

“The Importance of Remedy and Reparations Towards
Victim Communities: the case of the Greek Orthodox
Community of Istanbul”

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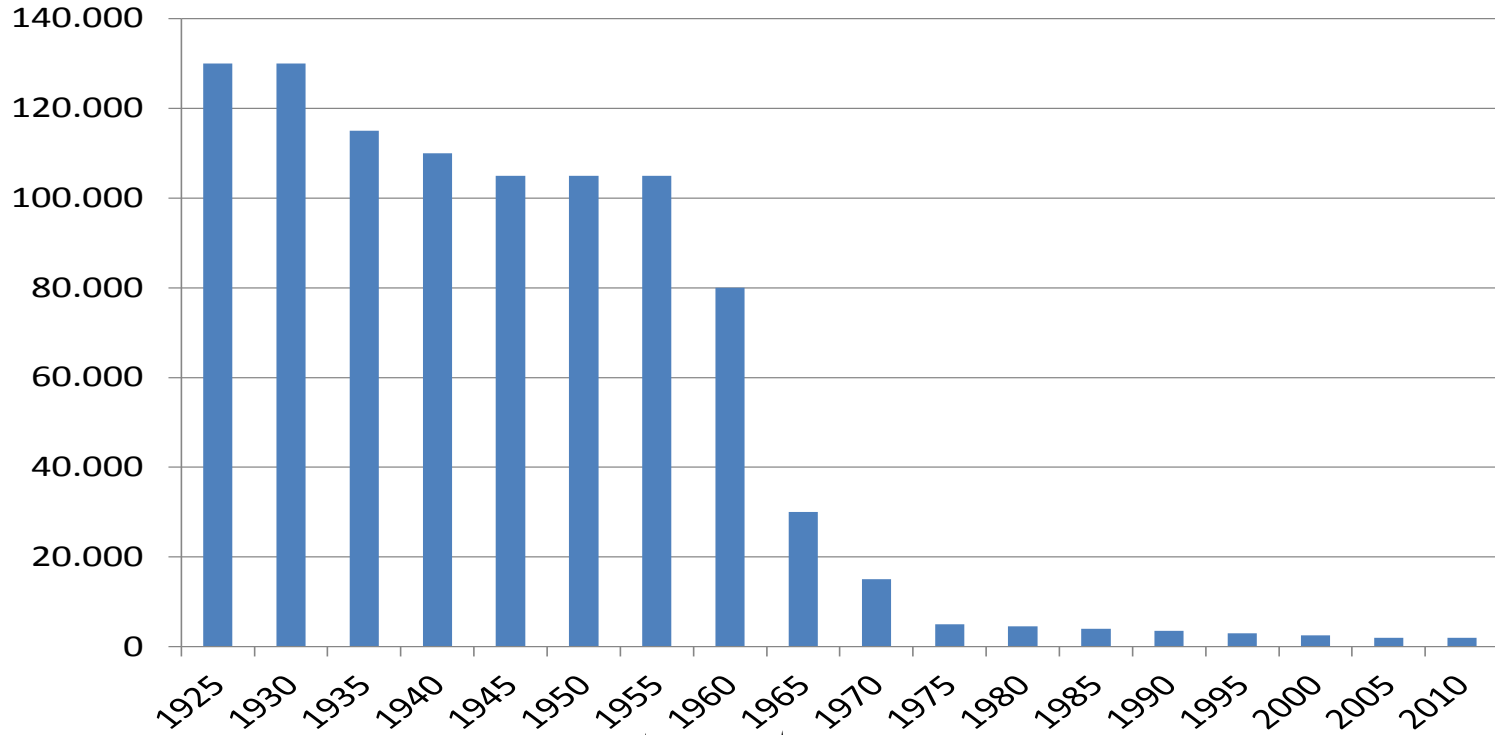
EFC

The uniting all-World body of the expatriated
Greek- Orthodox Community of Istanbul

A Short Reference to the History of the
Greek-Orthodox Community of
Istanbul after the Lausanne Treaty of
24 July 1923

The Movie “The Cruel Night” to be
shown provides the historical
reference to this autochthonous
Community

Population of the Greek Minority living in Istanbul 1923-2010



Prohibition of 20 Professions to Greeks

Recruitment of 18-45 yr Minority man to work camps

Capital Tax to minorities

Pogrom 6-7/9/1955

Deportation of minority members (3-9/1964)

In post War European History the only community being expelled almost completely (98%) is the Greek- Orthodox Community of Istanbul and the islands:

Gökçeada/Imbros-
Bozcaada/Tenedos

Why past should not be forgotten

Remedy-Reparations Towards Injustices of the Past

“Atrocities in the past must be recognized, documented and learned from - but not distorted or misused for political purposes”

Thomas Hammarberg, 2010

Commissioner of Human Rights of Council of Europe

Despite the progress of respecting human rights based on the landmark of European Convention on Human Rights (1950) still the issue of Remedy and Reparations towards the victims of the massive scale violations remain in a transitional state. This is a serious weakens of the whole institution of human rights. The promise to respect the human rights in future is vague if REMEDY and REPARATIONS of the past injustices are not implemented.



United Nations

Resolution adopted by the General Assembly

*[on the report of the Third Committee
(A/60/509/Add.1)]*

**60/147. Basic Principles and Guidelines on the Right
to a Remedy and Reparation for Victims of Gross
Violations of International Human Rights Law and
Serious Violations of International Humanitarian
Law**

Important Observations on the reasons of anti-Minority policies in the Republic of Turkey

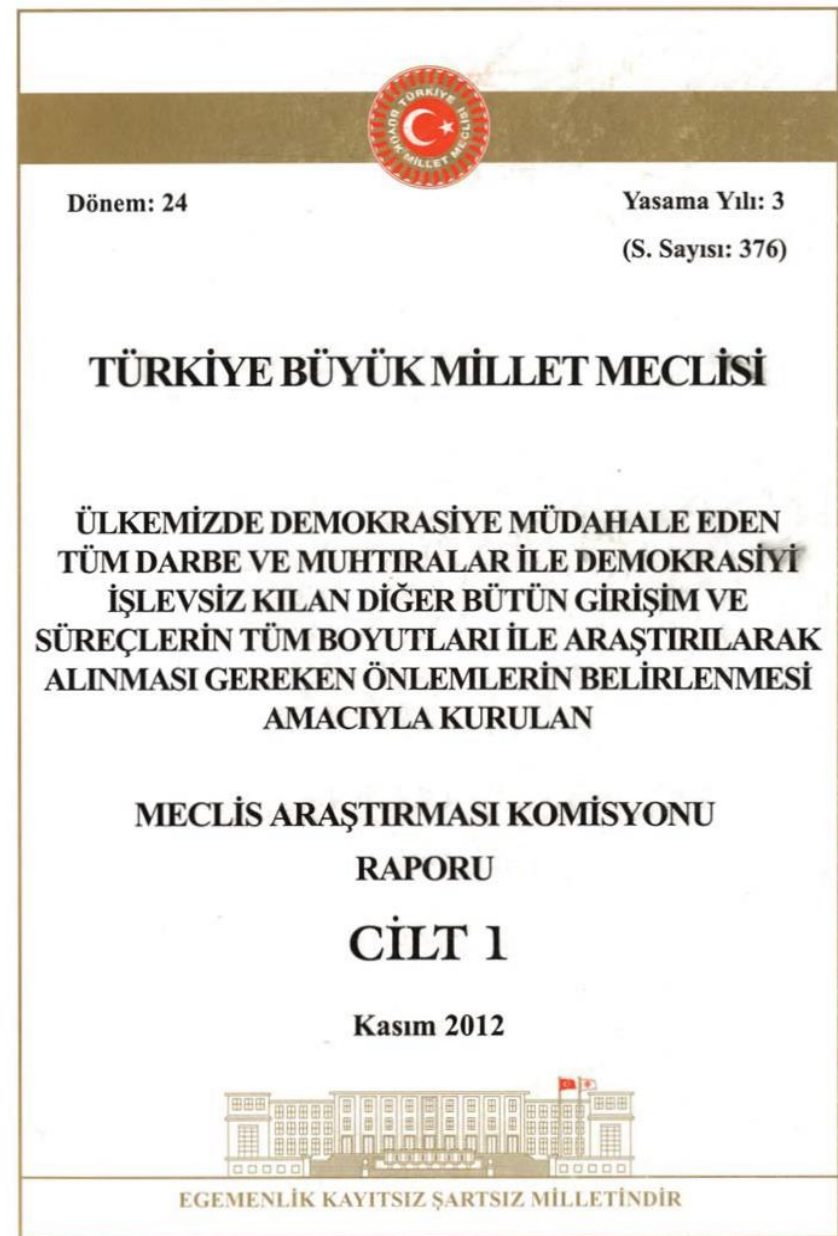
- During the period 1923-2003 the State Policy Considered the Minorities being as **“internal problem sources ”** and **“potential threats”**. Implementation of a long term plan to banish minorities while the Greek-Orthodox Minority being the **“priority target”**, despite the fact that the Greeks, subject to Lausanne Treaty, were **the most lawful citizens**.

- **The persecution of Greek Minority has nothing to do with the bilateral relations between Turkey-Greece and the Cyprus issue**. The timing of the persecution measures was coordinated with the tension between Greece and Turkey. This fact is proved that most of the anti-minority measures were implemented under good relations between Greece and Turkey.

The Grand National Assembly of Turkey published in November 2012 a very important two volume high volume report on the interventions against the democracy in Turkey.

In this report the Pogrom of 6-7 September 1955 are considered as the starting point of the acts of derailing the democracy in the Country.

Therefore it should be understood that the persecutions against the Greek-Orthodox Communities of Turkey has been part of the severe violations of human rights and undemocratic developments in Turkey during 20th Century.



The Efforts of EFC towards the Government of Rep. of Turkey

- Starting May 2010 for the first time Higher Authorities of the Government of Turkey held meetings with the representatives of EFC both in Ankara, Istanbul and Turkey.
- EFC many time stressed out the imperative necessity of reparations and remedy towards the Greek-Orthodox Community of Istanbul in view that there has been massive scale human and minority rights violations during the whole period after the year 1923. The facts of these violations has been well documented as proved by state archives of Turkey and are directly linked with the degradation of human rights. In case of non-Muslim minorities the acts of the “Special Minorities Community” during the years 1962-2004 which had the power to supersede all the legislative, executive and judiciary authorities were decisive.
- Following a maturing period 2010-13 EFC in September 2013 submitted a detailed report to Government of Turkey on priority remedy measures towards both the expatriated and living community in Istanbul. These will be presented in the following.

Additionally the following key problems should be addressed by the Turkish Government

- The recognition of the legal status of the Ecumenical Patriarchate.
- The return of the Greek community's welfare foundation real estates. Although positive steps has been taken there are many pending cases not covered with present legislation. Only 20% of the properties confiscated by the 1974 Higher Court based on the argument that minority members are "foreigner citizens" were returned. Especially the cases of the historic Monasteries, most of them of Byzantine era, having declared as "abandoned" as early as 1930's and the 3 churches with their real estate belongings at the Karaköy region of Istanbul, illegally occupied by the Eftim Karahisaridi family in the name of a "Bogus Church", should be resolved by the recognition of their ownership to the Greek Community of Istanbul.
- The reopening of Heybeliada - Halki Theological School. The continuing closure of this School is a severe violation of Religious Rights and restriction on the Ecumenical Patriarchate, an institution of 17teen centuries old, carrying an all world peace and mutual understanding effort.

- The 3 years prohibition of the elections at the Minority Welfare Foundations is a very negative development and erasing the positive developments achieved during 2004-2011. Despite all the promises given by authorities the continuation of the problem verifies the allegations that some Welfare administrators are interfering while the rule of Law principle is being violated. This is a very urgent issue which must be solved.
- Government should take Initiatives to encourage the appointment to public service members of non-Muslim minorities which in past have been prohibited to take official positions, based on secret decrees, despite the fact they were citizens of the Republic of Turkey.
- The possibility of unification of Welfare Foundations with similar activities in the same geographical area.

“The most urgent needed
measures of Remedy and
Reparations”

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (1)

Restitutions of Citizenships: taken into account the massive expel of members of the Community during the period 1963-1980 this is highly necessary as remedy measure.

Results: citizenship is being restored including the new generations despite the fact there are several bureaucratic difficulties such in some cases the non-ability to gain citizenship form mother side. There is a serious issue on non-equal treatment in case of provision the “Blue Card” arrangement.

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (2)

Restitution of Ownership Rights: Considering the fact that there are serious and extensive pending issues on the private real estate ownerships of the Community members, as a result of the exodus under panic conditions occurred during 1963-1990's, the establishment of a service provision office under the authority of Ombudsman was proposed. This is highly important since the last years there is a Black Market practice by several groups using various illegal methods to exploit the owners.

Results: The Ombudsman sent circulars to land registry and during the last summer a spree trying to receive illegally ownerships has been arrested in Istanbul. However it is a very urgent matter the establishment of a Service Provision Office to expatriated citizens to support them to acquire their unattended properties and guarantee their rights.

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (3)

The Discriminatory Attitude on the Rights of ex-Citizens of Turkey in the case of the Expatriated Greek-Orthodox Community Members.

Through the Citizenship Law 5901 (article 28) of Turkey by issuing a “blue card” all the civil rights are guaranteed (except electing and to be elected) to ex-citizens of the country provide they have left their citizenship after approval of the state. Although in this law no exception is foreseen for any country through a circular the ex-citizens holding presently the citizenships of Greece, Bulgaria and Romania are deprived from this right. In case of the Greek-Orthodox Community this rights is very important to support the repatriation as a supportive interim measure.

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (4)

The Support of Repatriation of the Greek-Orthodox Community of Istanbul as well as the islands of Gokceada-Imbros and Bozcaada-Tenedos: As Council of Europe Commission against Racism and Intolerance in 2009 stressed the severe depletion of the Greek Orthodox community and that “urgent action is needed if it is to survive”. This means that an extensive program of repatriation in particular towards to the young generation members is urgently needed.

Results: Although there has been no direct response to this vital proposal recently an educational visit 20 young members of the expatriate Community was supported by the Directorate of Citizens of Turkey Abroad operating under the Prime Ministership of Turkey. Although this is a very limited actions it shows the feasibility of a such project and the interested of young expatriated Community member for repatriation.

WHAT IS NEEDED A FOCUSED PROGRAM TO SUPPORT THE REPATRIATION OF THE GREEK-ORTHODOX COMMUNITY MEMBERS OF TURKEY

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5) **The Establishment of Research Institutes in Istanbul** with the support of EFC scientists dispersed in many countries. This proposal is linked with the effort of Repatriation efforts. EFC has ready proposal for the establishment of 3 research centers in Istanbul in technological and physical science fields

Results: No RESPONSE

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (6)

Solution of Educational Problems in the Community Schools in Istanbul: The serious problems in the Greek schools because of state policies before 2003 has been alleviated. Progress has been achieved in the fields: provision of text books in Greek language, the attitude of vice directors appointed by the state, an interim solution on the registration of students not holding citizenship of Turkey as “visitor students” – though this need to find a final solution, **the first time from 1923 the Ministry of Education provided to Greek Schools funds as provided to public schools.**

An important problem to be solved is the status of Minority Schools while being Public institutions are treated as Private schools.

The **reopening of the Greek Schools** in the island of Gokceada-Imbros recently, after 50 years following their closure in 1964 in the framework “Dissolution Program” against the Greek-Orthodox Communities of the two islands of the Aegean sea.

Proposals Submitted to Government of Turkey by EFC on Remedy and Reparations (7)

The Re-acquisition of the rich Archive and Library of the Greek Literary Society of Istanbul, which has been one of the most influential scientific association during the period 1862-1922, while its archive and books has been confiscated and scattered to various library in Ankara in 1930's. EFC proposes the reacquisition of the books and rich archive and host in a Greek Foundation in Istanbul.

Result: No response.

Establishment of Representation of EFC in Turkey: Although 12 months has passed since the submission of application to Ministry of Interior of Turkey no response has been received.

Conclusions

- The issue of remedy and reparations towards victim communities of mass scale violations of human rights is a priority issue in the framework of human rights legislation and political initiatives. After all every region of Europe had similar tragic experiences like the ones of the expatriated Greek-Orthodox Community of Istanbul. Therefore this will have positive implications to many communities.
- To support the efforts of EFC since this is important to strengthen the rule of law and democracy in the Republic of Turkey for its membership to European Union.