

## **Ecumenical Federation of Constantinopolitans**

### **Contribution to United Nations - Human Rights Council Thirty-sixth session**

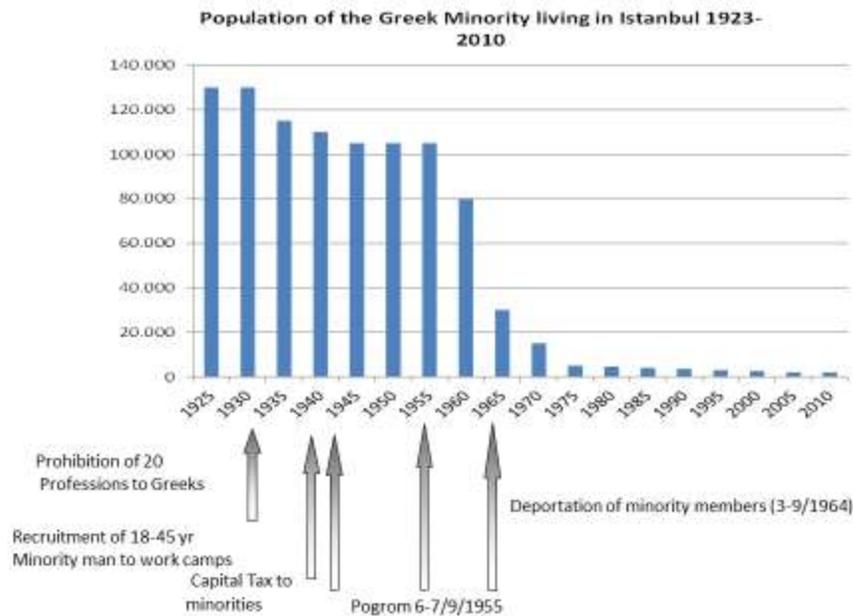
#### **The Vital Difficulties Faced by the Greek-Orthodox Minority of Istanbul and the Necessity of Urgent Measures**

During the last five years the Ecumenical Federation of Constantinopolitans (EFC) in various U.N. Human Rights Council meetings has expressed concerns about the consequences of the discriminatory anti-minority measures exercised by the Governments of Republic of Turkey during the period of the years 1923-2000. The most visible consequence of these anti-minority measures against the Greek-Orthodox Minority of Istanbul, is the fact that 98% of the population of this Community is presently living under expatriated conditions in various countries in Europe, America and Australia.

Despite the fact that this Minority Community was under the protection of the International Lausanne Treaty (23/7/1923) while Republic of Turkey has been part of the U.N. (1946), European Convention of Human Rights (1954), it was nevertheless subject to the severe discriminatory measures with some of the most serious being:

- Abolishment of the Minority Council (1925).
- In 1932 prohibition of 20 professions to Community members exempted from population exchange.
- Restrictions imposed on the functions of the Minority Welfare Foundations function (1936) and mass scale confiscations of their real estate properties especially in 1974.
- The forced labour camps for those aged 18-45, 45.000 Minority men during the years 1941-42.
- The imposition of a Capital Tax named "Varlik Vergisi" solely to the Minority Citizens in November 1942 which lasted until August 1944, resulting into the economic destruction of the Minority Communities.
- The mass scale Pogrom of 6-7 September 1955 leading into more than 30 deaths, hundreds of raped women, burning of 73 Churches, 20 Schools and Institutions.
- Deportation of 12.500 members of the Community who, however, held the status of "Etablis" according the Lausanne Treaty.

The result of the above mentioned anti-Minority policies to the Community population is exhibited very clearly in the chart below.



Effective from May 2010, EFC started direct communication with the Functionaries of the Government of Republic of Turkey stressing the necessity of urgent measures of remedy and reparation to be taken in order to alleviate the injustices and violations of the past. It should be mentioned that in various occasions, during the last years, high level authorities of Republic of Turkey recognized the violations of human and minority rights occurred in past.

EFC during the last 6 years has submitted detailed proposals to the authorities using as guidelines the 60/147 Resolution adopted by the General Assembly on 16 December 2005 on “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”. Although some progress has been achieved in the issues such as: restitution of citizenships, solution of problems faced by the Minority schools in Istanbul which are receiving public funds for the last 4 years since 1923, the partial return of the confiscated real estate properties of Minority welfare foundations despite the fact that serious problems remain to be addressed, urgent measures are still imperative for the survival of the Community. The priority issues to be addressed are:

### **1) Elections of Administrative Councils in the Minority Welfare Foundations**

Despite the existence of a law imposing elections every four years of the General Directorate of Welfare Foundations (GDWF), in January 2013 with a sudden ruling these elections were abolished and the Minority Foundations were obliged to carry on without the much needed elections. This is creating serious problems in the

right and lawful management of the Foundations. The GDWF should immediately abolish the ruling of prohibition of elections.

## **2) Fused Minority Foundations**

A large number of Greek-Orthodox Minority Foundations (15 belonging to Ecumenical Patriarchate of Constantinople, 2 to the Patriarchate of Jerusalem and 1 to Mount Sinai St. Katherine Monastery) during the years 1960-1990's had been placed by the GDWF under the *Fused-Merged* (Mazbut) status meaning that the Minority is prevented to elect members of the administrative boards of these foundations. This is causing serious problems and the administrations of these welfare foundations should be returned to the Greek-Orthodox Community.

## **3) Establishment of a Coordinating Body of the Greek-Orthodox Minority Welfare Foundations**

Presently the number of Minority Welfare Foundations is 70. As a result of severe depletion of the population of members of Community residing in Istanbul, they are facing insurmountable problems. The necessity of establishing a central Coordinating Council which existed till 1962, is necessary and to this end GDWF should recognize a Minority Body of Coordination of Welfare Foundations.

## **4) Difficulties in guaranteeing the individual Property Rights of the members of the Expatriated Greek Community.**

In the framework of the discriminatory measures exercised in particular during the period 1964-2000 based on the use of "Secret Decrees", the individual property rights of the Greek-Orthodox Minority members were grossly violated. As a consequence, a large number of real estate properties belonging to members of the Community are under the status of "abandoned properties". Although presently no restrictive measures of the past are implemented, the situation of these abandoned properties is being exploited by some illegal extortionists who are acting against the laws of Republic of Turkey. The necessity of establishment of a legal advice service, under the auspices of Ombudsman of Turkey, was raised by EFC during the last 4 years. This is imperative since an extensive "black market" operation is growing by the mentioned extortionists and this is not only damaging the expatriated members of the Minority but is also blatantly braking the laws of the Republic of Turkey.

## **5) The continuing illegal occupation of the Greek-Orthodox Churches in the district of Karakoy**

Three historic churches with their properties (50) are still illegally occupied by the descendants of the Eftim Karahisaridis-Erenerol family, whose leader in 1924 self-declared himself as a "Turkish-Orthodox Patriarch" and consequently occupied illegally, by force and with the blessing of the Government of Turkey at the time,

the mentioned churches. Down the years, this family with no congregation whatsoever are unjustly abusing the incomes of the rental properties belonging to the three churches (one of the churches was expropriated in 1958 while the compensation was given illegally to E. Karahisaridis). The three Churches and all their properties should be returned immediately to the right owner which is the Greek Orthodox Community of Istanbul.

#### **6) Theological School of Halki.**

The Theological School on the island of Heybeliada (Halki) was closed following the ruling of Ministry of Education of Turkey in 1971 despite the fact that the School was established in 1843 during the Ottoman Empire and continued to function during the subsequent Republican era. This long standing prohibition is against the religious rights of and is preventing the Ecumenical Patriarchate to carry out its worldwide mission as leader of Christian Orthodox Church of 350 Million believers. The Ecumenical Patriarchate is an international institution serving humanity, religious tolerance and protection of environment.

#### **7) The necessity of Remedy and Reparation Measures for the Survival of the Greek-Orthodox Community of Istanbul.**

In 2009 the Council of Europe Commission against Racism and Intolerance (ECRI) has also stressed the severe depletion of the Greek Orthodox community and that "urgent action is needed if it is to survive": In view of this urgency the EFC has submitted detailed proposals to the authorities of Turkey, as follows:

- Establishment of a long term and state supported repatriation programme, focused especially to the young generations, which will guarantee the survival of the shrinking population of Community.
- Establishment of research centres, as proposed by EFC, in cooperation with Turkey should be taken seriously as a measure of remedy.
- Reinstitution of the cultural heritage by approving as a symbolical gesture, the return to Istanbul Foundation the Historic Library and Archive of the Greek Literary Society of Istanbul.
- Take initiatives on the appointment of minority members to public service functions.

These proposals are still to be reviewed by the authorities of Turkey.