the Italian and the Hungarian national communities and the Roma ethnic community. It also takes care of the financial needs of these communities and of accordant actions of state bodies in this field.

INFORMATION ON THE NATIONAL COMMUNITIES IN THE REPUBLIC OF SLOVENIA

THE ITALIAN NATIONAL COMMUNITY

According to the statistics obtained from the **1991 census, 2,959 persons** declared themselves as **members of the Italian national community** and **3,882 persons** stated the **Italian language as their mother tongue**. In the **2002 census, 2,258 persons** (701 persons or 23.7% less) declared themselves as being **members of the Italian national community** and **3,762 persons** (120 persons or 3.1% less) declared **Italian language as their mother tongue**. The Italian national community living in the Republic of Slovenia represents **0.11%** of the total population of Slovenia (criterion of national affiliation). Among the persons declaring themselves as members of the Italian community, **1,840** live on the ethnically mixed area in three coastal municipalities (Koper, Izola, Piran) and account for **81.5%** of all Italians in the Republic of Slovenia. Approximately 18.5% members of this community live outside the ethnically mixed area.

A quite different situation regarding the number of members of the Italian national community in the Republic of Slovenia was established in the **Analysis on the Situation and Implementation of Special Rights of the Italian and Hungarian National Communities in the Republic of Slovenia in the scope of the implementation of legal and other regulations and definition of possible measures for its preservation**, adopted by the Government of the Republic of Slovenia

on 29 July 2004. According to this Analysis, the **actual number of members of the Italian national community is considerably larger. There are 3,388 members of the Italian national community living in the territory of the Republic of Slovenia, which is 12.66% more than in 1991 (2,959 persons).** This data was established on the basis of the electoral register compiled by the Italian national community itself in the ethnically mixed area for the local election in November 2002, the same year as the census was held (April 2002).

THE HUNGARIAN NATIONAL COMMUNITY

According to the statistics obtained from the **1991 census, 8,000 persons** declared themselves as **members of the Hungarian national community** and **8,720 persons** stated the **Hungarian language as their mother tongue**. In the **2002 census, 6,243 persons** (1,757 persons or 22% less) declared themselves as being **members of the Hungarian national community** and **7,713 persons** (1,007 persons or 11.5% less) declared **Hungarian language as their mother tongue**. Out of 6,243 persons declaring themselves as members of the Hungarian community, **5,212** reside on the **ethnically mixed area in five municipalities in the Prekmurje region** (Lendava, Dobrovnik, Hodoš, Šalovci, and Moravske Toplice), accounting for 83.5% of all persons who declared themselves as members of the Hungarian community in the Republic of Slovenia. **Outside the ethnically mixed area live 1,031 members of this community** which account for 16.5% of all who declared themselves as members of the Hungarian national community.

The Hungarian national community living in the Republic of Slovenia represents 0.32% of the total population in the Republic of Slovenia.

A quite different situation regarding the number of members of the Hungarian National Community in the Republic of Slovenia was established in the **Analysis on the Situation and Implementation of Special Rights of the Italian and Hungarian National Communities in the Republic of Slovenia in the scope of implementation of legal and other regulations and definition of possible measures for its preservation**, adopted by the Government of the Republic of Slovenia on 29 July 2004. According to this Analysis, the **actual number of members of the Hungarian national community is considerably larger. On the territory of the Republic of Slovenia live 8,328 members of the Hungarian national community, which is 3.94% more than in 1991 (8,000 persons).** This data was established on the basis of the electoral register compiled by the Hungarian national community itself in the ethnically mixed area for the local election in November 2002, the same year as the census was held (April 2002).

THE ROMA ETHNIC COMMUNITY

In the **2002 census, 3,246 inhabitants** declared themselves as **members of the Roma ethnic community** and **3,834 persons** stated that **Roma language was their mother tongue**. By way of comparison, data from the **1991 census** show that **2,259 inhabitants** declared themselves as **Roma** and **2,752** stated **Roma language** was their mother tongue, which was 28.2% less than in the 2002 census. In the latest census, in **2002, 30.4% more persons** declared themselves as Roma than in 1991.

According to the data from 2003 provided by **social work centres**, there are supposedly **6,264 Roma** living in Slovenia. According to the data from 2004 provided by the **municipalities** where Roma are settled **historically, 6,448 members of the Roma** ethnic community are supposedly living in **these municipalities**.

Despite what is contained in the official data of the census, we **estimate** that **between 7,000 and 10,000 Roma** live in the Republic of Slovenia, the majority of them in Prekmurje, Dolenjska, Posavje and Bela Krajina.

INFORMATION ON RELIGIOUS COMMUNITIES IN THE REPUBLIC OF SLOVENIA

Registered churches and other religious communities are legal persons governed by private law. Their component parts are entitled to acquire their own legal personality. (Art 6(3) of the Religious Freedom Act). As of December 2008, 43 churches and other religious communities were entered in the Register of churches and other religious communities in the Republic of Slovenia.

DATA FROM THE REGISTER OF CHURCHES AND OTHER RELIGIOUS COMMUNITIES*			Year of entry in the list of religious communities
No.	NAME	REGISTERED SEAT	
1.	<u>The Catholic Church</u>	Ljubljana, Ciril Metodov trg 4	1976
2.	<u>Evangelical Church in the Republic of Slovenia</u>	Murska Sobota, Slovenska ulica 15	1976
3.	<u>Jewish Community of Slovenia – Jewish Community of Ljubljana</u>	Ljubljana, Tržaška cesta 2	1976
4.	<u>Union of Baptist Churches in the Republic of Slovenia</u>	Celje, Janševa ulica 1	1976
5.	<u>Serbian Orthodox Church Metropolitanate of Zagreb and Ljubljana</u>	Ljubljana, Gruberjevo nabrežje 20	1976
6.	<u>Islamic Community in the Republic of Slovenia</u>	Ljubljana, Grablovičeva ulica 14	1976
7.	<u>The Pentecostal Church in the Republic of Slovenia</u>	Novo mesto, Trdinova ulica 27	1976
8.	<u>Seventh-day Adventist Church</u>	Ljubljana, Njegoševa cesta 15	1976
9.	<u>Jehovah's Witnesses – Christian Religious Community</u>	Kamnik, Groharjeva ulica 22	1976
10	Christian Brethren Assembly	Mali vrh 1a	1981
11	The New Apostolic Church in Slovenia	Maribor, Glavni trg 3	1982

12	The Free Church in the Republic of Slovenia	Zasip, Stagne 18	1983
13	<u>Society for Krishna Consciousness</u>	Ljubljana, Žibertova ulica 27	1983
14	Liberal Catholic Church	Ljubljana, Linhartova cesta 64	1984
15	<u>LECTORIUM ROSICRUCIANUM The International School of the Golden Rosycross</u>	Ljubljana, Celovška cesta 280	1987
16	<u>The Church of Jesus Christ of Latter-day Saints</u>	Ljubljana, Šišenska cesta 48	1991
17	<u>Universal Life</u>	Ljubljana, Celovška cesta 87	1991
18	Unification Church	Škofljica, Dolenjska cesta 419	1991
19	<u>Baha'i Community of Slovenia</u>	Ljubljana, Bohinjčeva ulica 8	1992
20	The Ordo Templi Orientis	Ljubljana, Kotnikova ulica 21	1992
21	Reformation Christian Church of Slovenia	Motvarjevci	1993
22	The Shri Radhakunda – Community for Shri Gauranga Consciousness	Labor 46	1994
23	Macedonian Orthodox Community in the Republic of Slovenia »Saint Clement of Ohrid«	Ljubljana, Hruševska 43d	1994
24	<u>BUDDHA DHARMA – Union of the Buddhists in the Republic of Slovenia</u>	Ptuj, Hajdoše 68	1995
25	Church of Scientology	Koper, Ulica za gradom 21	1995
26	The Church of Jesus Christ »Living Water«	Portorož, Pot k izviru 23	1995
27	New Generation Christian Center	Ljubljana, Ulica Franca Mlakarja 3	1995
28	The Evangelical Baptist Community	Celje, Pohorska ulica 6	1997
29	<u>International Christian Fellowship</u>	Log pri Brezovici, Cesta v Lipovce 20	1997
30	The White Gnostic Church	Poljšica pri Podnartu 8	1999
31	Sacrament of Transition	Maribor, Ulica bratov Greifov 14	1999
32	<u>Christian Church Kalvarija</u>	Celje, Hribarjeva 8	2003
33	<u>Buddhist Congregation Dharmaling</u>	Ljubljana, Melikova ulica 1	2003
34	Hindu Religious Community in Slovenia	Ljubljana, Derčeva ulica 41	2003
35	Christian Outreach Center Ljubljana	Ljubljana, Ob železnici 18	2003
36	The Universal Religious Community of the Rising Sun	Hočko Pohorje 64	2003
37	<u>Raelian Religion in Slovenia</u>	Ljubljana, Dunajska cesta 106	2004
38	»Church of New Covenant« - Slovenia	Verd, Cesta na Barju 7	2004
39	The Holy Church Annasann	Celje, Novi trg 16	2004

40	The Reformed Evangelical Church	Ljubljana, Polje cesta VI 10	2004
41	<u>The Muslim Community of Slovenia</u>	Ljubljana, Pražakova ulica 14	2006
42	New Life Church	Murska Sobota, Industrijska ulica 2	2006
43	Orisha Spiritual Community - Energies of the Nature	Podčetrtek, Tržaška cesta 91	2007

* The names of the churches and other religious communities and addresses of the seats have been taken from the Register of churches and other religious communities in the Republic of Slovenia kept by the Government Office for Religious Communities (the Office) based on the Religious Freedom Act (Official Gazette of the RS, 14/07). In the table, names are preceded by serial numbers of the entry in the register, while the last column displays the year of the entry in the list of religious communities kept by the Office pursuant to Article 3 of the Decision Establishing the Office of the Government of the Republic of Slovenia for Religious Communities (Official Gazette of the RS, No. 72/93) before the register had been established.

By clicking on the name of the church or religious community you will be redirected to the homepage of those churches and religious communities who have reported their addresses to the Office.

2. WHO ARE THE MOST INFLUENTIAL ACTORS IN THE FIELD OF RELATIONS AMONG CULTURES AND RELIGIOUS ETHNIC GROUPS?

The Office for Nationalities is an independent professional service within the Government of the Republic of Slovenia monitoring the implementation of constitutional and other legal provisions pertaining to special rights of the members of the Italian and Hungarian national communities. Furthermore, the Office monitors and attends to the protection of special rights guaranteed to the Roma community living in Slovenia, as far such protection is not in the domain of other state bodies and local authorities.

The Office for Religious Communities within the Government of the Republic of Slovenia helps provide, through its activities, a high standard of religious freedom in both personal and public life.

In accordance with the legal order of the Republic of Slovenia, the Italian national community in Slovenia is organized in the **Coastal Italian Self-Governing Community**. **This is the umbrella organization**, which has the **status of an entity of public law**, and **communicates with state authorities in the municipalities of Koper, Izola and Piran** – municipalities in which Italians are **autochthonous population**. The Coastal Self-Governing Community has the status of a **public law entity**.

In individual municipalities (Koper, Izola, and Piran), the Italian national community is organised in **municipal Italian self-governing communities**, which are linked with the umbrella organization through their delegates, i.e. elected members, **and represent a form of political representation at the local level** (i.e. the municipal level).

The Council of the Coastal Italian Self-Governing Community has nine members, i.e. three from each of the three municipal self-governing communities.

In each of the three coastal municipalities where Italians autochthonously live, the applicable statutes stipulate that one **of the deputy mayors has to be a member of the Italian national community**. Members of the Italian national community also have **councillors in municipal councils**, which are elected by members of the Italian community themselves. **In addition to universal voting right, members of this national community also have a special voting right – at local and national levels. They elect their own representative - deputy** to the National Assembly of the Republic of Slovenia (Article 80(3) of the Constitution of the Republic of Slovenia).

In addition, the Italian national community in Slovenia established the **Italian Union – the Community of Italians**, which has the status of an association. This Union has established links with the **Italian Union in Croatia** and serves as a (material and cultural) bridge to link with the parent nation and state.

The Italian national community has numerous societies and other **cultural and educational institutions using the Italian language**.

a) EDUCATIONAL ACTIVITIES

In the **2008/2009 academic year**, a total of **365 children** attended three pre-school institutions using Italian as the language of instruction (Delfino Blu in Koper, Dante Alighieri in Izola, and La Coccinella in Portorož) in the ethnically mixed areas of the coastal municipalities.

A total of **365 pupils** attended three elementary schools and affiliated schools with Italian as the

language of instruction in the **2008/2009 academic year** (elementary schools Dante Alighieri, Izola; Pier Paolo Vergerio il Vecchio, Koper with affiliated schools in Semedela, Bertoki and Hrvatini; and Vincenzo de Castro, Piran with affiliated schools in Lucija, Sečovelje and Strunjan).

A total of **291 students** attended three secondary schools with Italian as the language of instruction in the **2008/2009 academic year** (Antonio Sema High School, Piran; Gian Rinaldo Carli Secondary School, Koper; Pietro Coppo Secondary Vocational School – Economics, Izola).

The Italian language and literature can be studied at the **University of Ljubljana** (Faculty of Arts, Department for Roman Languages and Literature) and at the recently established **University of Primorska** with its headquarters in Koper (Faculty of Humanities, Department for Applied Linguistics, Chair for Italian Studies). Members of the Italian national community can also study at the universities in Italy (particularly when they want to study other, non-linguistic subjects in the Italian language) and in Croatia (Rijeka, Pula).

b) CULTURAL ACTIVITIES

Members of the Italian national community in the Republic of Slovenia have set up **numerous societies** (political, general, cultural, sports, research, etc), they have **three libraries** and there are also **special departments devoted to the Italian culture, publications and magazines** within the network of public libraries.

In **October 2005** the Coastal Italian Self-Governing Community founded the Italian Centre "**Carlo Colombi**" with the aim of providing cultural activities and incentives planned, promoted and implemented by the Italian national community in Slovenia with an organized form and strategic importance. Its declared goal is the preservation, promotion and development of identity of the Italian national community, the Italian language and culture on the territory historically inhabited by members of this community.

c) INFORMATION ACTIVITY

The EDIT publishing house in Rijeka with the A.I.A. agency in Koper (the former is co-financed and the latter fully financed by Slovenia) is engaged in newspaper publishing and publishes **the daily newspaper La Voce del Popolo**. Cultural and information publications are also published in the ethnically mixed area: **La Città, Il Mandracchio, Lasa pur dir, Il Trillo, and other occasional editions**.

Regular daily **radio and television programs** are produced within the public Radiotelevizija Slovenija, at the **Regional Radio and Television Centre Koper-Capodistria** (national RTV Slovenia). There is **18 hours of radio program daily** which amounts to **126 hours weekly**, while television programs are broadcast for **9 hours on Tuesdays, Wednesdays, Fridays, Saturdays and Sundays**, and for **7.5 hours on Mondays and Thursdays**. To ensure the operation of this institution operating under RTV Slovenia, **139 people** are employed full time (50 in the radio program, 88 in the television program, and 1 member of the

management). **33 employed in the radio and television programs of the Regional Radio and Television Centre Koper-Capodistria** (12 in the radio program, 21 in the television program) are working on a regular contractual basis, and **additional 9 people** work based on student employment contracts. Therefore, there are **all together 181 people** employed for the preparation of **radio and television programs for the Italian national community**. The programs of national communities have been additionally co-financed by the state (Office for Nationalities) in view of the provision of Article 30 of the Radiotelevizija Slovenija Act (Official Gazette, No. 96/05).

Three common institutions, which are very important for the Italian community in Slovenia, are active in the territory of the Republic of Croatia:

- **EDIT publishing house in Rijeka**
- **Italian Theatre, Rijeka**
- **Historic Research Centre in Rovinj.**

These institutions are **co-financed by the Republic of Slovenia**, even though there is no interstate legal instrument to this end. The Ministry of Foreign Affairs and the Government of the Republic of Slovenia were informed by the Office for Nationalities of the need to conclude an appropriate permanent agreement with the Republic of Croatia. The present financing is based on the decision of 1993 of the Government Committee for State Regulation and Public Administration.

The **Italian Union from Rijeka** (society) is also **partly financed by the Republic of Slovenia**.

In addition to the Italian Union from Rijeka, there is also a society with the same name that exists in Slovenia and has its headquarters in Koper.

ORGANIZATION OF THE HUNGARIAN NATIONAL COMMUNITY

In accordance with the legal order of the Republic of Slovenia, the Hungarian national community is organised in the **Pomurje Hungarian Self-Governing National Community** with its headquarters in **Lendava**. This is the **umbrella organization of the Hungarian national community in the Republic of Slovenia**, which has **21 members**, and **communicates with state authorities**. This organization is composed of the following municipality councils: **Lendava as the greatest council of the national community - 10 members, Dobrovnik - 4 members, Moravske Toplice - 3 members, Hodoš - 2 members, and Šalovci - 2 members.**

Within individual municipalities, the Hungarian national community has **municipal Hungarian self-governing national communities in the following municipalities: Lendava, Dobrovnik, Moravske Toplice, Šalovci and Hodoš**. The council represents the **highest form of organization** for each municipal Hungarian self-governing national community in a municipality. **These municipal organizations** are linked with the **umbrella organization** through their **delegates (elected members)**, and represent a **form of political representation at the local level**. In addition to universal voting right, members of the Hungarian national community **also have a special voting right – at local and national levels**. They **elect their own representative - deputy** to the National Assembly of the Republic of Slovenia (Article 80, Paragraph 3, of the

Constitution of the Republic of Slovenia).

The Hungarian National Community has **numerous societies and other cultural and educational institutions using the Hungarian language.**

a) EDUCATIONAL ACTIVITY

Unlike the Italian national community, which has schools using Italian as the language of instruction, **schools in the ethnically mixed areas in which the Hungarian national community resides must be bilingual by law (education is conducted in both languages, Slovene and Hungarian, for all inhabitants of the area).**

According to data for the **2008/2009** academic year, a total of **271 children** attended the **bilingual pre-school institutions** in the ethnically mixed area of Pomurje.

In the **2008/2009 academic year 804 pupils** attended bilingual elementary schools with affiliated schools (Bilingual Elementary School Lendava I, Bilingual Elementary School Lendava II with a special program, Bilingual Elementary School Vljaj Lajoš, Genterovci, Bilingual Elementary School Dobrovnik and Bilingual Elementary School Prosenjakovci).

In 2004 the investment of one of the most up-to-date and topmost equipped elementary schools, **the elementary school in Dobrovnik**, was concluded – the state contributed through the Ministry of Education, Science and Sport and the Ministry of Information Society, together with the municipality of Dobrovnik, almost **EUR 2,587,214.00 / SIT 620 million.**

In the 2008/2009 academic year **315 pupils** attended the Lendava bilingual secondary school.

In September 2005 a modern **bilingual secondary school centre with a high standard sports hall with 400 seats and the surface area of 1,750 square meters** was opened. Together with this centre also other infrastructure was built: pavements, cycle tracks, etc. **The construction of the centre in the amount of EUR 11,266,900.35 (SIT 2,7 billion) was financed by the Republic of Slovenia.** This centre includes grammar school program, program of economics, mechanical-technical program and some professional qualification programs. According to the official figures (The Official Brochure of the Lendava Bilingual High School of September 2005) in the 2004/2005 academic year **313 pupils** attended the classes.

Members of the Hungarian national community can **study Hungarian language at the University of Maribor (Department for Hungarian Language and Literature** at the Faculty of Arts - consisting of the Chair for Hungarian Language and Literature and the Lectureships in the Hungarian language) and at the **University of Ljubljana (lectureships in the Hungarian language at the Faculty of Arts)**, and on the basis of the 1993 bilateral agreement between Slovenia and Hungary, at **universities in Hungary** (about 50 members of the Hungarian national

community study in Hungary every year).

b) CULTURAL ACTIVITY

Several amateur societies and groups (folklore, music groups, choirs, recitals and theatre groups) were established by the Hungarian national community. Their activities, as well as organizational tasks, are carried out by the **Institute for the Culture of the Hungarian National Community** (also including publishing activity and a writers' group of Hungarian nationality).

Within the Institute, a special centre was established - **Centre Bánffy** (open since 20 August 2004), which incorporates a small bookshop with only **Hungarian literature and newspapers**, and an Internet café with **modern multimedia equipment**. This centre also serves as a place for different **performances and gatherings**.

Of significant cultural importance is also the **Cultural Centre Lendava**. It is one of the largest and most significant institutions of this kind in Prekmurje. **In the construction of the facility which will be, among others, used also by the Hungarian national community, the Republic of Slovenia invested about EUR 6,259,389.00 (SIT 1,5 billion) and 100 million forint were contributed by the Republic of Hungary.**

c) INFORMATION ACTIVITY

The Institute for the Information Activity of the Hungarian National Community based in Lendava publishes the **weekly Népszerűség in the Hungarian language**.

The library activity is carried out within the **Regional and Study Library in Murska Sobota**. **In Lendava there is also a book shop selling books in the Hungarian language**. Certain municipalities autochthonously settled by the Hungarian national community (the Goričko Hungarians: Moravske Toplice, Šalovci, Hodoš) are also visited by a **mobile library** on a regular basis. The Lendava Library is another independent public institute based in the ethnically mixed area. It has been established by the Lendava and Dobrovnik Municipalities together with the Hungarian Self-Governing Community of the Lendava Municipality and the Self-Governing Community of the Dobrovnik Municipality. The library performs its activities for other municipalities on the basis of signed contracts. **The Library is based in the ethnically mixed area and its library activity also extends to members of the Hungarian national community.** It falls within the 3rd group of libraries and covers the municipalities of Lendava, Dobrovnik, Črenšovci, Kobilje, Odranci, Turnišče and Velika Polana. The Lendava Library has **12 affiliated local libraries** in this area, **7 in monolingual** and **5 in bilingual areas**. **The Library also provides the expertise and organization of the library activity intended for the Hungarian national community.** The Library purchases, processes, stores, conserves and provides books and other material in the Hungarian language as well. The Library also collects the material on homeland studies.

Radio and television programs for the Hungarian national community are produced within the public Radiotelevizija Slovenija, at the **Regional Radio and Television Centre Maribor – Hungarian Programs Studio Lendava**. There are **18 hours and 15 minutes of radio program daily, including Saturdays and Sundays**, while the television program comprises the **TV series MOSTOVI-HIDAK (Bridges)** that are **broadcast by the national television** (channel 1) and **by the regional TV channel Maribor**. **30-minute episodes of the MOSTOVI-HIDAK series are broadcast by the national television four times a week** (with an additional rerun of each episode) through most of the year, and three times a week (plus reruns) in the summertime. The **30-minute episodes are also shown four times a week by the Regional Channel Maribor** through most of the year, and **three times a week in the summertime**.

To ensure the operation of this institution operating under RTV Slovenia, a certain number of staff members are working full time and a certain number working part time, both on a permanent basis (a special fee is collected by the national TV for this purpose). A total of **31 staff members** are employed in the **Hungarian Programs Lendava Studio** in the radio and televisions programs on a full time basis. In addition to those employed full time, there are **12 employees** working on a permanent contractual basis, **63 working occasionally** in the radio and television programs, and **one student**. **All together there are 107 workers preparing the radio and television programs for the Hungarian National Community**. The programs of the national communities have been additionally co-financed by the State (Office for Nationalities) in view of the provision of Article 30 of the Radiotelevizija Slovenija Act (Official Gazette, No. 96/05).

In September 2004 a radio and television studio of the Hungarian national community was completed in Lendava, providing for additional quality of the radio and television programme in the Hungarian language. The investment worth over EUR 2,000 was financed by the Radiotelevizija Slovenija and the Office for Nationalities.

ORGANIZATION OF THE ROMA ETHNIC COMMUNITY

Experience in working with members of the Roma community has shown that the endeavours of Slovenia's national authorities and municipalities cannot achieve optimum results in resolving Roma issues without including Roma themselves in these activities. Roma have already realized that the situation of the Roma community in the Republic of Slovenia cannot be improved without their cooperation and better organization in their own ranks. **Endeavours of the Office for Nationalities** have also focused on **organizing Roma and establishing Roma societies**. To date, **23 Roma societies** have been established. Roma societies operate in 19 municipalities (Murska Sobota, Novo Mesto, Velenje, Maribor, Krško, Puconci, Rogašovci, Tišina, Črnomelj, Kočevje, Semič, Metlika, Kuzma, Ljubljana, Črenšovci, Dobrovnik, Cankova, Lendava, Trebnje).

Results from the establishment of Roma societies are not yet satisfactory, as activities are only aimed at culture and cooperation in resolving issues encountered in their environments. An important consequence of attempts to organize Roma was that the community's interests are now represented in municipal administration and municipal councils.

The Roma Union of Slovenia is the umbrella organization for Roma societies and represents them in dialogues with national authorities. It is also increasingly active in directing and coordinating the activities of Roma societies and organizes mass meetings of Roma and other cultural events every year. In the year 2005, the Office for Nationalities provided the Roma Union of Slovenia with means for additional and urgently needed space for its activities located at the same address.

On 5 February 2007, the Roma Union of Slovenia opened a new office in Novo Mesto, the new premises providing for undisturbed and better work of the Union. The office in Novo Mesto is also important in the light of a high Roman community populating the area.

In accordance to the provisions of the Statute of the Roma Union of Slovenia, the "**Forum of Roma Councillors**" was established at the **presidency session** in Murska Sobota on 21 November 2002; **most elected Roma councillors also attended the session.** The Forum of Roma Councillors is a working body within the Roma Union of Slovenia linking Roma councillors and municipalities in which Roma are represented.

The leadership of the Roma societies communicates with municipalities on the local level, and representatives of the Roma Union of Slovenia, which includes all Roma societies, communicate with state agencies.

7) EDUCATIONAL, CULTURAL AND INFORMATION ACTIVITY

Preschool Roma children are enrolled in **40 kindergartens** across Slovenia: mainly in Dolenjska region, in Posavje, Bela Krajina, Štajerska and Prekmurje. There are three different ways the Roma children are enrolled in preschool education. The majority is being **integrated in general groups**, the minority in the so called "**Roma classes**", where only Roma children are included, and then there are also **special all Roma kindergartens.**

In the **2003/2004 academic year** there were **1,469 Roma children** enrolled in **primary schools**. In the academic year **2004/2005** there were **1,547 Roma children** enrolled in primary schools, and in the year 2005/06 1,614 Roma children.

In **2004 the Ministry of Education and Sport** financed, among other things, **adult Roma education** in the municipalities of Kočevje, Murska Sobota and Črnomelj. Subjects: functional and computer education, preservation of Roma traditions, customs and professions, housework skills, etc.

Already in 1993 the Ministry of Culture prepared a **special program for Roma**, which is being co-financed, monitored and analyzed by the Ministry.

To be able to meet the real needs of the Roma people, the **Sector for Cultural Rights of the Minorities and Cultural Diversity** within the Ministry of Culture cooperates with the Roma

Union of Slovenia and individual cultural societies as well as some Roma individuals by the formation of programs and other measures.

Thus far, the Ministry of Culture has been funding cultural activities of different Roma societies, cultural animation activities, events, publications, and different lectures on Roma culture, as well as the publishing of the newspaper ROMANO THEM – Roma World, etc.

An even greater attention is paid to providing **information** to the Roma and about the Roma. To this end, members of the Roma community are occasionally provided with **information in the Roma language**. Information concerning Roma issues in the **printed media** as well as **radio** and occasional **TV programs** are aimed at **raising the awareness and educating the Roma community**, as well as **providing the majority population with information about the situation, life and problems of the Roma and about their particular features**.

Two radio stations; the Murski val from Murska Sobota and the Studio D from Novo Mesto have been broadcasting regular weekly programs for the Roma for several years. The Murski val covers the region of Prekmurje, and the Studio D the regions of Dolenjska, Bela Krajina and Posavje. Both the Slovene and Roma languages are used in the program which provides information on the work and life of the Roma and reports on their cultural, sports, and other events, providing a possibility for the improvement of the position of the Roma ethnic community. The program, featuring representatives of the Roma community, local authorities and state bodies, as well as experts dealing with Roma issues, has been well received by the Roma themselves and by the majority population to which it has been providing information on the Roma ethnic community. The mentioned radio programs have been financed from the budget of the Republic of Slovenia.

The Office for Nationalities has also been financing Roma TV programmes since 2002. In the region of Prekmurje, these are broadcasted by **the cable TV-IDEA from Murska Sobota**, and in the regions of Dolenjska, Bela Krajina and Posavje by **TV Vaš Kanal from Novo Mesto** (financed by the Office since recently). The contents of Roma TV programmes are similar to those transmitted by the radio. Both TV stations participate in the regional TV stations exchange scheme and distribute their Roma programme to other interested TV stations in Slovenia. With the implementation of the Radiotelevizija Slovenija Act (ZRTVS-1) which entered into force on 12 November 2005, the public television is obliged to **gradually** provide Roma radio and TV programmes as well. This is owing to the fact that during the drafting of the Act, the Office for Nationalities managed to include the following provision (Art. 3): "pursuant to this Act public service consist of creating, preparing, recording and broadcasting radio and television programme for the Roma ethnic community (Roma programme)". In such framework activities are underway to organize training of the representatives of the Roma ethnic community which are to take part in preparing of the mentioned programme in the future.

The Office for Nationalities also actively supports, through the Roma Union of Slovenia, the 2003 established ROMIC **documentation centre in Murska Sobota** which offers library services and radio production. In 2003, the Office also provided funds for the ROMIC premises.

The Roma Union of Slovenia also publishes the magazine **ROMANO THEM – ROMSKI SVET (ROMA WORLD)**.

For some years now, the Roma society Romani Union from Murska Sobota has been periodically publishing the **newspaper ROMSKE NOVICE – ROMANO NEVIJPE**, bringing news on the society's activities and lives of the Roma community.

Lately, there has been an increase in the Roma publishing activity.

On 11 September 2003, the **first Roma museum** in the Republic of Slovenia was opened in the municipality of Črenšovci, in the Roma settlement of Kamenci (in the Črenšovci municipality)

In September 2005, the Roma Union of Slovenia and the Office for Nationalities organized the **International conference on Roma people** which was attended by representatives of state bodies and Roma community from Austria, Croatia, Hungary, Bosnia and Herzegovina, Macedonia and Slovenia.

In August 2005, the traditional 11th Roma Camp was organized in Murska Sobota.

THE ORGANIZATION OF RELIGIOUS COMMUNITIES IN THE REPUBLIC OF SLOVENIA
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There is no religious education in public schools in Slovenia.

Religious communities can establish education institutions, residence halls for pupils and students and other similar institutions, and in them freely perform educational activities in line with their own statutes in accordance with the constitutional and legal order of the Republic of Slovenia. The state co-finances the activities of such (private) kindergartens and schools generally by covering 85% of salaries and material costs of the programme in a comparable public institute, if the mentioned institutes of religious communities have been established in accordance with the law and perform a publicly verified programme. However, the state covers 100% of salaries and material costs for certain schools which were established early enough

The only higher education institution established by a religious community in the Republic of Slovenia is the Faculty of Theology, which is also a member of the University of Ljubljana and has a branch in Maribor.

There are four grammar schools in Slovenia that have been established by a religious community – the Catholic Church. In the 2007/08 academic year, 1,748 students were attending its programmes, which is 1.9% of the total number of students enrolled in secondary schools in Slovenia (91,554). The state finances 100% of salaries and material costs for three of these four schools. In public secondary schools, these two items amount to approximately 87% of the total costs.

In 2007, the Catholic Church established the first Catholic primary school, the Alojzij Šuštar

primary school in the St. Stanislav Institute, in which classes began in September 2008; 85% of salaries and material costs are financed by the state.

Certain religious communities have established charity organizations.

Religious communities are equal in freedom, conditions and rights to establish and own media as other legal persons in the Republic of Slovenia.

As legal persons, they can establish other legal persons dealing with publishing, bookselling, etc.

The only public, non-profit radio-television broadcaster in Slovenia, Radiotelevizija Slovenija, also has a religious programme. The Programming Council of Radiotelevizija Slovenija consists of 29 members, of which two members are appointed by the President of the Republic on the proposal from registered religious communities. In 2005, those two members were appointed by the president on a proposal of the Slovenian Bishops' Conference and the Serbian Orthodox Church Community in Ljubljana.

3. LEGISLATIVE FRAMEWORK REGULATING THE STATUS AND PROTECTION OF ETHNIC AND RELIGIOUS COMMUNITIES IN THE REPUBLIC OF SLOVENIA

1. National and ethnic communities in the Republic of Slovenia

There are two autochthonous national communities (Italian and Hungarian) and one ethnic community (Roma) living in Slovenia, all enjoying high legal protection. The basic provisions regarding the protection of these three communities are enshrined in the Constitution of the Republic of Slovenia; in more detail, this issue is regulated by individual laws covering, among others, the status of the two national communities and the Roma ethnic community. Their implementation falls within the competence of individual ministries.

The Office for Nationalities – an independent professional service within the Government of the Republic of Slovenia – monitors the implementation of constitutional and other legal provisions and their impacts in practice, draws attention to any shortcomings, prepares proposals and motions addressed to the Government and other state authorities, and together with the competent ministries prepares analyses

and reports covering wider communities' protection issues. Furthermore, the Office cooperates with international organisations (Council of Europe, EU, OSCE, Civil Dimension of NATO, etc.).

The Office's original competences include:

- financing the umbrella organisations of the Italian and Hungarian national communities,
- co-financing bilingualism and other constitutional rights in municipalities where the Italian and Hungarian national communities autochthonously live,
- co-financing common Italian cultural institutions with registered seat in Croatia,
- co-financing Italian and Hungarian radio and TV programs,
- financing the activities of the umbrella organisation for Roma (Roma Union of Slovenia),
- co-financing Roma societies throughout the country,
- co-financing activities related to Roma information and the media.

1. 1. Italian and Hungarian national communities

According to **The Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia**, the Italian and Hungarian national communities in the Republic of Slovenia and their members are guaranteed all rights deriving from the Constitution of the Republic of Slovenia and the treaties in force.

Article 5 of the **Constitution of the Republic of Slovenia** provides that in its own territory, the state protects human rights and fundamental freedoms and protects and guarantees the rights of the autochthonous Italian and Hungarian national communities and their members, defined in Article 64 and guaranteed irrespective of the number of members of these communities. The state provides material and moral support for the exercise of the following rights:

- the right to use their national symbols freely;
- in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing;
- the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling (the geographic areas in which bilingual schools are compulsory are established by law);
- the right to foster relations with their nations of origin and their respective countries;
- the right to establish their own self-governing communities in order to exercise their rights;
- the right to be directly represented in representative bodies of local self-government and in the National Assembly.

The official language in Slovenia is Slovene. In those municipalities where Italian or Hungarian national communities reside, Italian or Hungarian are also official languages (Article 11).

Article 80 determines the structure of and elections to the National Assembly: the National Assembly is composed of 90 deputies of the citizens of Slovenia elected by universal, equal, direct, and secret voting. One deputy of the Italian and one deputy of the Hungarian national communities are always elected to the National Assembly. Such provision is also contained in the **National Assembly Elections Act**, also providing special rules for the election of the deputies of the Italian and Hungarian national communities (the Borda system).

Article 64 also provides that laws, regulations, and other general acts that concern the exercise of the constitutionally provided rights and the position of the national communities exclusively, may not be adopted without the consent of representatives of these national communities. This provision is supplemented by the **Self-Governing National Communities Act** (Article 15, par. 2), whereby state authorities must, prior to deciding on issues relating to the position of members of the national communities, obtain the opinion of the self-governing national communities.

The general provisions of the above Act provide that in areas where they autochthonously live, members of the Italian and Hungarian national communities establish self-governing national communities (entities under public law) in order to exercise their special constitutional rights, attend to their needs and interests, and participate in public matters.

The tasks of self-governing national communities include:

- decide autonomously, in accordance with the Constitution and laws, on any issue from their competence,
- give their consent, in accordance with the law, to issues relating to the protection of the special rights of the national communities, on which they decide together with self-governing local community bodies,
- discuss and examine issues relating to the position of the national communities, adopt positions, and give proposals and motions to competent authorities,
- promote and organise activities contributing to preserving the national identity of the members of the Italian and Hungarian national communities,
- cooperate with their nations of origin and their respective countries, with members of national communities in other countries, and with international organisations.

According to the **Radiotelevizija Slovenija Act**, RTV Slovenija is a public institute of special cultural and national importance, providing public service in the field of radio and TV activities with the purpose of attending to the democratic, social and cultural needs of Slovenian citizens, Slovenes living abroad, members of Slovene national minorities in Italy, Austria and Hungary, and the Italian and Hungarian national communities living in the Republic of Slovenia. The nationality-specific program must cover at least 90% of the territory where members of the Italian and Hungarian national communities live. The Programme Council of RTV Slovenija is composed of 29 members of which one is appointed by the Italian and one by the Hungarian national community. The Programme Council appoints programme committees for the Italian and Hungarian national programmes, who give their consent to the appointment of the editor-in-chief of the nationality-specific program and to the extent, content, standards and scheme of such program.

The **Mass Media Act** provides that the Republic of Slovenia supports the mass media in the creation and dissemination of program important to:

- the exercise of the right of citizens of the Republic of Slovenia, Slovenes around the world, members of the Slovene minorities in Austria, Hungary and Italy, the Hungarian and Italian national communities in Slovenia, and the Roma community living in Slovenia to public information and to be informed in general;
 - the assurance of plurality and diversification of the mass media;
 - the protection of the Slovene national and cultural identity;
 - the promotion of cultural creativity in the area of the mass media;
 - a culture of public dialogue;
 - the consolidation of the social state based on the rule of law;
 - the development of education and science.
-

1. 2. Roma community

The **Constitution of the Republic of Slovenia** provides in Article 65 that the status and special rights of the Roma community living in Slovenia are regulated by law.

This law is the **Roma Community Act**, regulating the status and rights of the Roma community living in Slovenia, the competences of state authorities and local self-government authorities for the exercise of such rights, and participation of Roma representatives in the exercise of their legally provided rights and duties.

In addition to the rights and duties pertaining to all Slovenian citizens, members of the Roma community also have special rights relating to education, culture, employment, spatial planning and environment protection, health and social care, information, and participation in decisions on public matters concerning the members of the Roma community; the state provides for the exercise of such rights by creating the conditions for the integration of the Roma in education, improving the level of education among the Roma, and by designing an appropriate scholarship policy. In terms of labour and employment, the state devotes particular attention to promoting employment, vocational education and training of the Roma.

The state also encourages the preservation and development of the Roma language as well as the cultural, information and publishing activities of the Roma community. State authorities and local community bodies provide the conditions for resolving spatial issues in Roma settlements and improving the housing conditions of the Roma community. In municipalities where – in accordance with the law regulating local self-government – representatives of the Roma community are elected to the municipal council, a special working body is established to monitor the status of the Roma community.

At the state level, a Roma Community Council is established to represent the interests of the Roma community in Slovenia in its relations with the state bodies. The Council may present proposals, motions and opinions on issues falling within its competence to the National Assembly, the National Council, the Government, other state bodies, holders of public functions, and local community bodies. State bodies, holders of public functions and local community bodies must obtain a prior opinion of the Council when adopting or issuing regulations or other general legal acts relating to the status of the Roma community.

Funds for financing the tasks and measures to implement the special rights of the Roma community are provided in the budget of the Republic of Slovenia, in the financial plans of direct budget users, and as funds provided for municipalities to finance delegated tasks.

2. Religious communities in the Republic of Slovenia

The right to religious freedom and the legal status of religious communities and their relation with the state are regulated by the Constitution and laws.

The **Constitution of the Republic of Slovenia** guarantees religious freedom as an individual human right under the freedom of conscience referred to in Article 41, whereby religious and other beliefs may be

freely professed in private and public life. No one is obliged to declare his religious or other beliefs. Parents have the right to provide their children with a religious and moral upbringing in accordance with their beliefs. The religious and moral guidance given to children must be appropriate to their age and maturity, and be consistent with their free conscience and religious and other beliefs or convictions.

According to Article 16, the constitutionally provided human rights and fundamental freedoms may exceptionally be temporarily suspended or restricted during a war and state of emergency, although such provision does not allow any temporary suspension or restriction of the rights provided by Article 41. Thus, the Constitution places religious freedom among the absolutely protected constitutional rights. The Constitution also prohibits discrimination based on religious or other belief (Article 14, par. 1) and any incitement to religious discrimination and inflaming of religious hatred and intolerance (Article 63). Moreover, the Constitution provides the right to conscientious objection (Article 46) and allows citizens who for their religious convictions are not willing to perform military duties to participate in the national defence in some other manner (Article 123).

Religious freedom as a collective right is exercised by religious communities; it is specified in Article 7 of the Constitution providing that the state and religious communities are separate and that religious communities enjoy equal rights and pursue their activities freely.

The **Religious Freedom Act** regulates individual and collective exercising of religious freedom, the legal status of churches and other religious communities, and their rights, powers and registration procedures. Religious freedom in private and public life is inviolable and guaranteed by the state. It comprises the right to freely choose or accept religion, the freedom of expression of religious belief or denial of its expression, and everyone's freedom to express, alone or with others, in public or private, their religion in worship, education, practice, religious rites, etc. No one may be forced to become or remain member of the church or other religious community or to participate or not participate in worship, religious rites, and other forms of religious expression. The Act prohibits any incitement to religious discrimination and inflaming of religious hatred and intolerance, and any discrimination based on religious belief, expression or exercise of such belief.

The Act provides the right to religious spiritual care also for members of the Slovenian Army during military service and for police officers in the circumstances that make the exercise of their religious freedom difficult. The right to regular individual and collective religious spiritual care is also provided in prisons, hospitals and social welfare institutions performing institutional care.

Registered churches and other religious communities are legal persons governed by private law. A Register of churches and other religious communities in the Republic of Slovenia is kept by the Government Office for Religious Communities. Currently, 43 churches and other religious communities are entered in the Register. Registered churches and other religious communities are mostly financed by donations and other contributions made by natural and legal persons and from their other property, as well as by the contributions of international religious organisations whose members they are. The state may provide material support to registered churches and other religious communities because of their general benefit.

The only public, non-profit radio-television broadcaster in Slovenia, Radiotelevizija Slovenija, also has a religious programme. According to the **Radiotelevizija Slovenija Act**, the Programming Council of Radiotelevizija Slovenija consists of 29 members, of which two members are appointed by the President of the Republic on the proposal of registered religious communities

The Organisation and Financing of Education Act stipulates that in public kindergartens and public elementary and secondary schools of Slovenia no religious education is provided. Religious communities can establish education institutions, residence halls for pupils and students and other similar institutions, and in them freely perform educational activities in line with their own statutes in accordance with the constitutional and legal order of the Republic of Slovenia. The state co-finances the activities of such (private) kindergartens and schools generally by covering 85% of salaries and material costs of the programme in a comparable public institute, if the mentioned institutes of religious communities have been established in accordance with the law and perform a publicly verified programme; if such institutions of religious communities are organised in accordance with the law and provide publicly valid programs, they may also apply for teaching equipment. The only higher education institution established by a religious community in the Republic of Slovenia is the Faculty of Theology, which is also a member of the University of Ljubljana and has a branch in Maribor.

In public elementary schools, the majority of content related to religious education is included in the subject Religions and Ethics, which is a mandatory optional subject (which means that every school is obliged to offer it as an optional subject, while its realisation depends on the number of applications). Secondary school students acquire their knowledge of religions primarily through subjects such as history, geography, sociology, philosophy, psychology and Slovenian language.

3. Prohibition of discrimination

In the chapter regulating human rights and fundamental freedoms, the **Constitution of the Republic of Slovenia** provides for equality before the law (Article 14) and stipulates that in Slovenia everyone is guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance. All are equal before the law.

Article 63 deems unconstitutional any incitement to national, racial, religious, or other discrimination, and the inflaming of national, racial, religious, or other hatred and intolerance. Any incitement to violence and war is unconstitutional.

The Penal Code provides for the implementation of the above constitutional provisions in a special part specifying the offences and the related sanctions, namely in Chapter XVI on 'Criminal Offences against Human Rights and Liberties'. According to Article 131, violation of equality is a criminal offence committed by whoever, due to differences in respect of nationality, race, colour of skin, religion, ethnic roots, gender, language, political or other beliefs, sexual orientation, material condition, birth status, genetic heritage, education, social position or any other circumstance, deprives or restrains another person of any human right or liberty recognised by the international community or provided by the Constitution or the statute, or grants another person a special privilege or advantage on the basis of such difference, or prosecutes an individual or organisation for their commitment to equality. Article 165 deals with disparagement to the Slovene nation or the national communities, considering it a criminal offence committed by whoever insults, disparages or defames the Slovene nation or the Italian or Hungarian national communities or the Roma ethnic community living in Slovenia.

4. INFLUENTIAL EVENTS:

Both national minorities and the Roma community carry out a rich cultural and educational programme through the above institutions.

Members of religious communities meet on conventions which the Government Office for Religious Communities organises 3 to 4 times a year.

Conventions deal with various topics relating to the church and other religious communities. Topics are chosen depending on current events, whereby the Office takes into account also the wishes and proposals of religious communities. Guest speakers at conventions are often experts in the issues covered by the convention. Speakers present their areas of work and issues pertaining thereto, together with the relevant legislative regulation (each taking the floor for 30 minutes to 1 hour, depending on the number of guest speakers). In the second part, a discussion with the audience is normally held, with speakers answering questions and providing their contact details should the need to solve certain issues from their area of expertise arise at a later stage. Quite often, useful proposals are presented by the participants to further regulate the matter or improve the implementation of the existing legislation.

Moreover, conventions inform and raise awareness among the general public as they may be attended by media representatives who report thereon to the public at large. Following each convention, the Office delivers its own brief information on the event to the public (i.e. to the media, even those not attending). A more precise report about the convention is sent to representatives of churches and other religious communities in order to inform also those who were unable to attend. Such report is then made available at the Office's web site.

The conventions represent a significant step forward in communication, interreligious and intercultural dialogue, promotion of cultural diversity, and awareness of the importance of religious affiliation and dimensions.

5. THE POLICY REGULATING AND INFLUENCING INTERCULTURAL AND INTERRELIGIOUS DIALOGUE

The special rights of the **Italian and Hungarian national communities** are regulated by Article 64 of the Constitution, by the organic law on self-governing national communities and over 60 sector-specific laws, regulations, statutes and municipal ordinances in ethnically mixed areas, as well as by treaties and international conventions ratified by the Republic of Slovenia.

On 19 July 2007 the Government defined the wording of the Draft Resolution on the Status of the Italian and Hungarian National Communities in the Republic of Slovenia and submitted it for discussion to the National Assembly (national representative body); however, no such discussion was held and the procedure officially terminated with the expiry of the previous parliamentary term (15 October 2008).

The draft was coordinated with the umbrella organisations of the Italian and Hungarian national

communities, i.e. the Pomurje Hungarian Self-Governing National Community and the Coastal Italian Self-Governing National Community.

The resolution defines the following objectives:

- provide for transparency of work of state bodies whose activities are related with the national communities;
- provide for consistent implementation of special constitutional rights of both national communities in Slovenia;
- outline an overview of existing mechanisms to implement and exercise the special rights of the national communities;
- evaluate the national communities' contribution to the cultural diversity in the territory of Slovenia;
- enhance cooperation between the national communities and the state for a more efficient drawing from EU funds;
- provide for a quality integration of national communities into social life in Slovenia while maintaining their specific features;
- promote intercultural dialogue in areas where members of such communities live and work;
- propose – in the procedure for establishing regions as the second level of local self-government – that national communities be represented in regional representative bodies;
- establish partnership between the state, the local communities and the national communities to facilitate the implementation of priority projects.

The legal basis for regulating the status of the **Roma ethnic community** in the Republic of Slovenia is Article 65 of the Constitution, providing that the status and special rights of the Roma community living in Slovenia are regulated by law. This provision is implemented through the Roma Community Act and sector-specific laws (special protection of the Roma community is enshrined in 12 laws concerning education, culture, media, local self-government). The Republic of Slovenia is aware of the need for consistent regulation of Roma issues, particularly those related to education, employment and housing conditions, where the Roma encounter major problems. To solve them, the Government already adopted several acts and measures, such as the 1995 Roma Assistance Action Program, which still applies. The implementation of the programme was evaluated again in 1999 and the competent state bodies were asked to prepare follow-up actions. All ministries and Government offices were thus requested to devote within the scope of their powers particular attention to Roma issues and include the Roma in their national programs. In 2004, the Government discussed the Report on the Status of Roma in Slovenia prepared by the Office for Nationalities together with the competent ministries and adopted ten decisions to accelerate the resolution of Roma issue, including:

- continue the efforts to improve the status of members of the Roma community and to enhance cooperation between state bodies, local community bodies, and the Roma community,
- create the conditions enabling Roma to respect the values of the majority population, and enabling the majority population to accept with tolerance the specific characteristics and cultural diversity of the Roma,
- consistently implement the valid regulations (laws, regulations, treaties that are part of the Slovenian legal system) and guidelines (1995 Action Program, 1999 decisions, etc.) relating to the autochthonous Roma community,
- ministries and Government offices should include, within the scope of their powers, Roma issues in their programs,
- housing conditions, education and employment of the Roma should receive particular attention and support in the framework of state funds,

- provide for the implementation of the National Assembly's decision of 30 May 2002, whereby the competent ministries and Government offices should receive additional funds for municipalities with autochthonous Roma population to solve Roma issues,
- make better use of the possibilities offered by EU funds to solve the Roma issues.

Solved housing issue is the prerequisite for a successful integration of Roma into social life. Several activities have recently been taking place in such sense, e.g. the state is co-financing the arrangement of Roma settlements.

In 1996, the new schooling legislation introduced for the first time the legal bases regarding the education of Roma children. In 2000 and 2001, amendments were adopted to the Organisation and Financing of Education Act, the Kindergarten Act, and the Elementary School Act. A contribution to improving the situation in education will also be made by the Roma Education Strategy adopted by the Ministry of Education, Science and Sport in May 2004. The Roma Education and Information Centre was established to raise the educational level among Roma population, and in 2006 the Council for Vocational and Technical Education confirmed vocational standards for a Roma assistant and a Roma coordinator.

The responsibility for meeting constitutional and legal obligations concerning national and ethnic minorities is distributed between the line ministries and the **Government Office for Nationalities**. Thus, the primary task of the Office is to oversee the implementation of legal and constitutional provisions for the protection of national communities and their impacts in practice, draw attention to shortcomings, prepare drafts and proposals for the Government and other state bodies, and together with individual ministries prepare analyses and reports covering wider issues of national communities' protection.

The original competences held exclusively by the Office refer to areas that do not fall within the competence of individual ministries (financing the umbrella organisations of the Italian and Hungarian national communities, co-financing bilingualism and other constitutional rights in municipalities autochthonously inhabited by the Italian and Hungarian national communities, co-financing common Italian cultural institutions with registered seat in Croatia, co-financing Italian and Hungarian radio and TV programs), and competences relating to the Roma community traditionally or historically settled on the territory of Slovenia (financing the Roma Union of Slovenia, indirect co-financing Roma societies throughout the country, and co-financing activities related to Roma information and media).

The Office thus provides for a concerted government policy in minorities and reports on results and problems encountered in such context.

Discrimination and intolerance fall within the competence of the **Human Rights Ombudsman**, that also deals with the protection of special minority rights. The Ombudsman notes that only few proposals are presented by the representatives of both national communities. Most proposals relate to the Roma community.

Religious freedom, religious communities, and the relation between the state and religious communities are all issues covered by the Constitution and the 2007 Religious Freedom Act (replacing the Legal Status of Religious Communities Act of 1976 and its subsequent amendments). The new Act complies with recognised standards and regulates the manner of exercising religious freedom as well as issues related to freedom of operation of religious communities. In January 2004, Slovenia ratified the Agreement between the Republic of Slovenia and the Holy See on Legal Issues. The Act derives from the

basic principles enshrined in the Constitution and pertaining to the following two categories of entitlements: 1) **religious freedom**, including the freedom of conscience or religious freedom, freedom of professing religion in private and public life either individually or collectively, freedom of teaching religion, and prohibition of discrimination based on religious belief; and 2) **churches and other religious communities**, based on the principle of separation of the state and churches or other religious communities, the principle of equality of religious communities, the freedom of freely pursuing their activities, and the principle of their voluntary registration.

The **Government Office for Religious Communities** monitors the position of churches and other religious communities, provides professional assistance and information on relevant legal issues regarding their activities, and coordinates the relations of churches and other religious communities with the state and other entities. The Office cooperates in solving legal issues concerning the activities of churches and other religious communities, monitors the implementation of the relevant regulations, acts and measures, and provides for international cooperation in such area. The Office also conducts the procedure for registration and keeps the Register of Churches and Other Religious Communities in the Republic of Slovenia. Within the scope of its work, the Office promotes the implementation of the principle of equal treatment, and creates the conditions for equal treatment of all persons irrespective of their religious belief by raising awareness and monitoring the situation in such area as well as by adopting measures of regulatory and political nature.

On 7 January 2009, the Government adopted the Decision on the establishment, tasks and composition of the **Commission of the Government of the Republic of Slovenia for solving open issues concerning religious communities** (first established in 2001). The Commission discusses open issues concerning religious communities and their relations with the state, and prepares positions and submits them to the Government.

6. CONCLUSION

As indicated by the above replies, particularly those concerning the legal regulation of the status and protection of ethnic and religious minorities, the Constitution of the Republic of Slovenia guarantees special protection to two national communities (Italian and Hungarian) and the special Roma ethnic community. On one hand, the Constitution guarantees equality in exercising all human rights and freedoms (it prohibits discrimination based on national origin, religion, language or any other personal circumstance), while on the other it gives the Italian and Hungarian national communities additional special rights (Article 64). Thereby, it advocates a positive protection of minorities (i.e. members of minorities are guaranteed certain rights that do not pertain to the majority population) and points to the high level of democracy in the society.

According to the Office for Nationalities, the Republic of Slovenia is devoted to quality implementation of constitutional and legal rights for **both national communities**. Members thereof enjoy quality protection of their collective and individual minority rights under the highest European minority standards, including political participation of representatives of national communities in the National Assembly and municipal councils, equal use of mother tongue in public life, own cultural, informative and publishing activities, and specific nationality or bilingual schools. The Italian and Hungarian national communities in

Slovenia and their members enjoy the same rights as the majority population, and in addition have certain other rights deriving from the Constitution and treaties.

According to the Council of Europe, Slovenia's policy on national communities is excellent, offering minority rights (one of the most important segments of human rights) that are well above the standards in other EU Member States.

Nevertheless, there are certain outstanding issues, such as Slovenia's co-financing of Italian institutions in Croatia, which lacks a solid legal basis and awaits the examination of the possibility of an inter-state agreement.

As far as the **Roma ethnic community** is concerned, the Office for Nationalities notes that members of such community are still discriminated, socially disadvantaged, without or with extremely low education. Without special measures taken by state bodies and municipalities, their status can not be improved.

Municipalities should receive extra funds from the state budget, as envisaged by the Government decisions of 1999, the Roma Assistance Program, and the Government decisions of 2004. It needs to be mentioned here that things have turned to the better recently, as confirmed by the adopted »Implementing program of assistance to municipalities in solving urgent municipal infrastructure issues in Roma settlements«.

The establishment of Roma societies should be encouraged in municipalities where no such societies exist, to serve as basis for faster socialisation at local level.

Both at the state and local levels, the situation is slightly better in education, social care, cultural activities and information of the Roma. Less favourable is the situation in housing, employment and economic status of the Roma, to a large extent deriving from low educational level of the Roma population.

It is thus important that ministries and Government offices include Roma issues in their national programs, provide more funds from the state budget, and adopt measures to assist municipalities in solving the Roma issue.

A significant step forward in such respect is the new basic Roma law adopted in 2007.

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Turkey

A QUESTIONNAIRE ABOUT THE NATIONAL EXPERIENCES AND POLICIES OF TURKEY IN PROMOTING DIALOGUE AND UNDERSTANDING AMONG CULTURES AND RELIGIONS

Dr. Askin ASAN, Member of the Turkish Parliament, Head of the Turkish Delegation of Parliamentary Assembly of Mediterranean

TURKEY

MAIN ETHNIC AND RELIGIOUS GROUPS IN TURKEY

The Turkish people, are a [nation](#) in the meaning of an *ethnos*, defined more by a sense of sharing a common Turkish culture and having a Turkish mother tongue, than by citizenship, religion or by being subjects to any particular country.

The question of ethnicity in modern Turkey is a highly debated and difficult issue. Figures published in several different sources prove this difficulty by varying greatly.

It is necessary to take into account all these difficulties and be cautious while evaluating the ethnic groups. A possible list of ethnic groups living in Turkey could be as follows (Andrews, Peter A. *Ethnic groups in the Republic of Turkey.*):

1. Turkic-speaking peoples: Karakalpaks, Turkmens, Kazakhs, Kumyks, Yörüks, Uzbeks, Crimean Tatars, Azeris, Balkars, Uyghurs, Karachays.
2. Indo-European-speaking peoples: Kurds, Zazas, Armenians, Hamshenis, Greeks
3. Semitic-speaking peoples: Arabs, Jews, and Assyrians
4. Caucasian-speaking peoples: Georgians, Lazs, Circassians, and Chechens
5. Other Muslim groups originally from the Balkans (Bulgarians, Albanians, Macedonians, Serbs, Croats, Romanians and Bosniaks): These people migrated to Anatolia during the Ottoman Era and have been assumed to accept Turkish-Muslim identity.
6. Cossacks in Turkey (mostly left Turkey by 1962).

Proving the difficulty of classifying the ethnicities of the population of Turkey, there are as many classifications as the number of scientific attempts to make these classifications. Turkey is not unique in this respect; many other European countries (e.g. France, Germany) also bear a great ethnic diversity that defies classification. The immense variation observed in the published figures for the percentages of Turkish people living in Turkey (ranging from 75 to 97%) simply reflects differences in the methods used to classify the ethnicities, with a main factor being the

choice of whether to exclude or include Kurds. Complicating the matter even more is the fact that the last official and country-wide classification of spoken languages (which do not exactly coincide with ethnic groups) in Turkey was performed in 1965; many of the figures published after that time are very loose estimates.

According to a 2008 report prepared for the National Security Council of Turkey by academics of three Turkish universities in eastern Anatolia, there were approximately 50 to 55 million ethnic Turks, 12,5 million Kurds (including 3 million Zazas), 2,5 million Circassians (Adige), 2 million Bosniaks, 1,3 million Albanians, 1 million Georgians, 870,000 Arabs, 700,000 Roma, 600,000 Pomaks, 80,000 Laz, 60,000 Armenians, 20,000 Jews, 15,000 Greeks and 13,000 Hemshins living in Turkey.

There are no statistics of people's religious beliefs nor is it asked in the census. According to the government, 99.8% of the Turkish population is Muslim, mostly Sunni, some 10 to 20 million are Alevis. and 0.2% is other - mostly Christians and Jews. The Eurobarometer Poll 2005 reported that in a poll 95% of Turkish citizens answered that "they believe there is a God", while 1% responded that "they do not believe there is any sort of spirit, God, or life force". In a Pew Research Center survey, 69% of Turkey's Muslims said that "religion is very important in their lives". Based on the Gallup Poll 2006-08, Turkey was defined as *More religious*, in which over 89 percent of people believe religion is important. According to the Turkish Economic and Social Studies Foundation, 60% of women wear the headscarf or hijab in Turkey. 56% of male Muslim citizens regularly attend Friday prayers.

The vast majority of the present-day Turkish people are Muslim and the most popular sect is the Hanafite school of Sunni Islam, which was officially espoused by the Ottoman Empire; according to the KONDA Research and Consultancy survey carried out throughout Turkey on 2007:

- **52.8%** defined themselves as *"a religious person who strives to fulfill religious obligations"* (Religious)
- **34.3 %** defined themselves as *"a believer who does not fulfill religious obligations"* (Not religious).
- **9.7%** defined themselves as *"a fully devout person fulfilling all religious obligations"* (Fully devout).
- **2.3%** defined themselves as *"someone who does not believe in religious obligations"* (Non-believer).
- **0.9%** defined themselves as *"someone with no religious conviction"* (Atheist).

Turkey being conscious of its cultural heritage of peaceful coexistence and being an insider to the cultures, traditions and institutions of the West for nearly two centuries, is in a unique position to understand the significance of dialog among civilizations and to apprehend the dire consequences that may result from the absence of tolerance and understanding among cultures. Anatolia has been the cradle of numerous civilizations for thousands of years and the birthplace of the three major religions: Christianity, Judaism and Islam. This fact alone, lends Turkey its unique and invaluable cultural and archaeological heritage. Because of its secular position in the world, the Turkish attitude toward religion has been one of tolerance. Today, you can find hundreds of religious examples in each and every town and city of Turkey, especially in Istanbul.

The Turkish people, the majority of them Moslem, who continue to carry on their traditions and conventions in a contemporary manner and in harmony with their Islamic beliefs, have constructed mosques, tombs and similar religious areas which reflect both the features of Anatolia where the Turks have been living for centuries and their artistic values as well as their religious importance. The non-Moslem population had the right of living and setting wherever they wanted during both the Ottoman period and the republican era. Without any discrimination Islamic or non-Islamic Turkish citizens have had the right of jurisdiction, religious belief and concept and conducted their religious services, prayers and ceremonies freely in their holy places such as mosques, churches and synagogues. As a result of this tolerant recognition all the divine places belonging to Judaism and Christianity have been carefully preserved and protected.

THE MOST INFLUENTIAL ACTORS IN THE FIELD OF RELATIONS AMONG CULTURES AND RELIGIOUS AND ETHNIC GROUPS IN TURKEY

Interreligious Relations Branch in Foreign Relations Department in Presidency of Religious Affairs of Turkey,

The Presidency of Religious Affairs (The Diyanet) is a constitutional institution which is mandated to administer religious affairs of Muslims. The Diyanet takes positive positions about the protection of religious freedom and liberty for minority faith groups in Turkey. The Diyanet plants seeds of respect, tolerance and acceptance of religious and cultural diversity. The Diyanet's consolidation of its positions on freedoms stems from the fact that Diyanet strongly defend religious liberty and pluralism.

Prof. Mehmet Aydın, Co-Chair of Alliance of Civilizations, Minister of State.

The United Nations Alliance of Civilizations (UNAOC) is an initiative of the UN Secretary-General which aims to improve understanding and cooperative relations among nations and peoples across cultures and religions, and to help counter the forces that fuel polarization and extremism.

The Alliance was established in 2005, at the initiative of the Governments of Spain and Turkey, under the auspices of the United Nations. In April 2007, the United Nations Secretary-General appointed Jorge Sampaio, former President of Portugal, as High Representative for the Alliance. The AoC is supported by a Group of Friends – a community of over 85 member countries and international organizations and bodies.

Working in partnership with governments, international and regional organizations, civil society groups, foundations, and the private sector, the Alliance is supporting a range of projects and initiatives aimed at building bridges among a diversity of cultures and communities.

The Alliance functions, both globally and within the UN system, in the following capacities:

- **A bridge builder and convener**, connecting people and organizations devoted to promoting trust and understanding between diverse communities, particularly – but not exclusively – between

- Muslim and Western societies;
- A **catalyst and facilitator** helping to give impetus to innovative projects aimed at reducing polarization between nations and cultures through joint pursuits and mutually beneficial partnerships;
- An **advocate** for building respect and understanding among cultures and amplifying voices of moderation and reconciliation which help calm cultural and religious tensions between nations and peoples;
- A **platform to increase visibility**, enhance the work and highlight the profile of initiatives devoted to building bridges between cultures; and
- A **resource** providing access to information and materials drawn from successful cooperative initiatives which could, in turn, be used by member states, institutions, organizations, or individuals seeking to initiate similar processes or projects.

THE LEGAL FRAMEWORK THAT HELPS PROMOTE TOLERANCE AND RESPECT FOR RELIGIOUS AND CULTURAL DIVERSITY

1. Freedom of religious faith and worship:

- Constitution article 24,
- Code on Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Additional Protocol article 9.

Freedom of expression:

- Constitution article 25,
- Code on Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Additional Protocol article 10.

2. Access to political, civic and welfare rights:

- **Treaty** of Lausanne

Articles 38/3, 39/1, 40, 41/1, 41/2, 42/1, 43, 39/5, 39/4, 39/3, 39/2, 38/2 and 38/1.

- Constitution articles 13, 26, 28, 33, 74.
- Press Law article 5,
- Law on Foundations articles 3, 6, 12, 16
- Law on Foreign-language Education article 2
- Law on the Establishment of Radio and Television Enterprises and Their Broadcasts article 4.

3. protection against xenophobic or discriminatory treatment;

- Constitution article 10
 - Criminal Code articles 122, 340, 341 and 342
- options made by the country between alternative cultural or other models (such as confessional or secular state, and options on the regulation of marriage, family life and equality of the sexes in areas where different cultures differ)
- Constitution articles 2, 13, 14, 68, 81, 103, 136, 174

4. entities and processes that promote and/ or safeguard harmony between various ethnic or religious communities:

Law on Foundations articles 3, 6, 16, 41 and 54

Centrally prescribed items in the educational curriculum that deal with relations among cultures or religions;

Law of Private Education article 2/e.

INFLUENTIAL EVENTS AND TRENDS AND THEIR IMPACT

Positive Events,

Breaking fast dinners between preminent religious leaders from all groups and Presidency of Religious Affairs of Turkey,

Pope Benedict's XVI visit to Turkey in 2006, Cardinal Schonborn's latest visit to Turkey in 2008,

President of Religious Affairs Prof. Dr. Ali BARDAKOĞLU's regular visits and meetings with national and international leaders like ECRL, WCPR, DOHA meetings.

Kızılçhamam Meeting " Interfaith Dialogue from the Historical, Doctrinal and Funxtional Perspectives", organized by Presidency of Religious Affairs of Turkey, 2007

Faith Tourism Days I-II-III. Organized by Presidency of Religious Affairs of Turkey 2002, 2004, 2006

Negative Events:

Murder of the father Santoro

Murder of the missionaries in Malatya Province

GOOD PRACTICES

Interreligious and Intercultural events and activities for Alliance of Civilizations

1. Messages' of Prof. Ali Bardakoğlu and press releases about the tolerance, faiths and interfaith dialogue ; for example (Culture of Co-existence in Islam: The Turkish Case - 30.05.2008, Conference on Peace and Tolerance II", co-sponsored by Appeal of Conscience Foundation and Greek Orthodox Patriarchate in by Prof. Dr. Ali Bardakoğlu, Istanbul, - 07.10.2005, "Religion Promotes Peace and Condemns Violence" by Prof. Dr. Ali Bardakoğlu, Istanbul, - 09.06.2005, Dialog and Tolerance, by Prof.Dr. Ali Bardakoğlu, Antalya - 08.12.2004
2. Alliance of Civilisations Project

THE MAIN WEAKNESSES OF TURKEY'S SOCIETY (administration and all civil society) that hinder it in its task of improving its intercultural and inter-religious relations, within itself or internationally:

3. There are some approaches created particularly by nationalist trends to protect the nation. In addition, they try to carry out the same attitude in the media to impose their nationalistic approaches. But in fact, these nationalist approaches does not improve the intercultural and inter-religious relations instead, they hinder these inter cultural and inter religious relations.
4. Communication language and cultural codes in Turkey might be obstacle for improving inter religious and inter cultural relations. For instance, sometimes EU negotiations are perceived as a religious and cultural matter by some part of the people. These

misunderstandings can cause negative thoughts related to inter-religion and intercultural relations.

THE MAIN STRENGTHS OF TURKEY'S SOCIETY (administration and all civil society) that help it in its task of improving its intercultural and inter-religious relations, within itself or internationally:

5. Turkey with her historical background (having common history for mainstream religions) and current position as a bridge between west and east, has many important opportunities to establish good relations both inside and outside of the country. This can be regarded as a main strength of the country's society.
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Events, developments, facts, trends or plausible future events outside TURKEY pose or could pose a threat to TURKEY's contributing positively to the harmony among cultures and religions:

6. The weakness of the country we have mentioned above also can be seen as a threat. Nationalist approaches which aims to protect the nation and their influence in the media.
 7. And fundamentalist approaches which seems interfaith dialogue as a treachery.
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Events, developments, facts, trends or plausible future events outside TURKEY offer or could offer an opportunity for TURKEY's contributing more positively to the harmony among cultures and religions:

1. Participating in the international meetings such as ECRL and WCRP meetings

2. Alliance of Civilisations Project

3. EU accession process which helps in taking measures to create harmony.

LINES OF ACTION DO WE PROPOSE FOR IMPROVEMENT?

Education - Promote cross-cultural and human rights education to ensure students everywhere develop an understanding of other cultures and religions;

Youth - Implement a broad-based youth employment initiative in countries where unemployment, alienation and extremism are major problems;

Media - Develop joint ventures to produce films and television programmes showing diversity as a normal feature of society; work to sensitize audiences on culturally divisive issues;

Migration - Develop social networks that support the integration of immigrant communities and cross-cultural dialogue.

- 1- Constituting interreligious and intercultural departments in Universities for Master and PhD Studies and organizing mutual workshops
 - 2- Organizing events which give the opportunity to every religious culture to express its own experiences and perspectives.
 - 3- Organizing exchange programs between governmental and civil organizations in intercultural programs.
 - 4- Sharing the results of intercultural events with governmental organizations and media.
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