

THE CONSTANTINOPOLITAN SOCIETY
ESTABLISHED 1928

**Address to the 2006 Human Dimension Implementation Meeting of the O S C E
Warsaw – Wednesday , 11th October 2006**

Ladies and Gentlemen,

The Association of Constantinopolitans, a non governmental, non profitable organization, over the past decades has been describing before you the huge problems that the non-Muslim minorities are faced with in Turkey.

Since the European Commission's Progress Report (9 November 2005), and despite the promises given by Ankara, no progress has been observed so far in matters related to freedom of religion and the protection of the Greek minority in Turkey. Turkey has failed to address the existing problems.

In particular:

Turkey continue to impose restrictions and to impede the free exercise of the religious rights of the Ecumenical Patriarchate. The authorities continue to ignore its Ecumenical character and its ecclesiastical mission in the Orthodox world.

The Ecumenical Patriarch is the Head of all Orthodox Christians worldwide. For the Turks, He is just the Spiritual Leader of the Greek-Orthodox minority in Turkey, or what was left of it, some 2500 mainly elderly people.

Besides, the Turkish authorities do not recognize its legal status. Nationality criteria still restrict the ability of non-Turkish clergy to work.

It should be noted that all non-Muslim religious communities are still denied legal personality by Turkey.

The Halki Seminary has not been reopened yet.

The Patriarchate's property rights are violated. For example, in the case of the Greek Orthodox orphanage on the Island of Buyukada, the Patriarchate has submitted its case to the European Court for Human Rights (Strasbourg, 19 April 2005). While the court decision is still pending, on 20 March this year, the

Turkish authorities proceeded to the issuing of a new little deed in the name of a Greek-Orthodox foundation (called “Religious Foundation of the Greek-Orthodox Orphanage of Buyukada”), thus depriving the Patriarchate of its right to property. The said foundation is “Seized”, which means that all its assets are managed by the Turkish Directorate General for Foundations, or in abbreviation D G F.

Furthermore, in April this year, it came to the knowledge of the Ecumenical Patriarchate that three Holy Monasteries in the Princes` Islands (St. George Koudounas and St. Nicholas in Buyukada, Transfiguration of Christ in Kinaliada), which were declared “fused” by the D G F in the 70`s, some years later, they were registered in the cadastral records in the name of the D G F.

Regarding the property rights of the Greek minority in general, the authorities have not reversed past practices aiming at depriving rightful owners from their properties. Some examples :

Religious foundations continue to be subjects to the interference of the Turkish Directorate General for Foundations, which is able to dissolve the foundations, seize their properties, dismiss their trustees without a judicial decision and intervene in the management of their assets and accountancy.

In 1974, the Turkish Supreme Court (Yargitay) ruled that religious foundations cannot acquire property, unless this possibility is specifically mentioned in the declarations they were obliged to submit in 1936. Therefore, most of the properties acquired by religious foundations after 1930 are today considered property of the Turkish state. This practice is still going on today.

In the Islands of Imvros (Gokceada) and Tenedos (Bozcaada), under the pretext of establishing new land registries, most of the properties belonging, either to members of the Greek minority, or to minority foundations, were declared by the authorities as state property and given to settlers from the mainland. At the same time, the authorities regard large portions of land as falling within the score of the Law “on the preservation of cultural and natural wealth and monuments “ (Law 2863/1983, amended by the Law 5226 in July 2004). Therefore, they do not recognize any right of usurpation and declare that these properties belong to the state.

In Turkey today, Greek citizens, descendants of Turkish citizens of Greek origin, are still denied the rights to inherit the property of their fathers.

Ladies and Gentleman,

Since Turkey has decided to make its relation with Europe more concrete and finally become a member of the European family, it has to abide by values such as rule of law and democracy. Unfortunately, until this very moment Turkey impeded the minorities from exercising their internationally recognized rights. Turkey should align itself with European standards and its policies should change in order to meet the spirit and the letter of article 9 of the European Convention on Human rights.

Thank you for your attention.