

# ECUMENICAL FEDERATION OF CONSTANTINOPOLITANS

## The Problems of the Expatriated Against their Desire Greek-Orthodox Community of Istanbul

(November 2014)

*ECRI<sup>1</sup> has also stressed the severe depletion of the Greek Orthodox community and that “urgent action is needed if it is to survive”<sup>2</sup>.*

### Introduction

The present report has been prepared by the Ecumenical Federation of Constantinopolitans (Ec.Fe.Con.) in the framework of the European Union project funded for Turkey, entitled “Minority Citizens-Equal Citizens” which is being carried out by the Solidarity Association of the Greek-Orthodox Welfare Foundations of Turkey in cooperation with the Ec.Fe.Con. The present Report aims to present the problems encountered by the expatriated Greek-Orthodox Community of Istanbul, which has been forced to live out of their native country up to the 98% of its population. It should be emphasized that this expatriated Community together with the corresponding Community living in Istanbul constitutes the same entity as a historic autochthonous minority. Furthermore at the end of the Report specific proposals are presented on the direction of “remedy and reparation” of the gross scale human rights violations which the Community was subject. This is based on the United Nations legal Framework.

The Greek-Orthodox Community of Istanbul constitutes an exceptional case in post II World War period in Europe, that has been forced to leave their native land to such an extremely high percentage, despite the guarantees of international treaties and according to the views of Ec.Fe.Con deserves the rights for “remedy, reparations and restitutions” following the Resolution 60/147 of the United Nations General Assembly<sup>3</sup>.

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<sup>1</sup> Council of Europe Commission against Racism and Intolerance

<sup>2</sup> Extract from the Report of Mr. Thomas Hammarberg, European Commissioner for Human Rights, following his visit to Turkey on 28 June – 3 July 2009, 1<sup>st</sup> October 2009.

<sup>3</sup> 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, Resolution adopted by the General Assembly on 16 December 2005.

Ec.Fe.Con. deeply believes that, respect of human rights is of empty content if doesn't include the remedy and reparations of the consequences of past violations of human rights.

## **1. The Traces of the History on the Greek-Orthodox Community of Istanbul .**

In case of any Community and in particular in case of Minorities, the Therapy and Restitution of the consequences of past human rights violations, it is only possible if the causes of these violations and their content is understood well. Because of this, at first step, the violations of the minority and human rights of the Greek-Orthodox Community after the year 1923, will be presented and reviewed.

### **1.1) Short Historical Review of the period after 1923.**

#### The Greek Community of Istanbul and the Lausanne Treaty

The present legal status of the Greek Community of Istanbul was established by the international Lausanne Treaty, signed on July 24, 1923, and in particular by the Annex of this Treaty on the Exchange of Populations between Greece and Turkey established on January 31, 1923. According to the second article of this Convention:

“The following persons shall not be included in the [Population Exchange]:

- a) The Greek inhabitants of Constantinople,
- b) The Moslem inhabitants of Western Thrace.

All Greeks who were already established before the 30th of October 1918, within the areas under the Prefecture of the City of Constantinople, as defined by the law of 1912, shall be considered as Greek inhabitants of Constantinople.”

According to the 1927 official census conducted in Turkey, the total Greek-speaking population was 119.822, including the inhabitants of the islands of Imbros and Tenedos. Within this population, the number of citizens of Greece exempted of the Population Exchange was 25.666.

#### The Convention between Greece and Turkey of 1930 on the Residence, Commerce and Navigation

The citizens of the two agreed states they will provide to the citizens of the other state : “...subject to the laws of the state, they will enjoy the same rights as the local citizens or if there is a special privileged status for foreign nationality citizens, they will enjoy the best rights recognized for them”, “..Independent of the reason of their travel and without any restriction they will have the right to enter, stay as much as they want and to leave whenever they want the other state (Art.1)”.

#### The status of the exempted of the population exchange établis Greek population

According to the international Lausanne Treaty<sup>4</sup>, which has been signed by ten states, the Greek-Orthodox population of Istanbul has been exempted from the population exchange, independently of its citizenship status. According to this Treaty, all the members of the Greek-Orthodox Community – either citizens of Turkey or Greece – provided they were established in the Prefecture of Istanbul before October 30, 1918 obtained the status of *établis* (a term borrowed from French). This fact is proved undisputedly by looking into the results of the first census conducted by the Republic of Turkey in 1927. The Agreement of 1930 between Turkey and Greece on Establishment, Commerce and Navigation is entirely irrelevant concerning the status of the *établis* Greek citizens of Istanbul. Only about 100 persons came to Turkey from Greece after 1930.

### The 1932 Law on Professions in Turkey and forced expatriation of the Greek-citizen members of the Greek minority

Despite the friendly relations between Turkey and Greece, in June 1932, a new Law no. 2007 prohibited foreign citizens in Turkey from the exercise of 20 professions<sup>5</sup>. This resulted in the forced expatriation of 13.000 members of the Greek-Orthodox minority holding Greek citizenship. The remaining 12.000 Greek citizens were deported in 1964.

### The mobilization of minority men aged 18 to 45 to Work Camps (1941-42)

In May 1941, just after the Nazi and fascist forces occupied Greece and Yugoslavia, the government of Turkey issued a secret decree mobilizing the 40.000 non-Muslim minority men aged 18 to 45. These persons were enrolled to work in labor battalions under extremely adverse conditions for road, airfield and building construction; they were not permitted to visit Istanbul. This event is referred to as “the 20 classes”; the exact motivation of this persecution is not known. However, the fact that the persons enrolled

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<sup>4</sup> POPULATION EXCHANGE TREATY BETWEEN TURKEY AND GREECE (<http://www.mfa.gov.tr>)

Article 2. The following persons shall not be included in the exchange

a)The Greek inhabitants of Constantinople.

b)The Moslem inhabitants of Western Thrace.

All Greeks who were already established before the 30th October, 1918, within the areas under the Prefecture of the City of Constantinople, as defined by the law of 1912, shall be considered as Greek inhabitants of Constantinople.

Moslems established in the region to the east of the frontier line laid down in 1918 by the Treaty of Bucharest shall be considered as Moslem inhabitants of Western Thrace.

<sup>5</sup> Professions prohibited to foreign citizens according to Law 2007/1932 of the Republic of Turkey: Ambulant vendor, photographer, musician, barber, printer, real estate agent, producer of clothes-hats-shoes, stock-exchange broker, salesperson of state-monopoly products, tourist guide or translator, worker in the iron, wood and construction industries, transportation services, permanent or temporary occupation in the sanitary-electricity-heating trades, communication services, stevedores on land, car drivers and helpers, in general hired workers, commercial activities, guards in apartments-galleries-businesses, male or female employees in hotels-pensions-baths-coffee houses-restaurants-entertainment centers and bars (waiters and helpers) singers and casino dealers.

were demobilized with the turn of the tide of the War (in November 1942), and the rumors heard at that time about their non-return, leave the motivation open to interpretation; similar events have taken place in other regions of Europe. The older men were sent to Eastern Thrace while the younger to various places inland in Anatolia.

### The Pogrom of 6-7 September 1955

Based on recent archival research work conducted mainly in Turkey, it has been proven that the massive attacks against primarily the Greek but also the Armenian and Jewish communities in Istanbul and Izmir targeting their sacred buildings, schools, institutions, work places, houses, cemeteries, etc., very much resembling the 1938 Crystal Night in Nazi Germany, was orchestrated by the Special Warfare Service of the Turkish Army General Staff. A report prepared by the Parliamentary Committee on Military Takeovers of the Turkish Parliament published in November 2012 mentions the events of 6-7 September 1955 as the first step towards anti-democratic moves by the Army after 1945. While the material loss has been extremely high, the moral dimension of the event was also huge. Despite this, the September events had a relatively small effect on the expatriation of the Greek community; only about 10% went into self-exile.

### The preparation of the Exiling- Deportation Program

The recent publication of the proceedings of the Yassıada island trial – regarding the September 1955 events – that took place after the 27 May 1960 overthrow of the Adnan Menderes Government, has disclosed that the deportation of the établis Greek citizens was planned as early as 1957. In the unique secret session that was held during the trial, Army General Refik Tulga testified that the President of the Republic Celal Bayar told him that they were planning to take hard measures, especially against the 30.000 Greek citizens residing in Istanbul and possessing properties as well as the Patriarchate. “We will kick them out and will take hard measures against them.” The same year 1957, there has been a raid during the assembly of the governing board of the Hellenic Union in Constantinople: the members of the governing board were arrested, detained and deported in a few days without any accusation while the Union was closed.

In January of 1964 provocative letters were mailed anonymously to Greek houses in Istanbul trying to link the recipients to the Cyprus crisis. After strong protests by the Greek Embassy in Ankara, the mailings stopped. It should be mentioned that the letters were not written in the Greek style used in Istanbul.

The Tax authorities, starting in 1963, prohibited the Greeks of Istanbul holding the établis status to pay their taxes in installments and asked for prepayment of the 1964 taxes. In addition, the procedure for granting the special residence permit by the Greek consular authorities to the Greek citizens, residents of Istanbul since 1923, that was valid since 1930, was modified: these residents were required now to get a Greek Passport and

were treated as usual foreigners. Both these measures, implemented while the relations between Greece and Turkey had been normalized following the agreement on the Cyprus issue in 1960, show that a preparation for deportations was underway.

The severe inter communal clashes that started in Cyprus around Christmas of 1963, had an immediate impact on the atmosphere in Istanbul against the Greek-Orthodox Community, despite the fact that this Community had nothing to do with the events in Cyprus. The press started a massive attack of the Greek Community and its Institutions (schools and welfare foundations) and especially the Ecumenical Patriarchate, revealing the existence of a political plan against the Minority. At the same time, the law on restrictions to the exercise of 20 professions by foreign nationals – with the exception of business owners – that had been in force since 1932, was now strictly implemented; indeed, following the military takeover of May 27, 1960, the Ministry of the Interior ruling no. 41127/6837-112331 requested its implementation without any exception. On November 7, 1962, the ruling 28-4869 of the Prime Minister İsmet İnönü, established a special “MINORITIES SUBCOMMISSION” at the level of the Prime Ministry; the members of this Commission were exclusively drawn from the security forces, secret services and General Army Staff. This commission was the supreme authority for all minorities issues, was placed above all the other legislative, judicial and executive authorities and has operated as the central coordinating body for all the suppressive and repressive measures against the non-Muslim minorities till its replacement in 2004 by a commission having a political composition.

The Prime Minister of Turkey İsmet İnönü on March 16, 1964 declared the unilateral abolishment of the Convention on Establishment, Commerce and Navigation that had been signed in 1930; the declaration was published in the Official Journal. Immediately, the Tax Authorities of Istanbul took under close surveillance the members of the Greek-Orthodox community holding Greek citizenship and started the fiscal liquidation of their commercial activities in Turkey. The deportations started with the publication in the press of the lists of deportees with gradually increasing numbers – in the hundreds – of persons being accused of having committed harmful actions against the Turkish state. The usual deportation procedure started with an evening visit of the police in civilian clothes at the residences of the victims who were invited to present themselves the next day to the 4th Directorate of the Istanbul Police Department. At the Police Directorate, they were, under duress, ordered to sign a paper without being allowed to read it, in which they were “confessing” that they had carried out spying actions against Turkey in favor of Greece; under strict surveillance they were treated as ordinary criminals and ordered to leave Turkey in a few days. They were allowed to carry with them only 20 kilograms of personal items and 20 Dollars. Through this procedure, 1072 persons were deported. The publication of the lists continued until September 16, 1964; after this date, the remaining Greek citizens were obliged to leave Turkey when their residence permits expired. The Greek citizens belonging to the Catholic and Protestant Churches were exempted of deportation which shows that the prime target was the Greek-Orthodox

community. However, 300 Jews holding Greek citizenship were also subjected to deportation.

All the properties of the deportees were “frozen” following a ruling of the Council of Ministers in November 1964 via Secret Decree 6/3801, according to which no legal actions such as transfer or inheritance could be carried out for these properties. The transfer of property following a divorce from a Turkish citizen was also prohibited. The monthly withdrawal of a minimal allowance was granted to the spouses of the deportees. The courts, based on this Secret Decree, disallowed the inheritance rights of the deportees who had no access to the decree. This continued until 1987, date at which the Secret Decree was withdrawn when Turkey started to approach the European Union. As during the 25 years of existence of the Secret Decree the annual inflation rate in Turkey was neighboring 100%, all the bank accounts of the Deportees were annihilated.

### Economic boycott of the Greek businesses

The archives of the Commerce Chamber of Istanbul show that, at the beginning of 1964, the 36.000 active members of the Chamber included 1000 Greek citizens; 18.000 businesses belonged to members of the Greek-Orthodox Community holding Turkish citizenship. Just after the start of the deportations, in April 1964, nationalist, university-student organizations (with both right and left leanings), without any interference from the Government, organized a wide spread economic boycott. Printed signs (see image next) were placed at the entrance of Greek shops where one could read: “... as the money spent in this shop produces bullets used against your Turkish brothers in Cyprus, do not buy here”. This campaign was implemented in parallel with the slogan “Citizens, speak only Turkish and warn those not obeying”.

### The Attitude of the Press

The great majority of the press in Turkey, far from producing objective news reports, became the carrier of a continuous and slanderous extreme defiance and hate propaganda against the Greek Community of Istanbul and its institutions and primarily against the Ecumenical Patriarch-ate and its clergymen, creating a climate of psychological violence. Systematically the human-rights violations against the Greek community were linked to the inter-communal tension and clashes in Cyprus and the differences between Greece and Turkey. The cases of very rare publications revealing human-rights, as well as constitutional violations and repressive measures against the Greek Minority were silenced immediately. In general, the press played the pioneering role in the planned oppressive measures against the Greek Community.

### Oppressive measures against the Greek Institutions

In parallel with the deportations, an extensive program of repressive measures, decided by the special Minorities Sub-Commission, were put in force:

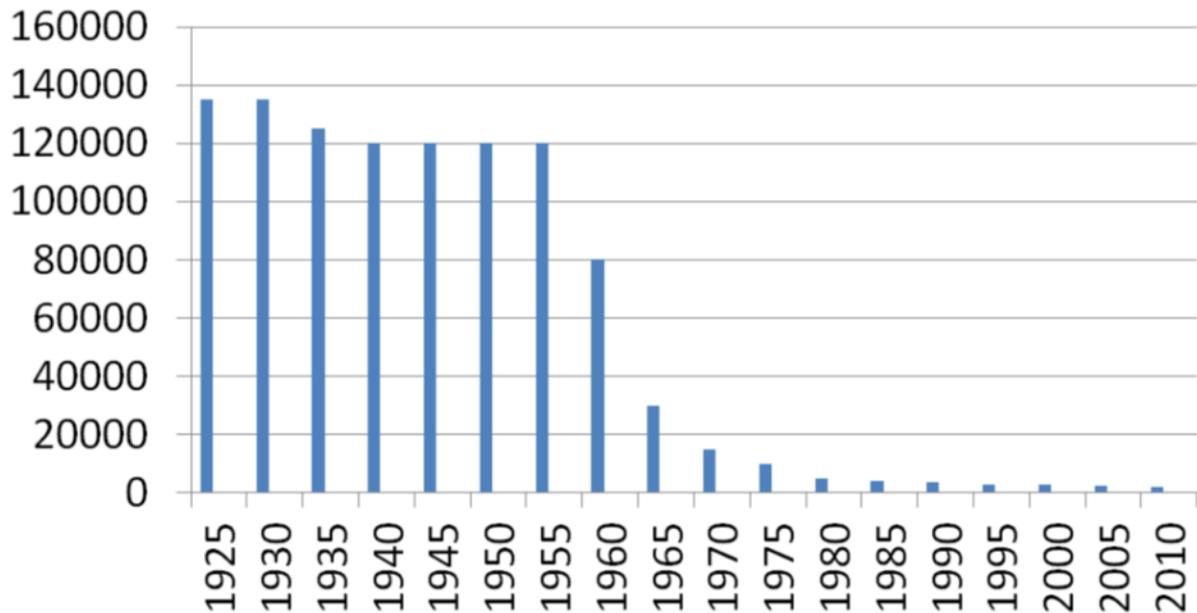
Turkish vice directors were appointed at the Greek schools who limited the competence of the Greek directors, and all signs recalling the Greek-orthodox identity and culture were removed (e.g., signs in Greek, even cross-shaped window frames). A large number of Greek teachers were fired without any reason and justification. In a meeting held at the Ministry of Education of Istanbul near the end of 1964, the Istanbul General Director of Education told the Greek teachers that his only reason for not implementing harsher measures against the minority schools was that this was not useful to the national interests of Turkey, creating an atmosphere of panic and anxiety.

Students with Ottoman Empire ancestors from the region of Epirus – the prefecture of Arnavit (vilayeti) – who were identified in their documents as “Arnavut-Orthodox” were expelled from the Greek schools; only those identified as “Rum (Greek)-Orthodox” were allowed to stay.

The Greek schools in the islands Imbros and Tenedos, populated by Greeks, were closed in September of 1964 and a plan of DISSOLUTION-EXTERMINATION of these communities was implemented including expropriation of their agriculture lands with no compensation, the creation of an open prison for criminal convicts which were free to move within the island, the importation of populations from Kurdish and Black Sea provinces and of refugees from Bulgaria, as well as assassinations.

### The consequences of the Deportations to the Greek Community

Together with the 12.500 persons having Greek citizenship who were deported, as in most cases their children and wives were citizens of the Republic of Turkey, more than 30.000 members of the Greek-Orthodox Community were directly affected by the deportations. Moreover, because of the repressive measures started at the end of 1963, in twelve months' time, the Greek population of Istanbul dropped from 80 000 to 30 000 members.



Σχήμα 1. The diminishing of the Greek-Orthodox population in Istanbul versus the years after 1923..

A report prepared in 1946 by the Republican People’s Party (that ruled Turkey during the period 1923-1950 as a single party), for the celebration of the 500th anniversary of the fall of Constantinople, stated as a goal “to celebrate in 1953 without the presence of Greeks.” The massive pogrom of September 1955 that took place with two years’ delay did not achieve this, but 11 years later, the task was achieved to a great extent.

- The government of İ. İnönü, exploiting a pending issue regarding the persons holding Greek citizenship – whose identity as *établis* was, however, well established, implemented a deportation policy and parallel, repressive measures, well planned in advance, that resulted in a drop of the Greek population of Istanbul from 90.000 to less than 30.000 in a 12 month period.

The anti-minority policies planned and implemented by the special MINORITIES SUBCOMMISSION resulted in an exodus of the Greek-Orthodox, as well as of other non-Muslim minorities. These anti-minority policies are not only violations of all the articles of the Lausanne Treaty (1923) regarding the protection of minorities, but also of the European Convention of Human Rights of Rome (1950). The worse persecution measure against the minorities occurred in 1974, when the Higher Cassation Court of Turkey (Yargitay) issued a ruling stating that the real-estate properties registered in the name of non-Muslim foundations after 1936 should be confiscated by the State, based on the argument that the non-Muslim minorities despite being citizens of the Republic of Turkey were also “foreign citizens”. This legal aberration of Yargitay was abolished by several decisions or

the European Court of Human Rights in Strasbourg. However, in spite of some reparations, there are still pending serious injustices against the non-Muslim minority foundations.

### **1.1) The Consequences of the Deportations and Expulsion on the Social Psychology of the the Greek-Orthodox population of Istanbul.**

Lets consider the families beeing the social cells of the Greeks of Istanbul, which that time had much stronger cohesion in mid 1960's, had as leaders the men being on average of 40 years old. These men had lived the calamities of the Capital Tax (Varlık Vergisi) and the Mobilization to Labor Camp mobilization of the minority men aged 20 to 45 years old during the years 1941-44 and have seen the Pogrom in 1955 being 30 years old. Therefore one can argue that the Greek-Orthodox Community should be a deeply wounded society. The same members of this Community had a very vague idea what happened during the period 1914-23 in Anatolia, because that time Istanbul was isolated from the events in Anatolia, but moreover because of the fear to talk for these events was to such level that even to think about for them it could endanger your very existence. However before these traumas being healed, this Community has shown an enormous capability of reorganization and revitalization after the pogrom of the night of 6-7/9/1955. This was expressed with the ability to restore the 65 chruches destroyed in the pogrom and thes same with the other institutions (schools, associations, cemeteries etc.) with own resources of the Greek-Orthodox Community without any state support or external funding, since the compenastions given by State of Turkey were symbolic. This is sufficient to understand the enormous work done by the Community during the period 1955-63. The commercial firms of the Greeks of Istanbul, in short time after the Pogrom, recovered and started production and activities, despite the repressive measures of the Tax Authorities. The rather less immigration (approximately 10%), after the Pogrom of 1955, cannot be attribute so much to the bad economic conditions prevailing in post civil-war Greece, but to the fact that the Community had deep roots with to its homeland "Polis" and to the efforts of the Ecumenical Patriarchate to overt immigration. It is very interesting to mention the fact that the number of students in the Greek secondary schools increased significantly during this period which is valid at the Univeristies of Istanbul. This could be attributed to the fact that despite the Communtiy was not broken, its members were in their subconsciousness were had the feeling that one day they will be expelled from their place and obtaining a diploma would be the best guarentee for their survival abroad.

Therefore it is understood that, despite the continous repressive measures and persecutions by the state of Turkey, until 1963 the Greek-Orthodox community was keeping its social structure and order (schools of high quality, associations, philanthropic institutions operating under very difficult conditions-all under the supervision of the Ecumenical Patriarchate). In essence all the hits of the predesigned persecutions and the

indifference of the international organizations on human rights and the states signed the Laussane Treaty, among them first Greece, what was happening to the Minority were not able to clamp the Community organization, which was keeping its social cohesion based on the "Koinotita" Structure which was a Byzantine Tradition under the leadership of the Ecumenical Patriarchate. However, what the members of the Community were not able to understand the reasons what all these happenings was not because of the personal enmity of some authorities, such as of the Prime Minister Ismet Inonu, but to a Systematic Plan being in application starting of the year 1908 when Young Turks Committee came to the power to rule dictatorily the country and unfortunately the same policy continued after the year 1923. The systematic falsification of history after 1923, was effecting even those have lived throughout the period 1914-24 on such a way, that may be not "washed" completely their brain, but was sufficient to kept them under fear to such level that not to talk for these events. Therefore there was not any reaction plan to resist in case the Community structure will disappear by forcing the Greeks of Istanbul to leave on mass from their homeland. Through this massive exodus, the social structure of the Community will disarray and the plan of the Young Turks which was conceiving the Greek-Orthodox population and the other "foreign communities" as "internal tumors which has to be removed" will be accomplished. The necessary tool to succeed this task was decided long time before by utilizing a pending issue, with the responsibility of the Greek state as well, following the years after the Laussane Treaty: the status of the Greek-Orthodox (Rum) holding citizenship of Greece. According to the International Laussane Treaty the Greek citizens of the Community were also holding the status of Etabli while with the responsibility of the Eleftherios Venizelos Government (1928-32) in 1930 this issue was tide up with the bilateral agreement between Greece and Turkey. The Treaty Exchange of Populations between Greece and Turkey, was foreseeing the exception of Greek citizenship holders belonging to Greek-Orthodox Community of Istanbul.

The Christmas and the New Year of 1963, were the period for the Greek-Orthodox population of Istanbul living in an atmosphere reminiscent similar to August 1896 exposed to atrocities, while the State was doing almost nothing to protect its citizens from atrocities. The reflection of the inter-communal conflict in Cyprus was direct in Istanbul and once again the Community was treated as hostage. The months of January - February 1964 was a period of "demonization" of the Greek Community who had not the slightest connection with what was happening in Cyprus between the Communities. This phase of 75 days, was very important for the development of a suitable atmosphere within the wider Society inside Turkey against the Greeks, and also reduced the spiritual resistance of Greeks. When announced on 16/03/2014 the start of deportation, everything was ready a panic to start within the Community that lead to mass exodus.

Within 12 months, the population of 90,000 Greeks of Istanbul fell to 30,000, without any protest towards the Government of Turkey. This massive violation of basic human rights had multiple psychological effects on the victims. A simplified analysis leads to the following conclusions:

- In the case of young ages, up to 18 years old, the traumatic feelings were less, because they had to live in an environment (in Greece) that no attacks occurred when they spoke in their native language. The family cohesion also limited the trauma and helped adaptation. However in their school environment, they have to hide or forget their origin, since in the strained post-civil war climate in Greece, anybody not being within the stereotype of the nation state was dangerous and even to speak against a "NATO military ally" country was not welcomed. The consequences of this situation, when these children reach 30, 40 and 50 ages, were different depending on their personal experiences. These range from complete amnesia about what was their child lives in Constantinople to a nostalgic childhood dreams. In a remarkable rate, in a latter period the memories what happened in Istanbul revive and start to take action.

- Those being between the ages of 18-50 years, being working population, majority have a perception that there is no longer any possibility of improving the living conditions in Turkey and therefore it is good that we are no longer in Istanbul. The struggle for survival leads the majority also considers the remembrance of their homeland being waste of time and cannot be any negotiation with the Turks, and therefore it is good to throw "a black stone" to Istanbul and look to the future forgetting it.

- Those being older than 50 years possessed the worst trauma. In case of women losing their position in their common social structure, we have a massive range of depression disease (medical term) at much higher rates of the common population. In men, the consequences are similar, but to a lesser extent. The lives of these people are irreparably disturbed and most tragic victims are the ones who commit suicide numbering in dozens. The social taboos of the time prevents to enumerate them today, but it is estimated being more than 20.

## **2. Problems faced today by the Expatriated Greek-Orthodox Community of Istanbul**

As a result of their expulsions and forced expatriation, which peaked during the decade 1964-1974, today the Greek-Orthodox Community of Istanbul lives primarily in Greece and also is dispersed in many other countries. With the prevailing conditions of discrimination and forced mass exodus after 1964, the Greeks of Istanbul were unable to enlist to the army as citizens of the country and had the duty to serve. At that time the recruitment officers provided every facility to accelerate the expatriation granting short-time permits to make possible easily to leave the country. The next step was ready, to abolish the citizenship of Turkey of Greeks of Istanbul, after express rulings of the Ministerial Council of Turkey. Of course many times the decision of the Government of Turkey to abolish the citizenship was with other excuses such as obtaining the citizenship of Greece (it was possible after 1983) because of the prohibition of dual nationality, many Constantinopolitans under the syndrome of "black stone" submitted resignations of their citizenship to Consulates of Turkey, either voluntarily or for practical reasons (i.e. obtaining permission working in Greece). In this way, it is estimated that 40.000 men were deprived of the citizenship of Republic of Turkey during the period 1963-2003. Additionally, up to the year 2013, through a special law (valid for all citizens of Turkey - but applied selectively to members of the Minorities) the acquisition of citizenship was prohibited through mothers to children that were born between the years 1963-1981. Accordingly in a family whose father had lost his citizenship of Turkey, a child cannot acquire citizenship of Turkey from any parent. It is emphasized that this measure applied to the period 1963-1981, which corresponds to the critical decades of the Exodus after 1964. As a consequence of the mentioned acts, the population of the Greek-Orthodox Community, subject to the Lausanne Treaty, was decreased very much. As outlined below, it is necessary to take steps to restore the citizenship. This is an extreme necessity in restoring the civil and political rights of the members of the Greek Community of Istanbul.

The main problems facing the Greek minority of Istanbul whose status is established by the international Lausanne Treaty which has been signed under the observance of the League of Nations (predecessor of today United Nation) are:

- Demographic presence in Istanbul: The major issue is the numerical presence and increase of the members of the Greek Minority, covered by the Treaty of Lausanne, in Istanbul. This can be done with the support of the repatriation of the young members of the expatriated Community. This measure is considered as the prime remedy and reparation act. The responsibility to support such a program, a similar one implemented by Federal Germany after the Second World War for the Jewish minority which in the presence of zero in 1945 currently has 150,000 members (before the war was 600,000 members), falls on the state of the Republic of Turkey.

- Cohesion in the expatriated Community: Only recently, to a restricted level, a reconnection of the expatriated second and third generation members with Istanbul Community is observed, which could be attributed to the softening of the trauma in the first generation.

It should be stated that despite the fact that after the ruthless uprooting of the Community the majority were able economically to survive and able to find jobs, a significant percentage of members were not able to recover socially and economically (it is estimated to around 10.000 persons). The recent economic and social crisis in Greece, in particular after the cut of pensions and huge youth unemployment, a considerable number of Constantinopolitans, primarily the aged members, today are facing very serious problems of live conditions. The Ec.Fe.Con starting of the end of the year 2013 has initiated a humanitarian support program.

- Existing restrictive measures and non-treatment of the consequences of persecutions: Declarations and statements of a state that in the future will respect in absolute degree the human rights and therefore minorities rights, are of empty content in practise, unless they are accompanied by effective measures of remedy and reparations of the consequences of massive scale past injustices, as was the tragic experience of the Greek minority in Turkey. The UN after twenty years of working with the General Assembly in 2005 adopted the Resolution 60/147 which matches exactly to the case of the Greek minority of Turkey. One reading this U.N. Resolution gets the impression that has been written particularly for the case of the Greek-Orthodox Community of Turkey. Today, the present government of Turkey, which is ruling the country since 2003, has taken some measures to alleviate the past injustices and persecutions, without degrading these measures in particular in the context of an administration tradition that sees any minority as a potential source of problem. At the level of civil rights of members of minorities, although anymore the practice of discriminations using "secret orders" are not applied, one sees the exhaustion of all legal means to create long delays in delivery of justice in cases of real estate properties of minority members. At the level of Community Institutional Rights, the worst violation of past being the massive confiscation of minority charitable foundations, the occurred remedy is very limited and requires courageous act on the part of the Government of Turkey to implement the existing laws without administrative restrictions. The unifying organization of expatriated Greek community of Istanbul, the Ecumenical Federation of Constantinopolitans (Ec.Fe.Con) has submitted a coherent plan to the Government of Turkey, in September 2012, stating the necessary steps towards the restoration of injustices. The response of the Government of Turkey has been very limited and the efforts of Ec.Fe.Con. should be supported. The recent invocation sometime by the members the Government of Turkey, the so called principle of "reciprocity" by connecting the improvement of the conditions of the Greek minority with the external relations of Turkey with other states is totally groundless in terms of international human rights principles. It is impossible a

state to consider as hostages its own citizens in order to achieve results in relation to other states.

- The support of the Greek education in Istanbul and Gokceada (Imbros): The Greek education has always been a source of revitalization of the Community under the highest spiritual leadership of the Ecumenical Patriarchate throughout the period after 1453. The conditions that prevailed and imposed on the Greek schools of Istanbul during the last decades up to 2003 and the problems that have arisen should be solved gradually with the collaboration of all stakeholders of the Community. The establishment and operation of the last period of the Community Educational Council is a source of optimism. Additionally Turkey has the obligation stemming from the international treaties has signed but moreover the minority education being a public service to its citizens. In this context it is very important all the teaching books, used in all schools, to be eliminated of negative ungrounded references against the non-Muslim minorities and to the correct educating the young generations on the historical truth of the positive contributions of Greek – Orthodox (Rum) community to social and economic life of the country for many centuries.

- Internal organization of the Community within and outside of Istanbul: The fact that since the year 2004 the elections to minority charitable foundations has been allowed and done, had multiple beneficial effects to the Greek minority supporting community activities (welfare, education and social activities). There is a serious exception in case of the major Greek-Orthodox Foundation Baloukli where the state appointed administration since 1991 insists not to carry out elections, and this attitude is being tolerated by the administration of the General Directorate of Foundations of Republic of Turkey. Another serious problem is the lack of legal recognition of the non-Muslim minorities and of course first of all the Ecumenical Patriarchate. The repeal of the Election Regulation for minority institutions, 24 months ago, without being replaced by a new one, is a very negative and disturbing development.

-The preservation and continuation of the Constantinopolitan tradition on culture and education: Rescue and continuation of Constantinopolitan ecumenical culture of Istanbul is extremely important for international civilization since it multicultural and multi-faceted. This task falls in the first instance to the associations of Constantinopolitans within and outside of Istanbul.

### **3. The role of Non-Governmental organization and Ec.Fe.Con.**

The expatriated Community of Constantinopolitans although mainly lives in Greece there are scattered communities in European countries (Germany, Switzerland, Sweden, France, U.K. etc.), U.S.A.-Canada and Australia. If we assume that the population of the

Community the last 50 years remained the same, statistical studies shows that today the number of members were born in Istanbul accounts 20-25 thousands approximately. The number of those belonging to 2<sup>nd</sup> and 3<sup>rd</sup> generation expatriated Community is approximately 120.000. Accordingly the total number of Constantinopolitans (those being refugees of 1922 are excluded) are in total 150.000 out of which 80% lives in Greece. When the forced exodus was peaking in 1964 and the Constantinopolitans were arriving to their new living places, the first job they did was the establishment of associations which was a long standing tradition of them. As a result of this, only in Athens, twenty associations have been founded. These associations have different activities and purposes such as being general for all Istanbul Greek Community, Alumni of the Schools, athletic and district associations. Moreover out of Athens there is one association in Thessaloniki and also in Germany, Switzerland, U.S.A., Canada, Belgium, Australia etc. In 2006 thirty Constantinopolitan Associations after a common decision established the Ecumenical Federation of Constantinopolitans (Ec.Fe.Con.) with the aim to face as a united body together with the Community living in Istanbul the problems being encountered by the Greek-Orthodox Community of Istanbul. Ec.Fe.Con is administered by a Board elected by a General Assembly which consists of members elected by the Constantinopolitan Associations.

#### **4. Proposals of Ec.Fe.Con. for the remedy and reparations of past violations of human rights of the Greek-Orthodox Community of Istanbul submitted to the Government of Republic of Turkey.**

During the last decade the history of the Greek minority has been analyzed in depth and published, primarily by researchers within Turkey, in detail and the difficulties encountered throughout the historic path the Greek minority after the Treaty of Lausanne has been presented. In all the research work there is a common conclusion that the fate of the Greek minority leading to very high reduction of its population - to the point of extinction - caused by policies planned and implemented by governments of Turkey of the period 1923-2003. Recently numerous times over the last five years, senior government officials of the Republic of Turkey, accepted the excersion of anti-minority measures implemented by predecessors governments while Mr. R. T. Erdogan as Prime Minister characterized the anti- minority acts as being fascistic measures. (For example: Mr. Prime Minister R.T. Erdogan, in his speech at Ntouzitze in May 2009, Mr. Minister E.Bagis, in December 15, 2010 in his statements ("The plan of 100 years").

Ec.Fe.Con. in September 2012 following a 2.5 years discussion with verious authorities of Republic of Turkey submitted the following proposals. The

##### **4.1. Regaining citizenship**

The fact is that a large portion (98%) of the Greek-Orthodox population who lived in Istanbul expatriated as a result of a political plan. The elimination of the consequences of the injustices committed against the autochthonous population is directly related to the mass recovery of lost citizenship of the male population. Those, whose citizenship was revoked are mostly men. The cause is related to the avoidance of the fulfillment of the military service because of the adverse conditions created by the political repression against Greek-Orthodox Community in late 1960. Before proposing the necessary corrections and deletions, we believe that it will be useful to remind these truths. As it is known, during the period after the establishment of the Turkish Republic, male population of Greek-Orthodox Community, always meticulously performed his military duty. A large part of the population recruited more than once and the minimum time of military service was the least 4-5 years. Indeed, after 1963 the avoidance of fulfillment of military service resulted in the revoke of citizenship, which was in fact a matter of inability to fulfill a military obligation. Several young men when they reached the draft age due to the deportation of their guardians, were forced to migrate and in short, due to the prevailing adverse conditions facing the Greek-Orthodox people could not serve in the army. There are dozens of cases of Greek-Orthodox who while serving as reserve officers their fathers were under deportation.

As can be seen the cause of weakness of the male Greek-Orthodox population of Istanbul to serve the military service resulted in massive deprivation of Turkish nationality.

The regaining of citizenship is directly related to the issue of the military. If someone loses Turkish citizenship due to failure of fulfillment of his military obligation, when he regains citizenship, he will be, once again, confronted with the issue of the performance of the military duty. Simultaneously with the issue of military duty there is also a serious issue concerning the financial burden of this acquisition.

The issue of takeover, for members of the community has the meaning of compensation to regain their civil rights although they were obliged to expatriate and be sacrificed without their own will.

The fact that the members of the community are confronted with injustices that must be eliminated, is not compatible with the need of elimination of the consequences they have sustained due to serious violations of their rights. The military issue of these members to our days, is solved by the identification of the three months military service in any country of NATO.

As it is known in some countries of NATO, draft age is limited up to 45 years, so consequently those who lost their citizenship and are older than 45 years do not have the opportunity to serve. For these individuals if they wish to fulfill their military duty and cannot, the impose of sanction and also the perpetuation of the possible penalties should be avoided.

#### 1st Proposal

Our proposal, in accordance with the above condition, is that, those who are in any way demobilized from any NATO country and are members of the Greek-Orthodox Community and held Turkish citizenship, to be also accepted and demobilized from Turkey that will recognize this.

#### 2nd Proposal

On the issue of citizenship a second basic question arises for those who were deprived of Turkish nationality and died before they could regain their citizenship. In this case the upcoming generations, in order to acquire Turkish citizenship should follow the general rules. To eliminate this injustice will require the adoption of a special law or decree that those who have parents Greek-Orthodox originating from Istanbul can, whenever they wish to regain their citizenship, which would easily solve the problem.

#### 3rd Proposal

In this context a third issue is, for persons born, between 22 May 1964 - February 17 1981, the deprivation of acquisition of citizenship on the part of the mother. Because this restriction is generic and simultaneously has been declared unconstitutional by the Constitutional Court, should be removed by legislation.

#### 4.2. Restoration of property rights and measures to protect them.

The Greek-Orthodox of Istanbul between the years 1963- 87 were forced into a panic to flee from their homeland, leaving behind, many times, their property. The wounds have been caused and arising through the conditions that were exposed, persist until today. This is why, their attitude to calls made to recovery of ownership of their property, through judicial decisions, in most cases is: "Since we lost everything we can not afford and court costs." Those Greek-Orthodox of Istanbul who hold this view have waived their rights. This situation simultaneously acquires the sense of continuing injustice and non-application of the principle of performance rights.

#### 4th Proposal

To resolve this issue will require the preparation of a specific program to be supported by the State. The goal of the program is the legal support of the Greek-Orthodox of Istanbul to yield tangible rights (such as dealing costs).

#### 4.3. Implementation of structured support programs intended for the repatriation of younger generations.

The aim is to implement a standard support program intended for the younger generations of Greek-Orthodox of Istanbul who live either inside or outside the country. This program will ensure the resettlement of younger generations in Turkey and its implementation will support the economic activities.

#### 5th Proposal

Currently it is very important to draw up a program for the establishment and support of a small business intended for young Greek-Orthodox of Istanbul, graduates, whether they reside in the Istanbul or outside country. During the last years, is applied in Turkey a program based on the model KOSGEB, as a program of development. Its standardization and implementation, from the Greek-Orthodox Community is of great importance from the standpoint of attracting the younger generation.

#### 6th Proposal

Currently there are several Greek-Orthodox of Istanbul who are scientists and have been dispersed in many countries and have a significant contribution to many branches of science. This scientific potential in appropriate circumstances even in case of temporary stay in Istanbul could be installed on one or two Greek-Orthodox schools that have no students - thus contributing to the establishment and development of research institutions. For example, the activities of the research centers can be the following:

Biomedical engineering.

Technology to support education

Technology protecting works of art.

Establishing research institutions will require cooperation between the Turkish government and experts within Greek-Orthodox of Istanbul.

#### **4. Conclusions and final proposals**

The remedy and reparations towards the expatriated Greek-Orthodox community of Istanbul which was subjected to gross scale violations of its human rights can be achieved by implementing the international law and the laws of Republic of Turkey without any exception. The implementation of this principle it is not only important for the Greek-Orthodox community of Istanbul but for all the citizens Turkey. The totally invalid and unsubstantiated connection of minority issues with the relations with a foreign state by invoking the so called "reciprocity" has been the major source of extensive human rights violations.

It is an imperative necessity the Government of Turkey to review the submitted reforms by Ec.Fe.Con. and start implementing the proposed measures which are based to international law and can be implemented immediately being realistic. The endorsement by Turkey of the European Convention on Minority Rights will be an important step in solving the pending problems.