

**Assemblée générale**

Distr. générale
10 juillet 2015
Français
Original : anglais

Conseil des droits de l'homme**Vingt-neuvième session**

Point 3 de l'ordre du jour

**Promotion et protection de tous les droits de l'homme,
civils, politiques, économiques, sociaux et culturels,
y compris le droit au développement**

**Note verbale datée du 7 juillet 2015, adressée
au Haut-Commissariat des Nations Unies aux droits
de l'homme par la Mission permanente de la Grèce
auprès de l'Office des Nations Unies à Genève
et des autres organisations internationales en Suisse**

La Mission permanente de la Grèce auprès de l'Office des Nations Unies à Genève et des autres organisations internationales en Suisse présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui faire tenir ci-joint les observations du Gouvernement grec concernant la déclaration écrite, en date du 21 mai 2015, présentée au Conseil des droits de l'homme à sa vingt-neuvième session, au titre du point 3 de l'ordre du jour, par Reporters Sans Frontières International – Reporters Without Borders International, organisation non gouvernementale dotée du statut consultatif spécial (A/HRC/29/NGO/16).

La Mission permanente de la Grèce prie le Haut-Commissariat aux droits de l'homme de bien vouloir faire distribuer le texte ci-joint* en tant que document de la vingt-neuvième session du Conseil des droits de l'homme, au titre du point 3 de l'ordre du jour.

* L'annexe est reproduite telle quelle, dans la langue originale seulement.



Annexe

[*Anglais seulement*]

Comments of the Government of Greece in relation to the written statement submitted by Reporters Sans Frontiers International – Reporters Without Borders International

With reference to the written statement submitted by the “Reporters Without Borders International”, NGO in special consultative status (A/HRC/29/NGO/16) and, in specific, the “blasphemy” case mentioned therein, Greece would like to inform the Human Rights Council on the following:

- A blogger was arrested, on September 2013, for parodying a well-known Greek Orthodox monk, said to have prophetic powers, and he was charged with “malicious blasphemy” (“punished by imprisonment up to two years”, art. 198 Criminal Code) and “insulting religion” (“punished by imprisonment up to two years”, art. 199 Criminal Code).
- On January 2014, he was found guilty of “repeatedly insulting religion” (and not of “malicious blasphemy”) and was sentenced to a 10-month suspended sentence by the Criminal Court of First Instance. The case is currently pending before the Criminal Appeals Court.
- According to Greek Criminal Law, for the completion of both crimes of “malicious blasphemy” and “insulting religion”, the “malicious” character of the criminal conduct of the perpetrator is required, as a mens rea element. Therefore, any mere expression of opinion, even in the form of objection, disapproval or disagreement, cannot be regarded as “malicious blasphemy” or “insulting religion”.
- It should be noted that certain articles of the Criminal Code, including the abovementioned ones, are currently under review by the competent law-drafting Committee.
- In conclusion, Greece emphasizes the substantial promotion and protection of freedom of expression -as a fundamental prerequisite for building inclusive democracies and enhancing intercultural dialogue, peace and good governance- by undertaking various initiatives towards this direction. In this context and as far as media freedom, online and offline, is concerned, Greece participates, in the core group of countries (Argentina, Austria, Costa Rica, France and Tunisia), who annually submit, since 2013 onwards, thematic resolutions on the “Protection of Journalists” to the Human Rights Council (Resolution 27/5), as well as on the “Safety of Journalists and the Issue of Impunity” to the Third Committee of the UN General Assembly (Resolutions 68/163 and 69/185).