

# ECUMENICAL PATRIARCHATE AND THE HALKI PATRIARCHAL SCHOOL OF THEOLOGY

## The Issue

The Turkish government has tolerated assaults against its Greek Orthodox Christian religious minority, the Ecumenical Patriarchate, and continues the illegal closure of the Greek Orthodox Halki Patriarchal School of Theology in Istanbul. **These actions violate U.S. principles and law on freedom of religion as expressed in Section 2804 of the FY98 Omnibus Emergency Supplemental Appropriations Act (PL 105-277). This law calls for the Turkish government to safeguard the Ecumenical Patriarchate, its personnel, and its property, and to reopen the Halki Patriarchal School of Theology.**

His Eminence Archbishop Demetrios, Primate of the Greek Orthodox Archdiocese in North America, led a panel discussion at the U.S. Helsinki Commission on March 16, 2005, which presented a clear picture of how religious human rights violations by the Turkish government have been working to exterminate the Ecumenical Patriarchate and the Orthodox Christian community in that country. The panel briefing “highlighted Turkey’s systemic efforts to undermine the Orthodox Church, violating numerous international treaties to which it has agreed.”

Archbishop Demetrios and Dr. Anthony Limberakis, national commander, Archons of the Ecumenical Patriarchate of the Order of St. Andrew the Apostle, “detailed the severe restrictions on property ownership which have allowed the government to confiscate nearly 7,000 properties from the Ecumenical Patriarchate since 1936,” according to the panel briefing. It added: “Behind them stood placard-size photos of the most recently seized property, an orphanage on Buyukada island which once housed hundreds of homeless children.”

**Former U.S. Helsinki Commission Co-Chairman Congressman Christopher H. Smith (R-NJ)** stated: *“The concern of this Commission is the protection of religious rights and freedoms. Turkey’s treatment of the Ecumenical Patriarchate violates its obligations under international human rights law.”*

Under the **International Religious Freedom Act of 1998 (IRFA)**, the president of the United States is obligated to oppose violations of religious freedom in any country whose government “engages in or tolerates violations of religious freedom and promote the right to religious freedom in that country.” The Act further obligates the president to take one or more of 15 enumerated actions with respect to any such country. IRFA created the U.S. Commission on International Religious Freedom. For the past three years (2009-2011) USCIRF has placed Turkey on its “Watch List.”

Although Turkey has signaled the need to address the issue of religious freedom among its minorities there is still much more that needs to be accomplished—namely the recognition of the Patriarch’s “ecumenical” title, the reopening of the Halki Seminary, the return of all confiscated properties by the Turkish government, and ensuring the succession of the Ecumenical Patriarch.

## Developments

- **July 2008:** the European Court of Human Rights (ECHR), in **FENER RUM PATRIKLIĞI (ECUMENICAL PATRIARCHATE) v. TURKEY**, issued a unanimous verdict in favor of the Ecumenical Patriarchate which condemned Turkey for improperly seizing property (in this case the historic Patriarchal orphanage located off the coast of Istanbul) without compensation. Moreover, the ruling is extremely important because it confirms that the Ecumenical Patriarchate has an international legal personality, a status which the Turkish government denies. Religious minorities in Turkey are not recognized as legal personalities, and therefore, cannot own property. The unanimous verdict of 7 out of 7 votes included that of the Turkish judge on the ECHR.
- **December 2008:** A Turkish foreign ministry report submitted to the Turkish parliament denigrates the “minority” presence of the Greek Orthodox community in Turkey and refuses to recognize the “ecumenical” character of the patriarchate. It also excluded the possibility of reopening the Halki Patriarchal School of Theology in the name of state secularism.

- **March 3, 2009:** ECHR unanimously ruled, in **BOZCAADA KIMISIS TEODOKU RUM ORTODOKS KILISESI VAKFI v. TURKEY**, that Turkey violated the property rights of a Greek Orthodox Church on the Aegean island of Bozcaada. The court said Turkish authorities illegally prevented a Greek Orthodox foundation, which is the rightful owner of the Kimisis Teodoku church, from registering its property. Judges ordered Turkey to pay the foundation 105,000 Euros in compensation. The unanimous verdict of 7 out of 7 votes included that of the Turkish representative.
- **Nov. 2-5, 2009:** The Ecumenical Patriarch visits Washington as part of a broader visit to the United States. His All Holiness meets with President Barack Obama on November 3 at the White House.
- **Dec. 20, 2009:** The Ecumenical Patriarch is interviewed on *60 Minutes* where His All Holiness states that he personally feels “crucified.”<sup>33</sup>
- **July 21, 2010:** Turkey makes available citizenship to foreign Orthodox archbishops to help with succession. Clerics must have Turkish citizenship to be able to succeed the Ecumenical Patriarch.
- **Aug. 15, 2010:** For the first time since 1922, the Divine Liturgy for the Feast of the Dormition of the Theotokos at the ancient monastery of Panagea Sumela in Trapezounda, Turkey, was held.
- **Oct. 28, 2010:** 78 Christian graves were desecrated in the graveyard of Panagia, the capital of the island of Imvros.
- **Nov. 29, 2010:** Turkey complies with a European Court of Human Rights (ECHR) ruling and returned a 19<sup>th</sup> century orphanage to the Ecumenical Patriarchate.
- **Dec. 7, 2010:** Ranking Member of the House Foreign Affairs Committee, U.S. Rep. Ileana Ros-Lehtinen (R-FL) expressed concern about the “restrictive policies” placed on the Ecumenical Patriarchate by the Turkish government. She stated, **“I asked that these policies be substantially changed to allow the Church to re-open the Halki Seminary and to remove the restrictive criteria for Patriarchal succession”** following a meeting with Turkish Ambassador to the U.S. Namik Tan.
- **Jan. 2, 2011:** Turkish Deputy PM Bülent Arınç, following a meeting with Ecumenical Patriarch Bartholomew, stated that Turkey is considering the demand to reopen the Halki Theological School by trying to meet the issue from a legal perspective. Arınç is the highest-ranking Turkish government official to visit the Patriarchate since 1952.
- **Dec 13, 2011:** U.S. House of Representatives passes by voice vote H.Res.306, urging Turkey to safeguard its Christian heritage and to return confiscated church properties.
- **Feb. 20, 2012:** Ecumenical Patriarch Bartholomew said Turkey’s new constitution should grant equal rights to minorities and safeguard religious freedoms when he met with members of a Turkish parliamentary subcommittee.<sup>34</sup>
- **March 20, 2012:** The U.S. Commission on International Religious Freedom (USCIRF) cites Turkey for “systematic and egregious limitations” on religious liberty and designated Turkey a “country of particular concern.” The USCIRF recommended the Secretary of State to designate Turkey as such. From 2009-2011, Turkey was placed on USCIRF’s “Watch List.”<sup>35</sup>

### President Obama’s Position

- In a campaign statement released in October 2008, presidential candidate Obama stated: *“[He was] one of 73 Senators who signed a letter to President Bush in 2006 urging him to press Turkey to restore full rights of the Ecumenical Patriarchate...[And that he had sent] Secretary of State Condoleezza Rice a personal letter on the same matter. [He called on] Turkey to respect the Ecumenical Patriarchate’s rights and freedoms, including its property rights. Turkey should allow the reopening of the Patriarchate’s school of theology on Halki Island and guarantee the right to train clergy of all nationalities, not just Turkish nationals.”*

<sup>33</sup> The *60 Minutes* interview can be found at <http://www.cbsnews.com/video/watch/?id=6001717n&tag=api>

<sup>34</sup> “Turkey Urged to Allow Greater Religious Freedom,” by Suzan Fraser, *Associated Press* as reported by *ABC News*, February 20, 2012 ([web site](#)).

<sup>35</sup> <http://www.uscifr.gov/reports-and-briefs/annual-report/3706-2012-annual-report.html>

- April 6, 2009: President Obama stated before the Turkish parliament: *“Freedom of religion and expression lead to a strong and vibrant civil society that only strengthens the state, which is why steps like **reopening Halki Seminary** will send such an important signal inside Turkey and beyond. An enduring commitment to **the rule of law** is the only way to achieve the security that comes from justice for all people. Robust minority rights let societies benefit from the full measure of contributions from all citizens.”*

### **Our Position**

We call on the U.S. government to:

- urge Turkey to implement and strictly enforce the guarantees of religious freedom and human and minority rights set forth in the Treaty of Lausanne, the UN Charter, other international agreements, and U.S. laws;
- urge Turkey to grant legal personality to the Ecumenical Patriarchate, recognize the ecumenical role of the Patriarch and the Patriarchate, and safeguard it;
- urge Turkey to immediately reopen the Halki School of Theology with the right to determine its administration, faculty and course of study and lift restrictions on the elections of the Patriarch;
- urge Turkey to promptly return the many illegally confiscated properties from the Ecumenical Patriarchate by the Turkish government since 1936;
- urge Turkey to respect human and minority rights;
- implement provisions of the IRFA if these actions are not implemented by Turkey;
- adopt legislation urging the Turkish government to respect the rights and religious freedoms of the Ecumenical Patriarchate of the Orthodox Christian Church. (See H.Res.180, S.Res.196, H.Res.506); and
- to pass S.392, the companion resolution to H.Res.306, urging Turkey to safeguard its Christian heritage.