

RESOLUTION 2016-10

Resolution on the situation of the non-Muslim minorities in Turkey

submitted by the Ecumenical Federation of Constantinopolitans

At the Assembly of Delegates in Wrocław / Breslau, on 21 May 2016, the Delegates of the Member Organisations of the Federal Union of European Nationalities adopted the following resolution:

Having regard the “Universal Declaration of Human Rights” (1948), the “International Covenant on Civil and Political Rights” (1966), the “Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief” (1981) and the relevant Reports of U.N. Special Rapporteurs (E/CN.4/2006/5), as well as the “Guidelines For Review Of Legislation Pertaining To Religion or Belief” prepared by the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief in consultation with the European Commission for Democracy through Law (Venice Commission);

Taking into account the article 40 of the Lausanne Treaty (23/7/1923) that declares: “Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact, as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein”;

Recalling the article 42 of the abovementioned Treaty which indicates that “...The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of the above-mentioned minorities. All facilities and authorizations will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature”;

Noting the fact that:

- a) The Government of Republic of Turkey, through the decision of the General Directorate of Welfare Foundations, has prohibited elections of the members of the Administrative Bodies in the Minority Welfare Foundations since January 2013, by canceling the existing election regulation without introducing a new one. This issue is pending the last 3,5 years, despite the submission of draft regulations by minorities and numerous appeals. This situation is creating serious difficulties to all non-Muslim minorities of Turkey.
- b) All the Greek-Orthodox Historic Monasteries in the Istanbul islands, the islands of Gökçeada (Imbros) and Bozcaada (Tenedos) as well as two Churches (St. George Churches in Edirnekapi and Tarabya districts) in Istanbul remain under the “Fused (Mazbut) Status”, a fact that forestalls the administration of these Foundations by its legal owner, the Greek-Orthodox Community.
- c) The three historic churches and their real estate properties in the Karaköy (Galata) district belonging to Greek-Orthodox Community is being under the illegal occupation, for many decades, by the so-called self-declared “Turkish-Orthodox Church”, having as members only the descendants of the family of late Eftim Karahisaridis;

Affirming that the religious prospect is of major concern for the maintenance of the existence of a minority;

Calls the Government of the Republic of Turkey to:

- a) Acquire all the obligations arising from international treaties on the issues of non-Muslim minority welfare foundations;
- b) Permit elections in the non-Muslim Welfare Foundations in Turkey, by resolving the issue of the relevant election regulation;
- c) Recognize the legal personality of the Fused (Mazbut) Greek-Orthodox minority welfare foundations and allow their administration by the Minority;
- d) Return to the Greek-Orthodox Community the three Churches and their properties in the district of Karaköy being under the illegal occupation by a self-declared “Turkish-Orthodox Church”, which has no members from the community.