



**THE
CONSTANTINOPOLITAN
SOCIETY**

GREEKS EXPATRIATED FROM ISTANBUL
BY TURKISH COERCION

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Freedom of thought, conscience, religion or belief; Freedom of assembly and association;
National human rights institutions

The Ecumenical Patriarchate in Türkiye

STATEMENT

Introduction

My name is Leonidas Koumakis and I represent the Constantinopolitan Society, a civil society organization, established in 1928 in Greece by forcibly expatriated members of the Greek Minority of Istanbul.

We thank the OSCE and the North Macedonia Chairmanship for the opportunity to present our concerns about the actual implementation of OSCE freedom of religion commitments and identify further action, which may be taken by Türkiye, as participating State, regarding the Ecumenical Patriarchate in this country.

The Turkish government has not so far alleviated serious restrictions on freedom of religion, including state policies and suffocating regulations that deny legal personality / status to the Ecumenical Patriarchate, its right to own, maintain and manage property, train religious clergy and offer religious education.

Persisting shortcomings

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

- Turkish government denies the recognition of legal entity to the Ecumenical Patriarchate, having as consequence the deprivation of its property. The government established a process by issuing a decree in 2011 to return some properties or pay compensation when return is not possible. Unfortunately,

decree's scope is narrow and does not fully redress the magnitude of the damage inflicted, excluding some important categories of confiscated property. The percentage of the expropriated property of Greek Orthodox foundations does not exceed 23% of the cases that were eligible for restitution; 70% of the cases were dismissed as inadmissible. Petitions from the Ecumenical Patriarchate for the return of historical religious properties from the state also remain pending. Specifically, 15 foundations owned by the Ecumenical Patriarchate have been illegally seized by the General Directorate of Foundations - GDF (Vakıflar Genel Müdürlüğü - VGM), meaning that Greek Minority members are actually prevented from electing administrative boards of those foundations.

- Despite Türkiye's international human rights obligations protecting the right of religious communities to elect their leaders, it is "established practice" that the state interferes in how Ecumenical Patriarchate elects its leaders. So, the Turkish government continues to dictate that only Turkish citizens can be members of the Ecumenical Patriarchate's Holy Synod. The government's role in dictating which individuals may be part of the Ecumenical Patriarchate represents unacceptable interference with the internal election process of the Patriarchate.

Greek Orthodox Theological School of Halki

The Greek Orthodox Theological School of Halki, which had been operating since 1844, the only Greek Orthodox educational institution in Turkey for training its religious leadership, remains closed since 1971. The Turkish government closed the seminary in accordance with a constitutional decision that banned the operation of private institutions of higher learning, a decision that served to effectively force the closure of religious and theological schools in the country. Although the Turkish government and officials have at times expressed support for reopening the seminary, no concrete steps have been taken.

Therefore, the Halki Seminary should be allowed to reopen for the sake of the community's survival as well as for the survival of the Ecumenical Patriarchate itself. It is a matter of respect for the freedom of religion, as well as the protection of minority rights.

Hagia Sophia - Legal Status

In 2020, a Turkish court has arbitrarily revoked the Hagia Sophia's legal status as a museum since 1935 and President Recep Tayyip Erdogan immediately issued a decree ordering Hagia Sophia, considered one of the world's greatest Byzantine monuments, included in the UNESCO World Heritage sites, to be opened as a mosque for Muslim prayers. President Erdoğan said its conversion into a mosque rests on "the right of the sword". It clearly consists a hate rhetoric, which not only puts the sacred heritage of Turkey's religious minorities at risk, but also threatens their lives, making them potential targets of hate crimes.

Furthermore, in November 2019, a Turkish higher court also issued a decision permitting the Chora (Kariye) Museum, a former Greek Orthodox church, to be

converted back into a mosque. It should be noted that Türkiye violated international laws, and more specifically its commitments under the Provisions of the 1972 UNESCO World Heritage Convention. The Turkish authorities adopted those measures without consulting its non-Muslim citizens and without further notice, as obliged, to the World Heritage Committee of UNESCO. Since that conversion, the Hagia Sophia has been vandalized several times. Imperial Gate in Hagia Sophia has been badly damaged and the decorative emblem was stolen. Also, a number of tiles of the priceless marble floors in Hagia Sophia have been damaged by heavy machines used to clean the site. Turkish people scratched the interior walls and took away small pieces in plastic bags as souvenirs.

RECOMMENDATIONS

Due to systematic and ongoing violations of religious freedom, OSCE / ODHIR are called upon to urge the Turkish government to bring its laws and practices into compliance with international standards on freedom of religion or belief.

Specifically:

- Grant full legal personality to the Ecumenical Patriarchate, so that the latter may enjoy, inter alia, ownership rights and exercise property ownership, administration and management.
- Reopen the Halki Seminary for the sake of the community's survival as well as for the survival of the Ecumenical Patriarchate itself.
- End Turkish citizenship requirements for the Ecumenical Patriarch and the Holy Synod of the Greek Orthodox Church, and permit them to select and appoint their leadership and members in accordance with their internal guidelines and beliefs.
- Implement the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights by withdrawing reservations that negatively impact religious freedom, and interpret the 1923 Lausanne Treaty so as to provide equal rights to all religious minority communities. _