

We returned the Greek church without waiting for the court

The monastery, church and cemetery belonging to the Kimisis Teodoku Greek Orthodox Church in Bozcaada, which were transferred to the treasury in 1991, were returned by the municipality and the property directorate following the ECHR's decision to "return" them.

The monastery, church, and cemetery belonging to the Kimisis Teodoku Greek Orthodox Church in Bozcaada, which the European Court of Human Rights had ordered to be returned within three months, were returned by the municipality and the property directorate without waiting for the decision of the Bozcaada Cadastral Court. The foundation's lawyer, Cem Murat Sofuoğlu, stated, "By accepting the ECHR ruling in the Büyükada Greek Orphanage case according to domestic law, Turkish courts had achieved a first in Türkiye and among Council of Europe member states. The return of the properties in Bozcaada removed the exemption from the orphanage."

During cadastral works in Bozcaada in 1991, lands whose owners were unknown were divided into parcels, and the monastery, church and cemetery used by the Kimisis Teodoku Greek Orthodox Church, but for which there was no title deed, were transferred to the Treasury.

The church filed a lawsuit with the Bozcaada Cadastral Court to register the properties, and the court ruled in 2001 that the properties be registered in the church's name. However, when the Treasury appealed the decision, the Supreme Court of Appeals overturned the court's decision in 2002. After the Supreme Court upheld the final decision in 2003, the Foundation took the matter to the European Court of Human Rights.

An important start

Cem Murat Sofuoğlu, the lawyer of the Kimisis Teodoku Greek Orthodox Church Foundation, said the following about the decision: "Turkish courts accepted the ECHR decision in the case of the Greek Orphanage in Büyükada according to the rules of domestic law and in Türkiye and in the member states of the Council of Europe.

It was a first among countries. It removed the exemption from the return of properties and orphanages in Bozcaada. Turkey has made it a practice to recognize ECHR rulings through domestic legal channels. This is the beginning of an important tradition for human rights and the rule of law.

