



Asamblea General

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Consejo de Derechos Humanos

29º período de sesiones

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos,
civiles, políticos, económicos, sociales y culturales,
incluido el derecho al desarrollo**

Nota verbal de fecha 7 de julio de 2015 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente de Grecia ante la Oficina de las Naciones Unidas en Ginebra y otras organizaciones internacionales en Suiza

La Misión Permanente de Grecia ante la Oficina de las Naciones Unidas en Ginebra y otras organizaciones internacionales en Suiza saluda atentamente a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos y tiene el honor de adjuntar las observaciones del Gobierno de Grecia acerca de la comunicación escrita, de fecha 21 de mayo de 2015, que Reporteros Sin Fronteras Internacional, una organización no gubernamental reconocida como entidad de carácter consultivo especial, presentó al Consejo de Derechos Humanos en su 29º período de sesiones en relación con el tema 3 de la agenda (A/HRC/29/NGO/16).

La Misión Permanente de Grecia solicita a la Oficina del Alto Comisionado que tenga a bien distribuir el texto adjunto* como documento del 29º período de sesiones del Consejo de Derechos Humanos, en relación con el tema 3 de la agenda.

* Se reproduce tal como se recibió, en el idioma en que se presentó únicamente.



Anexo

[Inglés únicamente]

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).