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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 AND RECOMMENDATIONS**

#### **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, 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.

On the grounds therefore of these concerns, the United States Commission on International Religious Freedom (USCIRF) continues to place Turkey on its Watch List in 2011. It should be underlined that Turkey was first placed on the USCIRF Watch List in 2009, and the said Commission notes with concern that conditions have deteriorated further since then, underscoring the need for continued vigilance in monitoring.

### **Recent positive and symbolic developments**

- We welcome the Turkish government's acceptance of the Ecumenical Patriarch Bartholomew's request to hold, for a second time, this year's Divine Liturgy of the Dormition of Virgin Mary, on Aug. 15, 2011, at the historical Sümela Monastery in Trabzon, which was closed to worship for 89 years.
- The Turkish authorities granted Turkish citizenship to fourteen (14) Metropolitans in various Dioceses in the world under the spiritual / administrative jurisdiction of the Ecumenical Patriarchate. This measure facilitates the function of the Holy Synod, though not addressing the prerequisite that the election of the Ecumenical Patriarch depends on the pre - approval of the Prefecture of Istanbul, the candidate is also required to possess the Turkish citizenship and exercises his duties in Turkey at the time of the election.

### **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 of the last years 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.

- The denial to the Ecumenical Patriarchate to have its own printing facilities for the publishing of religious editions (texts, journals, 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 Theological Seminary are also mentioned among the problems regarding the relations with this country. In this way, the Patriarchate is subject to hostile actions.

## **Recommendations**

Turkey, as an OSCE participating State, is urged to meet commitments on religious freedoms. In light of these commitments, Turkish authorities are invited to:

- Give the Greek Orthodox Patriarchate the right to officially use the ecclesiastical title of “Ecumenical”, as it is a title that is historically established since the 6<sup>th</sup> century and globally recognized.
- Grant legal personality to the Ecumenical Patriarchate, so that the latter may enjoy, inter alia, ownership rights and exercise property ownership / management.
- Resolve the question of those non – Muslim Foundations considered fused / “mazbut”, which, along with their properties, should be returned to the Greek - Orthodox community and the Ecumenical Patriarchate.
- End Turkish citizenship requirements for the Ecumenical Patriarch and the Holy Synod of the Greek Orthodox Church.
- Re - open without any delay the Halki Seminary with the same status it held before 1971 and permit students to enroll from both within and outside Turkey. The Ecumenical Patriarchate should have the right and the authority to call and employ priests from abroad without any residency constraints. Also, the closing of the Seminary makes it almost impossible for Turkish citizens to be trained to accept the highest responsibilities in the Orthodox Church today, thus creating a serious problem for the future of the Patriarchate and of the Church itself.
- Give permission to the Ecumenical Patriarchate to have its own printing facilities for the publishing of religious editions (books, journals etc.).
- Abolish Article 301 of the Turkish Penal Code, which restricts the freedoms of thought and expression and negatively affects the freedom of religion or belief.

- Return the Greek Orthodox school buildings on the island of Imvros (Gokceada) to the Greek community on the island and to the Ecumenical Patriarchate and approve the Ecumenical Patriarch's application for the operation of the school.
- Return 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, which have been 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 in connection with the Ergenekon case. It was also alleged that one of the three occupied churches served as headquarters for the organisation.

### **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.\_