

## EXPLANATORY MEMORANDUM

to Law 4301/2014 (Official Gazette of the Hellenic Republic A' 223)

### Article 28

#### Supervisory Council for Medresses in Thrace

The Supervisory Council for Medresses in Thrace is established by **article 1**, as a necessary advisory body to the Greek State on issues of Islamic religious education.

Erudite Muftis in Thrace have repeatedly addressed the question of upgrading Medresses and supporting Islamic religious education and the general issue of identity of Muslims in Thrace within the framework of the Constitution identifying the State as the only guarantor of freedom of religion.

The Minister of Education and Religious Affairs has responded to the request of Erudite Muftis by Ministerial Decree 27147/A3/27-02-2013 establishing the Committee for upgrading the religious education system of the Muslim minority in Thrace and for implementing article 53 of Law 4115/2013 (Official Government Gazette of the Hellenic Republic 24/30-1-2013) "Islamic religion teachers of the Muslim minority in Thrace and support of Muslim students' schooling in public schools in Thrace". The Committee comprises 7 distinguished theologians and educators (6 of them are Muslims) and aims at submitting a relevant scientific proposal.

On November 26, 2013, the Committee submitted a Proposal (Incoming document Reference number 2106/26-11-2013), the "General Conclusion" of which reads as follows:

«In Greece Islamic religious education is not a complete and well-rounded system comparable to the Christian Orthodox religious education system (see Law 3432/2006 "Structure and operation of Ecclesiastical Education"). The lack of a complete and well-rounded system with coherence and with a single scope (despite the provisions of Law 1920/1991 for the foundation and operation of an "Islamic Seminary section" within the Special Pedagogical Academy of Thessaloniki) results in obliging Greek citizens, members of the Muslim minority in Thrace to seek knowledge of their religion (and certification of their knowledge) in other countries. This constitutes a shortage at the expense of the Muslim minority, while at the same time the responsibility for educating Islamic cleric of the Muslim minority is entrusted to foundations / institutions of other countries.

Education and religious education in particular is a constitutional right (articles 13S and 16S). Therefore it is legal and in full accordance with the Constitution that the Greek State establishes a complete and well-rounded system for the Islamic religious education. A system operating under the supervision and with the funding of the State,

in cooperation with the religious leaders of the Muslim minority, equivalent to the Christian Orthodox (Ecclesiastical) educational system, shall make all subsidiary changes effective. Additionally, in that way, the recent historic decision to implement the teaching of the Holy Quran in public schools for Muslim students, members of the minority, can only have the results expected by the Muslim minority and by the State, if the possibility of education, support and interconnection with the national tertiary education institutions is provided.

The Muslim minority in Thrace enjoys full freedom of religion as well as all the significant measures (which are unique for a non-Muslim country) taken by Greece in order to support Islam and the Muslim minority and which are of vital importance for the future and the preservation of the nature of the minority's religious identity: inter alia, the right to apply the Islamic Holy Law for personal matters, the establishment of a special quota for the admission of Muslim minority students in Universities and Technological Educational Institutions and of a special quota for posts of permanent staff and staff recruited on a private law contract for an indefinite period of employment issued by the Supreme Council for Civil Personnel Selection (ASEP), paying salaries of Islamic religion teachers, positive anticipation for the construction/ restoration of mosques. It would be appropriate and it would benefit Greek education as a whole if the measures in force were completed by an Islamic religious education system for the minority».

The establishment of an Islamic religious education system has been the wish of the Muslim minority as well as a necessary condition for upgrading the religious education of Muslims in Thrace and for preserving and enhancing the religious nature of the Muslim minority in Thrace. It is not possible to achieve the pursuit of these objectives without establishing an advisory body to the Greek State. This advisory body ensures the right of the religious leaders of the Muslim minority to propose the optimal solutions, practices and ideas which meet the religious needs of the minority as well as the need of co-operation and support by the State for laying the educational and scientific foundations of Islamic religious education. Thus, the optimal experiences and practices of general Education may be associated with and cover specific needs of the religious education of the Muslim minority in Thrace.

The aim being equitable integration in general Education, focus is placed on providing relevant benefits to Medresses while preserving their special and precious nature, in the interests of the Muslim minority in Thrace and of Greek society in general.

In the case of Ecclesiastical Middle Schools and High Schools, to which Medresses are equivalent in accordance with article 4 of Law 2621/1998 (Official Gazette of the Hellenic Republic A' 136), soon after the political changeover, the State established the Supervisory Council for Ecclesiastical Education (Article 2 (3) Law 476/1976 Official Gazette of the Hellenic Republic A' 308) later renamed Supervisory Council for Secondary Ecclesiastical Education (Article 24, Law 3432/2006 Official Gazette of the Hellenic Republic A' 14). By article 39(4) of Law 3848/2010 (Official Gazette of the Hellenic Republic A' 71) the composition of the Council was redefined as follows: "... persons of recognized competence with knowledge and experience in the field of ecclesiastical education may be appointed as members of the Council and their alternates; in particular members of University staff,

teaching staff members of Highest Church Academies (Ecclesiastical Academies), Advisers to the Pedagogical Institute, Educational Counselors in public education, Principals of Ecclesiastical Secondary schools, Secondary school teachers, administrators in education management with experience in issues falling within the competence of the Council. The members of the Council are selected as follows: one member and alternate is nominated by the Standing Holy Synod of the Church of Greece, one member and alternate is nominated by the Synod of the Archdiocese of Crete and the other members are appointed by the Minister of Education and Religious Affairs.

The experience gained from the Supervisory Council for Secondary Ecclesiastical Education has demonstrated this institution's utility for the optimal and more efficient operation of Ecclesiastical schools in stark contrast to Medresses. The lack of such an institution prevented the State from effectively providing assistance to maintaining the Medresses' mission which led to the downgrading of their studies.

To that effect, the Supervisory Council for Medresses in Thrace is established for the first time, **by paragraph 1**, for the State to obtain the necessary advisory body on Islamic religious education. It is established that the Supervisory Council for Medresses in Thrace shall consist of seven members as follows: a) the Muftis or locum tenentes of the Muftiates of Xanthi, Komotini and Didymoticho, b) the Regional Director of Primary and Secondary Education of Eastern Macedonia -Thrace and alternate, c) three (3) persons and alternates of recognized competence with knowledge and experience in the field of Islamic religious education and/or public education and/or Islam and/or Arabic/Islamic culture, in particular members of University staff, Advisers A', B' or C' to the Minister of Education and Religious Affairs, Advisers to the Institute of Educational Policy, Directors of Education, Educational Counselors, Principals and teachers teaching courses on Islamic religious education in Medresses in Thrace, graduates of the Special Pedagogical Academy of Thessaloniki, Islamic religion teachers hired under article 53 of Law 4115/2013, Islamic theologians, Secondary school teachers, administrators in education management with experience in issues falling within the competence of the Council. The members of the Supervisory Council for Medresses in Thrace and their alternates are appointed by a decision of the Minister of Education and Religious Affairs published in the Official Gazette of the Hellenic Republic. By the same decision the President and alternate are appointed as well as the Secretary of the Supervisory Council for Medresses in Thrace who shall be an employee of the Ministry of Education and Religious Affairs of Staff Category Tertiary Education Degree (ΠΕ). The term of office of the members appointed by the Minister of Education and Religious Affairs shall be three years and may be renewed.

It is established **by paragraph 2** that the Supervisory Council for Medresses in Thrace is responsible for expressing views to the Minister of Education and Religious Affairs on issues of Islamic religious education of the Muslim minority in Thrace regarding: a) establishing, merging, abolishing and relocating Medresses in Thrace, b) curriculum development or reviewing of the Medresses in Thrace, c) notice of invitation and textbook writing for students and teachers of Medresses launched by the Institute of Educational Policy, d) student enrollment, transfers, attendance, sanctions, assessment and generally organizing student life in Medresses in Thrace, e) official holidays, school time schedule of Medresses in

Thrace f) study of any educational issue referred by the Minister of Education and Religious Affairs regarding the operation of Medresses in Thrace and g) any other relevant issue. Additionally the Council may: a) cooperate with the Institute of Educational Policy, with other regulated entities and services of the Ministry of Education and Religious Affairs, with Higher Education Institutions on pedagogical and scientific issues and with experts specializing in matters regarding Medresses' operation, b) coordinate training programs and cooperate with competent bodies for implementing professional development and training programs addressed to Islamic religion teachers for Islamic religious education courses, internship programs for undergraduate and postgraduate students, c) make recommendations to the Minister of Education and Religious Affairs on operating student clubs, d) present awards to high achieving students of Medresses, e) deliver an opinion on Medresses students' participation in international contests regarding Islamic religion courses, f) run contests among students of Medresses.

It is established **by paragraph 3** that the Supervisory Council for Medresses in Thrace delivers an opinion to the competent legal authority on appointing Principals and Vice-Principals of Medresses in Thrace.

It is established **by paragraph 4** that the Supervisory Council for Medresses in Thrace shall meet at the premises of the Central Offices of the Ministry of Education and Religious Affairs or following its President's decision, at the premises of the Regional Directorate of Education of Eastern Macedonia-Thrace. The Supervisory Council for Medresses in Thrace may meet by way of teleconference. All decisions of the Supervisory Council for Medresses in Thrace shall be taken by an absolute majority of the total number of its members. The provisions of article 14 of Law 2690/1999 (Official Gazette of the Hellenic Republic A' 45) remain in force.

It is established **by paragraph 5** that the Supervisory Council for Medresses in Thrace is non-remunerable. Traveling costs for the President, the members and the Secretary for participating in the meeting of the Supervisory Council for Medresses in Thrace shall be charged to the budget of the Ministry of Education and Religious Affairs.