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**THE
CONSTANTINOPOLITAN
SOCIETY**

GREEKS EXPATRIATED FROM ISTANBUL
BY TURKISH COERCION

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Combating racism, xenophobia and discrimination, also
focusing on intolerance and discrimination against Christians
and members of other religions

The Ecumenical Patriarchate in Turkey

STATEMENT

Introduction

We thank the OSCE and its current Chairmanship for the opportunity to contribute to a wider, yet focused dialogue, on the rights of the Ecumenical Patriarchate and religious freedom, in general, within the framework of its tolerance and non – discrimination agenda.

We represent the Constantinopolitan Society, a non – governmental / non – profit organization, established in 1928 in Greece by forcibly expatriated members of the Greek minority of Istanbul.

Our intervention will focus on fundamental religious freedom issues that the Ecumenical Patriarchate in Turkey is still confronted with. A situation that is in contrast with what is in effect internationally and with the E.U. criteria.

General remarks

The Turkish government has not so far alleviated or done away with serious restrictions on freedom of religion or belief, including state policies and suffocating regulations of the past that deny legal personality / status to the Ecumenical Patriarchate, its right to own / maintain property -specifically resolve property problems not currently addressed by the new Law on Foundations that will enable the Ecumenical Patriarchate to function without undue constraints-, to train religious clergy, and to offer religious education. Not to mention that these policies and regulations have, in parallel, led to the dramatic decline, in numbers, of the Greek Minority in Turkey.

Due to these concerns, the United States Commission on International Religious Freedom (USCIRF) in its 2012 Annual Report moved Turkey from the 'Watch List' to 'Country of Particular Concern - CPC' for the first time ever, as "*one of the most serious offenders of freedom of religion towards non-Muslim communities*". According to USCIRF, CPCs are among the most dangerous and destabilizing places on earth. Nations that trample upon basic rights, including freedom of religion, provide fertile ground for poverty and insecurity, war and terror, and violent, radical movements and activities. Turkey was first placed on the USCIRF Watch List in 2009, and the Commission notes with concern that conditions have deteriorated further since then, underscoring the need for continued vigilance in monitoring.

Recent positive developments

- Although we have noted that Prime Minister Erdoğan's government has recently made positive gestures toward the Ecumenical Patriarchate, these generally have not been through permanent, institutional, or legal reforms. Rather, rights and privilege have been granted on an *ad hoc* basis, leaving open the possibility that they could be revoked or discontinued.
- We welcome the Turkish government's acceptance of the Ecumenical Patriarch Bartholomew's request to hold, for a third time, this year's Divine Liturgy of the Dormition of Virgin Mary, on Aug. 15, 2012, at the historical Sümela Monastery in Trabzon, which was closed to worship for 90 years.
- In May 2012, the Board of the Supreme Court of Turkey (Danıştay) issued a decision on the final recognition of the Greek administration of the National Orphanage of Prinkipos (Buyukada) Island.

Recent negative developments and persisting shortcomings

Turkey does not accept the Patriarch's ecumenical status and has been unilaterally trying to restrict his activities, specifically:

- Decision of the Supreme Court of Turkey (2007): the use of the title “Ecumenical” is forbidden to the Ecumenical Patriarch.
Having said that, it’s worth mentioning that, at the regional level, in March 2010, the Venice Commission, a Council of Europe advisory body, in its avis, stated that there is no factual or legal reason, including the 1923 Treaty of Lausanne, for the Turkish government not to acknowledge the status of the Patriarch as “Ecumenical”, based on the historically recognized title and prerogatives.
- Denial of recognition of legal personality to the Ecumenical Patriarchate, having as dire consequence the deprivation from its property (see also the March 2010 avis of the C.o.E. Venice Commission).
- The Halki (Heybeliada) Theological Seminary, which had been operating since 1844, was closed by the Turkish Authorities in 1971. The Turkish Government, despite the promises that it will re-open it, prevents, with various pretences and excuses, its operation. Thus, since 1971, the Ecumenical Patriarchate is deprived of the educational religious seminars and of the capability to educate clergymen.
- Denial to the Ecumenical Patriarchate to have its own printing facilities for the publishing of religious texts, books, etc.
- The Ecumenical Patriarchate keeps being a target of humiliating actions. For example, in the schoolbook on national security, published by the Ministry of Education of Turkey, in the chapter “The geographic position of Turkey and the threats against Turkey” and in the sub-chapter “Greece”, the Ecumenical Patriarchate and the Halki Seminary are also mentioned among the problems regarding the relations with this country. In this way, the Patriarchate is subject to hostile actions.
- In November 2011, the 1,700 years old historical Byzantine church of Aghia Sophia in Nicaea (Iznik), housed the 7th Ecumenical Council of Nicaea in 787 AD, and recently served as museum, was officially turned to mosque.
In August 2012, Turkish Vice President Bulent Arinc proposed the conversion of the holy monument of the Orthodox faith Aghia Sophia in Trabzon, also served as museum, to mosque. The church of Aghia Sofia which dates back to the reign of the Emperor Manuel I (1238-1263), testifies to the ancient presence of Orthodox Christians of Pontus on the Black Sea.
- The three churches of Panayia Kafatiani, Aya Yani and Aya Nikola in the district of Karakoy-Galata in Istanbul, as well as their 72 immovable properties, continue to be illegally and forcibly occupied by the self-declared and nonexistent “Turkish Orthodox Patriarchate (TOP)”. The latter’s involvement in the Ergenekon case deserves further investigation, as the spokesperson of TOP Sevgi Erenerol, great granddaughter of Father Efthim (Papa-Eftim), the founder and leader of the TOP, is accused inconnection with the Ergenekon case. It is also alleged that one of the three churches served as headquarters for the organisation.

Those three churches and their properties should be immediately returned to their legal owner, which is the Ecumenical Patriarchate.

Closing statement

As a concluding remark, we would like to underline that respect for human and minority rights and religious freedoms is a responsibility for every State. It is not a matter that circulars and statements of good intentions alone can address. It calls for firm will, constructive dialogue and continuity of effort. Respect for these rights is beneficial for Turkey first and foremost, as it will strengthen its social, ethnic and religious structures, and safeguard pluralism and diversity in this country.

Finally, every process is judged by the real and measurable outcome it brings to a challenging situation.

Thank you very much for your attention._