

Syriac Universal Alliance 2012 Turkey Report:

Recommendations for Implementation of the
International Covenant on Civil and Political
Rights: **TURKEY**



SYRIAC UNIVERSAL ALLIANCE

ܣܘܪܝܝܬܝܢ ܥܘܠܡܝܝܢ ܥܠܝܝܢ

SUA Report to the United Nations Headquarters in New York City
Office of the United Nations High Commissioner for Human Rights
Human Rights Committee, 104th session, 12 - 30 March 2012

30 December 2011

www.sua-ngo.org

CONTENTS

Executive Summary.....	3
1. The Syriac Universal Alliance (SUA).....	4
2. Who are the Aramean (Syriac) People?.....	5
3. The Christian Arameans (Syriacs) of Turkey	6
4. The Aramean Question in Turkey.....	8
4.1 Lack of Recognition and Legal Status.....	8
4.2 Illegal Land Occupation	9
4.3 Endangered Aramaic Cultural Heritage.....	11
4.4 Return Migration: The future of Tur Abdin.....	13
4.5 Human Rights Developments regarding Christian Arameans	15
4.6 European community and the Arameans	18
4.7 The Ottoman Genocide against Armenians, Greeks and Arameans..	19
5. Ten Critical Questions for Turkey to Answer.....	20
6. Ten Recommendations on Turkey.....	21
7. Conclusion.....	22
Appendix	24

Executive Summary

The Syriac Universal Alliance (SUA), a Non-Governmental Organization in Special Consultative Status with the Economic and the Social Council of the United Nations defends and promotes the interests of the Aramean Christian (Syriac) people globally, including the Chaldeans, Syriacs (Orthodox and Catholics) and Nestorians (sometimes called Assyrians) of Turkey (referred to herein as “Aramean Christians” or “Arameans”).

The SUA has prepared this Report on Turkey, entitled “Syriac Universal Alliance 2012 Turkey Report: Recommendations for Implementation of the International Covenant on Civil and Political Rights: Turkey” (“Report”).

This Report contains ten (10) Questions and ten (10) Recommendations by the SUA concerning the present and future condition of Aramean Christian people in Turkey. We ask the United Nations to truly acknowledge and accept these Questions and Recommendations and use these in its analysis of Turkey’s responsibilities with respect to the International Covenant on Civil and Political Rights.



SYRIAC UNIVERSAL ALLIANCE

1. The Syriac Universal Alliance (SUA)

The Syriac Universal Alliance (SUA) was established in 1983 and is a global umbrella organization representing the various Aramean (Syriac) national federations in the continents of Europe, America, Australia and the Middle East. SUA is the widely acknowledged voice of the Aramean people whose interests and needs it aims to serve, defend and promote.

Since 1999, SUA is the only Aramaic-speaking Non-Governmental Organization in Special Consultative Status with the Economic and the Social Council of the United Nations. SUA is a socio-political and cultural organization that works independently, transparently and on a democratic basis. Among others, SUA seeks close cooperation with national governments, the (agencies of the) United Nations, the European Union and the Council of Europe.

SUA is dedicated to answer the call to protect and secure the rights, liberty and equality of the Aramean people, safeguard and promote the cultural heritage of its ancestors, ensuring justice, and uniting all its people as a self-determined and internationally recognized Aramean nation.

One of the notable projects produced by SUA is *The Hidden Pearl: The Syrian Orthodox Church and Its Aramaic Heritage* (Rome, 2001). This multimedia project consists of three illustrated books with three accompanying DVD's. It summarizes and portrays a living heritage of 3,000 years.

Another significant project by SUA in cooperation with its Federations is Suryoyo Sat (www.suryoyosat.com). In 2006, this satellite channel was established for the Aramean people. With a great variety of (live) programs in Aramaic, Suryoyo Sat reaches more than 80 countries.

The Contact details for the SUA are as follows:

Klockarvägen 104
151 61 Södertälje, Sweden
0046 855 032 810

www.sua-ngo.org
info@sua-ngo.org (or: suaboard@gmail.org)

SYRIAC UNIVERSAL ALLIANCE

2. The Aramean (Syriac) People

Scholars note that 'Aramean/Aramaic' is the original self-designation of the Arameans and the equivalent of the Greek name 'Syrian/Syriac' which they adopted since the early fifth century AD. In order to avoid the oft-recurring confusion with the largely Muslim Arab citizens of the Syrian Arab Republic of Syria, the preferred self-appellation of this Semitic people in Western languages is the recently introduced and artificial term 'Syriacs' or their ancient endonym 'Arameans'.

The early Arameans were pastoralists who were an inherent and integral part of the Near East in 1550-1200 BC. In pre-Christian times, notably between 1150-700, they played a crucial role in the socio-political arena of the ancient world. As native inhabitants of Upper Mesopotamia (covering modern Southeast-Turkey, north-eastern Syria and northern Iraq), they were ubiquitous in this area as well as in Lebanon and South-Mesopotamia (corresponding to present-day South-Iraq).

Their Aramaic mother tongue enjoyed the status of international language of the Near East between ca. 700 BC and ca. 700 AD. Aramaic also features in the Old and New Testaments, was the mother tongue of Jesus Christ and his apostles, and left indelible traces in the Jewish and Muslim literatures (including the Mishnah, Talmud and the Qur'an).

Aramaic has for the most part been the main carrier of the identity of the Arameans, who were one of the first nations to adopt the Gospel in the early centuries of the Christian era. Besides the Syriac (Orthodox, Catholic or Protestant) communities, the Chaldeans, Nestorians (since 1976 officially called 'Assyrians'), Maronites and Melkites are also heirs of the ancient Aramaic heritage. For many centuries, their monasteries and churches functioned as intellectual centers and schools. Experts recognize the importance of the Aramean people and Aramaic language. For instance:

- A) The Aramean ancestry of the Jewish people is widely recognized, for example by Prof. Healey, who rightly observed that "the Israelites were part of the same movement of population as the Arameans and were conscious of a close relationship with that population group... The biblical writers are so strong on the point...that it must have some basis in fact."¹
- B) "The Greeks and Romans knew the Near East mainly through the Arameans, for it was they who united and canalized the sources of its culture, bringing together Babylonian, Persian and Hebrew elements and transmitting them to Christianity, and with Christianity to the West. From the West, at a later date, the Arameans went to bring to the East Greek culture, especially philosophy, which became known to the Arabs through the medium of Aramaic."²
- C) Without Aramaic, "the expansion of Christianity in the Orient would have been unthinkable." Among other essential things, this is "the historical debt which the world owes the Arameans."³
- D) In a voluminous book about the Arameans, another expert stressed: "We see the Arameans as a nation that represents one of our cultural ancestors, as one of the points of departure for us in the West ... [because] western civilization originated in the Middle East."⁴
- E) Rather than Arabic or Hebrew, "Aramaic is the only Semitic language spoken today whose history can be traced back, as a living language, to about 1000 B.C."⁵

¹ J.F. Healey, "Ancient Aramaic Culture and the Bible," in ARAM 1:1 (1989), p. 36.

² S. Moscati, Ancient Semitic Civilizations (New York, 1957), p. 179.

³ E.G.H. Kraeling, Aram and Israel or The Aramaeans in Syria and Mesopotamia (New York: Colombia University Press 1918), p. 139.

⁴ E. Lipiński, The Aramaeans: Their Ancient History, Culture, Religion (Leuven: Peeters, 2000), pp. 12f.

⁵ E.Y. Kutscher, Hebrew and Aramaic Studies (Jerusalem, 1977), p. 90.

3. The Christian Arameans (Syriacs) of Turkey

The present-day Christian Arameans are the original indigenous inhabitants of Southeast-Turkey. Aramaic inscriptions as well as external evidence, such as Biblical and Assyrian sources, testify to the dominance of Semitic Aramean principalities (not to be confused with Indo-European *Armenians from Armenia*) in South-Eastern Anatolia from the late second millennium BC onwards.

Modern Diyarbakir, for instance, called Āmid since the earliest stages of Aramaic, was the capital of the city-state Bēth Zammāni, which included the plateau of Mardin (an Aramaic plural form). Southeast of Āmid and currently belonging to the Mardin province, lies the region of Tur -Abdin, which is Aramaic for “the mountain of the servants [of God].”

Regardless of their well-documented history in Southeast-Turkey, the Christian Arameans are a stateless and largely forgotten people today who were forced to flee from the native land of their ancestors. Moreover, they have never been officially recognized by any Turkish Government.

For example, Turkey refers to the Treaty of Lausanne (1923) for minority rights. Although Articles 38-43 guaranteed the protection and rights of the non-Muslim and non-Turkish nationals, the Arameans were never granted recognition by Turkey as a ‘minority’ as formulated in this Convention. Because of Turkey’s arbitrary interpretation and selective use of this covenant, non-Muslim minority status and rights have been restricted to the Greeks, Armenians and Jews.

Consequently, the Arameans could never enjoy their basic human rights, but instead had to suffer in many ways from discrimination. For instance, in theory the Arameans were granted “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” (Article 40; Lausanne Treaty). In practice, however, Aramean teachers have been imprisoned for teaching Aramaic. In more recent times, state officials had even attempted to permanently close down ancient Christian monasteries such as Saffron in Mardin (1978) and Mor Gabriel in Midyat (1997) for educating children Aramaic.

The Arameans still face many difficulties and various forms of oppression and discrimination from illegal land acquisition by the State and locals through to violence against the Christian Arameans. The most recent instances of threats and actual violence against include Rev. Fr. Yusuf Akbulut from Diyarbakir, recently being threatened in retaliation for the minaret ban in Switzerland; and Anto Nuay, Chairman of the Syriac Orthodox church board in the county town of Midyat, being physically attacked and assaulted. In addition, they suffer on a large scale from land occupation.

Although it is crucial for understanding why these problems are not isolated incidents, it is beyond the scope of this Report to explain the modern history of the Aramean people in Turkey. One need only recall the Ottoman Genocide of the Armenians, Greeks and Arameans; their decimation and the fierce destruction of many ancient churches, monasteries, libraries and villages between 1895 and 1930; the recurrent Turkification (assimilation) attempts, oppression and systematic discrimination; the evacuation of lots of Aramean villages in the 1990’s and the unsolved killings of more than 60 persons between 1976-2004; and finally, the mass exodus from their ancestral lands.

As a result of these and related factors, an exiled and landless Diaspora people has emerged. In Southeast-Turkey, for example, only 2,500 Arameans remain and in the entire country between 25,000 to 30,000. In fact, the number of Arameans in Europe substantially exceeds the number of Arameans left in their homelands with hundreds of thousands in exile in countries such as Sweden, Germany, the Netherlands, France, Belgium and Switzerland. Those who wish to return, however, encounter many problems, not least being the occupation and expropriation of their ancestral land.



SYRIAC UNIVERSAL ALLIANCE

4. The Aramean Question in Turkey

Arameans and their language Aramaic are in serious danger of extinction today. Their future survival is contingent on international recognition as an indigenous people and as one of the ethno-religious minorities of Turkey. SUA has always sought solutions to the Aramean Question in Turkey through dialogue with Turkish associations and the Government, based on mutual understanding, recognition and respect in order to secure a positive future for the Arameans in South-east Turkey.

It is clear that the Aramean Question in Turkey has not been dealt with sufficiently. Although the St. Gabriel monastery in Midyat has received attention by Europe and the press, other alarming human rights violations against Aramean Christians have not been adequately addressed by Turkey or the European community.

Given the above Turkish violations and the many others which exist today, the SUA now narrows those violations into five sub-categories of question. For the sake of clarity, this rough outline does not encompass all issues that pertain to the Aramean Question.

4.1 Lack of Recognition and Legal Status

a) Recognising Arameans as a “Minority” Group

The Lausanne Treaty (1923) was supposed to be the key legal instrument in Turkey that provided minorities with some form of legal protection. Articles 38 to 44 of the Lausanne Treaty guarantees the international protection and rights of all “non-Muslim minorities”, however, the Arameans were never formally recognised as a “minority” under this convention. Non-Muslim minority status and rights were unlawfully restricted to the Greeks, Armenians and Jews. Turkey's non-recognition and failure to give legal binding rights to minorities remains unchanged, despite the clear wording (and intention) of the treaty that all non-Muslim minorities shall be recognised as “minorities”.

To date, Arameans have never enjoyed their basic human rights in Turkey as they do not officially exist as a minority group. Recognition of the Arameans will give the crucial rights which enable them to survive in Turkey. Hence it is both just and reasonable, and even *necessary* for the future survival of Arameans in their historic homeland, to have all branches of the European community request Turkey to officially recognise the Arameans. The Council of Europe has already taken the initiative and passed Resolution 1704 (“Resolution 1704”) being the first international Resolution of its kind that calls upon Turkey “*to recognise, promote and protect the [Aramean] people as a minority, which is indigenous to south-east Turkey, in conformity with the Lausanne Treaty and related international conventions*” (Article 19.7).

b) Recognising Arameans as the Indigenous Peoples of Southeast Turkey

In 2007, Turkey endorsed the UN Declaration on the Rights of Indigenous Peoples, while adding that “*Turkey did not have any people in its territory that could be interpreted as indigenous peoples in the Declaration*”⁶. The SUA is delighted by Turkey’s support for the

⁶ Declaration on rights of Indigenous Peoples: <http://www.un.org/News/Press/docs/2007/ga10612.doc.htm>. Ironically, in 1988 the Committee of Ministers issued a regulation called “Protection Against Sabotage”. Under Article 5 of this Regulation, groups who could attempt

Declaration, yet disappointed by the unfortunate comment made by its Delegate. The SUA can easily refute this baseless assertion and prove the existence of 3,000 years of Arameans and their Aramaic language in Turkey – not centuries, but millennia before the Arabs, the Turks or the Kurds and the Islamic religion appeared on the scene in Southeast-Turkey.

The SUA notes that the Council of Europe has recognised the Arameans as the indigenous peoples of Southeast Turkey in its Resolution 1704 (refer to the text of Resolution 1704 quoted above). The SUA attended the United Nations Permanent Forum on Indigenous People 2010 and presented before the Permanent Forum the dire state of the indigenous Arameans peoples in Southeast Turkey. Additionally, the SUA held extensive meetings with the Permanent Forum members on Turkey's failure to comply with the UN Declaration on the Rights of Indigenous Peoples in protecting and promoting its indigenous Aramean peoples. The general international community accept that the Arameans are the indigenous peoples of Turkey, and therefore Turkey should take suit and embrace their indigenous people.

c) Legal status of the Arameans – Law on Foundations

In theory Turkey does not allow Muslim or non-Muslim communities to legally exist in their own right. These religious communities also are not allowed to own their places of worship. For most non-Muslim communities, these places of worship are owned by community foundations. This has led to serious problems, for example, only the state can *legally* make basic building repairs.

The term and legal status of community foundation was invented to provide a legal framework for the properties of non-Muslim minorities in the Ottoman Empire. Recent amendments to the Law of Foundations (from 2004 to 2008) were praised by the media and politicians as Turkey's commitment to EU harmonisation and recognising the legal status of non-Muslim minorities. On the contrary, the legal status of non-Muslim minorities remains unchanged. Whilst the issue of not being able to acquire property may have been resolved, non-Muslim minorities still have no legal personality and therefore do not legally exist in their own right⁷.

4.2 Illegal Land Occupation

In 2009, delegations from the SUA attended several court cases in Southeast Turkey faced by the Mor [Saint] Gabriel Monastery and visited many villages in the area to understand the plight of the Aramean people⁸. In 2010 and 2011, the SUA similarly visited the Southeast of Turkey to review matters and uncover what was taking place. What SUA has seen and heard from the local Aramean people was truly appalling and alarming. There is substantial evidence, including Turkish governmental records, proving that a significant amount of land is currently being expropriated from the indigenous Aramean people in Southeast Turkey⁹. This

sabotage were enumerated. According to paragraph (f) one of these groups were the “indigenous foreigners” (yerli yabancılar). These indigenous foreigners were Turkish citizens of Greek and Armenian origin. Thus, even before Turkey ratified the Declaration it would appear that the Turkish government acknowledges the existence of its indigenous population.

⁷ The Law of Foundations enacted are deficient in many respect, for instance, the issue of dealing with properties acquired and passed on to third parties has not been mentioned. This is a very serious issue for non-Muslim minorities which was deliberately omitted so as to avoid any potential compensation payout by the Turkish state.

⁸ cf., e.g., Sundays Zaman, 30/08/2009: 'Arameans search for roots and rights in Mardin', by Ayse Karabat

⁹ See attachment 1: http://sua-ngo.org/drupal/sites/default/files/SUA_Letter_re_EU_Turkey_Report_190110_FINAL.pdf

is a continuation of the same policy which has seen the much publicised St. Gabriel Syriac Orthodox Monastery face six (6) trials and the potential loss of more than 800,000 - 1,000,000 square metres of land (refer to **Annexure 1** which gives you a complete summary of the St Gabriel Monastery cases and their current status).

The SUA requests that the United Nations, and other international bodies such as the European Union, European Parliament and Council of Europe, also request that Turkey ensures that the Syriac Orthodox Monastery of Mor Gabriel, one of the oldest Christian monasteries in the world (founded in 397 AD) is not deprived of its lands, and that it is protected in its entirety; and that the United Nations and other European bodies express equal concern about the current status of the unlawful appropriation of significant amounts of land in Southeast Turkey historically and legally belonging to a multitude of other ancient Syriac (Aramean) monasteries, churches and proprietors. The difficulties that Arameans continue to face in relation to property was stated in the European Commission Turkey 2011 Progress Report (“Progress Report 2011”), in particular, the continuing problems with land ownership by St. Gabriel.

In a letter to the Council of Europe (15 January 2010) and to the European Union (19 January 2010), the SUA listed the main issues experienced, the basic defence by Aramean villages to unjust land claims as well as a list of examples of ancient villages with major land problems¹⁰. Accordingly, Article 19.6 of Resolution 1704 expresses “*concern about the current status of the unlawful appropriation of significant amounts of land historically and legally belonging to*” the Arameans. Itemised in the table below are some of the villages affected by the illegal land occupation and expropriation. These include, but are not limited to, the following:

No.	Aramaic Village Name	Boundary	Forestry	Treasury	Court trials faced
1.	Mor Melke Monastery (founded in 315 AD, being 82 years before Mor Gabriel, battling the loss of more than 80% of its land)		x	x	
2.	Tur Izlo (villages in this region which have identical problems include: Badibe, Sederi, Arkah, Harabemishka and Ihwo.	x	x	x	Yes
3.	Dayro du-Slibo	x	x	x	Yes
4.	Miden	x	x	x	Yes
5.	Boqusyone	x	x	x	Yes
6.	Dayro d-Qubé (lost over 50% of its land)	x	x	x	Yes
7.	Kerburan	x	x	x	Yes
8.	Iwardo (lost over 90% of its land)	x	x	x	Yes
9.	Beth Zabday or Azekh	x	x	x	Yes
10.	Bsorino	x	x	x	Yes
11.	Qritho di 'Ito	x			Yes
12.	Bote	x		x	

¹⁰ See attachment 3: SUA Letter re CoE Turkey Report 150110, p. 3

13.	Hah		x	x	
-----	-----	--	---	---	--

For the sake of clarity, the illegal expropriation of land applies to most, if not all, the villages that are, or were, inhabited by the Syriac (Arameans).

Most recently we have seen the Armenian community focus strongly on this land theft issue. The SUA has worked strongly with global Armenian organisations to seek restitution of stolen land. Recent land occupation issues include:

- On December 14 2011, the U.S. House of Representatives adopted a landmark religious freedom measure, H.Res.306, calling upon Turkey to return the Christian church properties it stole through genocide, and to end its repression of the surviving members of the vast Christian civilizations that once represented a majority in the territory of the present-day Republic of Turkey (See Appendix 2 for full text of the Resolution).
- On August 28 2011, Prime Minister, Recep Tayyip Erdogan, signed a decree on the return of Christian and Jewish religious property confiscated after the 1930s. The properties involved include hospitals, orphanage, school buildings and burial grounds. The issue with this is that it did not include land stolen prior to 1936 and it is being argued by some government officials that it does not include the Aramean (Syriac) community as they are still not recognised as a minority. This is highly questionable and the SUA still seeks a less onerous and straightforward manner to obtain all land stolen by the Turkish State or to receive reasonable restitution in its place. Even the “new” decree is a simple restatement of a substantially similar 1936 Turkish Decree which has been ignored for many decades and it quite simply only applies to a minuscule amount of land in Turkey.

4.3 Endangered Aramaic Cultural and Architectural Heritage

a) Battling against the Extinction of the Aramaic Cultural Heritage

Experts have often warned that the Aramaic cultural heritage will disappear in a few decades. This is due to a number of factors. In addition to a lack of official status and the continuing suffering from persecutions, discrimination and intense Turkification efforts, nearly all Arameans have been uprooted from their homeland in Southeast Turkey. They live in a worldwide Diaspora and lack the necessary resources to establish or facilitate language academies, cultural heritage foundations, institutes and so on. The Arameans have never received any governmental or international support to protect and develop their heritage which is a vital part of the heritage of both the world and of the Republic of Turkey.

To use UNESCO’s two-dimensional perspective of heritage, both the tangible (e.g., ancient monasteries, churches, villages) and intangible (e.g., language, culture) heritage of the Arameans are soon extinct. Turkey is principally responsible for this endangered position of the Aramaic cultural heritage and, thus, should be held morally accountable to their Aramean citizens and at least safeguard and sponsor their threatened heritage today. By helping Turks outside Turkey to protect and promote their identity, while simultaneously ignoring their indigenous Aramean citizens, Turkey signals that the Arameans do not constitute any part of the country’s past, present or future.

It is pertinent to note that Turkey has not yet ratified the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). There is really no impending reason why Turkey has not ratified the treaty, particularly given that 34 European countries (115 countries worldwide) have either ratified or acceded the treaty. Turkey's rich cultural heritage is in dire need of protection and preservation, especially its indigenous Aramaic and Christian heritage, therefore the sensible approach would be to ratify the convention.

Most recently, an urgent and critical matter arose which greatly disturbed the Aramean people worldwide. It concerns the distorted portrayal of the Aramean (Syriac) people in a history textbook issued in 2011 by the Turkish Ministry of Education for the 10th class. This book educates Turkey's next generation, which includes intellectuals, writers and leaders, but slanders the good name of the Arameans (see "**Attachment 2**" for a copy of the original source).

Written by Vicdan Cazgır, İlhan Genç, Mehmet Çelik, Celal Genç and Şenol Türedi, the textbook was edited by Dr. Osman Köse. Pages 65 and 66 contain a section about "The Situation of the *Süryaniler* in the Ottoman State." It portrays the Arameans as being the pawns of Western nations and "rebels" betraying the Turkish state in the past and the present. They have been unjustifiably demonized and implicitly branded as killing their Turkish fellow citizens. To our utmost astonishment, our people in the Diaspora have incredibly been called "the political and religious tool of the West."

The discriminative text about the Aramean people is fundamentally flawed in many respects. It does not reflect history, not even about true Aramean origins about which there is academic consensus. It is appalling that such poor scholarly work has managed to be made part of a national curricular text aimed at the youthful Turkish audience.

The long-lasting consequence of this distorted text for Turkish society is that the younger generation will inevitably harbour resentment and ongoing discrimination against its own Aramean people. Such a blatantly discriminative text violates our human rights and our dignity. The text allows for dangerous presumptions to be formed against a people that has already dwindled in its ancestral homeland and is a direct attack on our good standing as being always loyal to the states in which our people live.

For these reasons, this misrepresentation ought not be tolerated by the Turkish Government. It sends the wrong message to the Aramean people worldwide and the international community on Turkey's strong commitment to human rights, equal citizenship, democracy and development.

While some pressure has already been placed on the Minister of Education in Turkey, His Excellency Ömer Dincer, we further request that the international community, including the United Nations, pressure the Ministry to rectify and revise the discriminatory text, which we deem is to be in the best interests of the Turkish state and society.

b) Protecting Aramean Architectural Heritage

Throughout Southeast Turkey, there are numerous churches, monasteries and other properties that historically belong to the Aramean (Syriac) people, but which have been confiscated by the Government or the present-day locals who have ruined some of them and transformed several others into mosques, culture houses and even stables for animals. For example, in the 1950's the Syriac Catholic church of Iskenderun in the Hatay province was

confiscated by the Government and turned into a cinema for the decades (sometimes even playing erotic movies) before being recently returned to its functions as a church.

Turkey has signed and ratified the Convention for the Protection of the Architectural Heritage of Europe and therefore required to take statutory measures to ensure the protection of the expression of architectural heritage which includes monuments (i.e. all buildings and structures), groups of buildings and sites¹¹. All religious places and communities in Turkey should be treated with equal respect, humanity and dignity, this includes all confiscated and neglected Christian properties of architectural heritage. The Turkish Constitution should ensure this internationally undisputed fundamental human right.

Turkey has obligated itself to protect its cultural property by the European Convention on Offences relating to Cultural Property, regardless of race or religion. The Convention clearly puts upon States that became a signatory, to acknowledge the seriousness of offences and to provide for adequate sanctions or measures with a view to co-operating in the prevention of offences relating to cultural property Turkey has not reciprocated its obligation under this Convention and must perform its function to prevent offences particularly given its track record of attacks against Christian property of cultural heritage¹².

4.4 Return Migration: The Future of Tur-Abdin

a) Aramean Refugees and Right of Return to Southeast Turkey

Their right of return is clearly and unambiguously guaranteed by the plethora of international law under the Geneva Conventions, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights (as well as regional human rights treaties).

The right of return is also a very important element of refugee law. The principle of refugees' absolute right of return to their place of origin (including their homes) is central to the implementation of durable solutions. According to UNHCR Executive Conclusion No. 40, "(a) *The basic rights of persons to return voluntarily to the country of origin is reaffirmed and it is urged that international cooperation be aimed at achieving this solution and should be further developed.*"

The right of refugees and displaced persons to freely return to their homes of origin has been reaffirmed in various United Nations resolutions. For instance resolutions relating to refugee flows from Rwanda, Cyprus, Namibia, Cambodia, Bosnia-Herzegovina, Georgia, Croatia and Kosovo. The huge importance given to this right can be inferred from the descriptions given to it by the resolutions. The right of return has often been described in these resolutions as an unconditional right, as an imprescriptible right, or as an inalienable right. The right of return of refugees and displaced persons is also reaffirmed the European Court of Human Rights in

¹¹ Article 3, Convention for the Protection of Architectural Heritage of Europe.

¹² Recently the 1,700 year-old St. Jacob monastery in Nusaybin, an Aramean city in antiquity and presently situated near the Syrian border, has been defaced with anti-Christian and pro-Islamic slogans in Turkish (e.g., "Allah is great," "Beat it, Zionists," "Go away, bastards," and "Zionist dogs") and Arabic ("Allah and Muhammed" and "Prophet Muhammad, fight the infidels and the hypocrites").

the matter *Loizidou v. Turkey*¹³, a landmark legal case regarding the rights of refugees wishing to return to their former homes and properties.

Primarily as a result of intimidations, persecutions and evacuations of entire villages, most Arameans fled from Tur-Abdin in the last three to four decades. After the Turkey-EU negotiations in the last decade, some families returned to their homeland. Although things have slightly improved compared to the pre-1980 timeframe, there are still difficulties which are not stimulating mass return migration. For example, the lack of security, economic opportunities and facilities, especially for the youth that has grown up in Western countries. Having received huge amounts of funds in the last decades from the UN, EU and the Council of Europe, Turkey has failed to develop this manifestly ignored region in the southeast. As has always been the case, the Arameans ask for the Turkish state to guarantee and secure the right of return of its people in the Diaspora to their homeland in compliance with its obligation under international law.

b) Attacks, intimidation and dissent towards Arameans

Another reason the Arameans are not returning to their home land is a result of the recent intimidation campaign of extremism by the Islamic Kurdish inhabitants of Tur-Abdin. Most of the recent dissent towards the Arameans began to accelerate around the time of the boundary lines revision in 2008, which directly affected the St. Gabriel Monastery.

The UN Progress Report 2011 notes that members of minority religions continue to be subject to threats by extremist. Much of the Islamic conflict with the Christian population is physical, while other Christians are intimidated through threatening statements. Just like the St. Gabriel Monastery, the Arameans living in the great majority of Tur-Abdin villages face illegal expropriation, by their Muslim neighbours. In some cases we have seen houses and churches demolished and the bricks sold without the consent of the Aramean owners and without providing the owners any compensation for the horrific damage done.

Intimidation, attacks, and cases of expropriation have become a systemic and inherent problem in the South-eastern region of Turkey¹⁴. Although victims have made several complaints and requests that charges be laid by local authorities, none of these incidents have led to convictions of the perpetrators or any kind of justice for the Aramean victims. With great concern, even prominent Turkish Parliamentary Members¹⁵ and the Turkish media¹⁶

¹³ European Court of Human Rights, 28 July 1998.

¹⁴ Some of the attacks against the Arameans Christians include, but not limited to, the following:

- 28 November 2010 – The attempted kidnap of a 14 year old Aramean boy by an armed Muslim student from Qartmin. The young boy managed to escape from his kidnapper by throwing himself out of a moving car;
- 10 October 2010 – Five armed men (of what appeared to be Kurdish origin) entered into the village of Dayro d'Kubbe threatening to kill the local Arameans stating that the killing of Christians is "halal" (i.e. a noble act) and attempted an audacious act to kidnap 2 Aramean children aged 5 and 7 years old;
- 28 August 2010 – A Kurdish man armed with a hammer enter into the Aramean church at Midyat terrorising church goers and proceeds to kiss the Turkish flag on the altar of the church before being forcibly removed (video camera evidence is available for this incident); and
- 8 August 2010 – A Kurdish man sets fire to the protected lands of St Gabriel Monastery in retaliation for St Gabriel Monastery defending the illegal occupation of its land by neighbouring Kurdish villages (please refer to attachment for further details on the illegal occupation).

¹⁵ Prominent Turkish Parliamentary Ministers have targeted Christian communities and just recently one Minister called Christians 'gavur' on national television. This term is an offensive ethno-religious slur used commonly to describe all who are non-Muslim (compatible with "infidel", see <http://news.am/eng/news/34620.html>). The Ministers guilty of making these highly offensive and discriminatory statements continue to perform their parliamentary duties with absolute impunity.

¹⁶ In a Turkish television program named 'Ask bir Hayal' of the ATV Network, an Aramean priest was portrayed as a member of a criminal organisation. Character assassination on television programs is aimed at portraying Arameans as 'evil' individuals, whereas the Turkish

have targeted the Arameans and Christian communities. The SUA reminds Turkey that it has the obligation to protect its inhabitants from violence and other crimes, regardless of nationality, race, gender and religion.

The serious problems referred to above cannot be resolved via legislative reform alone. Anti-Christian sentiment and discrimination has been indoctrinated in the general Turkish public by previous Islamic and nationalist minded governments¹⁷. Therefore, information on non-Muslim minorities being disseminated in the fields of education, justice and state administration and the media must be scrutinised and reformed by the Turkish government to ensure that such information does not perpetuate indoctrinated discrimination.

c) **Turkey's failure to invest in the infrastructure of Southeast Turkey**

A significant, yet neglected, problem in the south-eastern region of Turkey is the lack of infrastructure. Basic infrastructure, such as roads, drainage, waste treatment and the like, are now a necessity for any country committed to social welfare and economic growth. Turkey has received €1776 million worth of financial assistance from the EU since 2007. These subsidies are granted for the realisation of approximately 132 projects, of which the Turkish Court of Auditors estimates only 18% of these can be described as "successful". The Aramean villages of Tur-Abdin have been neglected by the Turkish Government and lack adequate roads, waste treatment facilities and are subject to continual power shortages and communication failures.

The Arameans, their cultural heritage and their homeland have hardly, if at all, benefited from this aid. In July 2010, Turkey announced that it will invest no less than \$150 million in the Palestinian Authority. While the SUA understand Turkey's concern for the Palestinian-Israeli issue, the SUA asks why Turkey interferes with such foreign affairs while it has not shown equal determination to solve its own domestic issues? And why is Turkey able to readily invest \$150 million in Palestine and translate its words into action, whereas it continues to neglect its own native citizens and society in its very own backyard? Why has Turkey most recently in September 2011 suspended military ties and lowered diplomatic ties with Israel on the basis of the Palestinian issue, when it fails to recognise the internal discrimination that all Arameans, Armenians and Greeks face in the country of Turkey.

4.5 Human Rights developments regarding Christian Arameans

a) **Turkey's Human Rights violations record**

Over the last three years, human rights violations against Christians in Turkey have increased significantly. The reports and statistics issued by the European Court of Human Rights (the "ECtHR") confirm the continued increase in violations of the European Convention

people are law abiding citizens. These are just one of the television programs, which celebrates "Turkishness" and portray other communities in a negative fashion.

¹⁷ With respect to the issue of religious freedom in Turkey, according to a recent survey (performed by Sabanci University – Religiosity in Turkey, 2009) 66% of those surveyed, believed those of other religions should not be allowed to hold meetings open to the public in which they express their ideas.

of Human Rights (the “ECHR”). In fact, Turkey was found to be the worst offender with the highest number violation of the ECHR since its inception¹⁸.

b) Human Rights violation complaints by Christian Arameans

Since the last three years, human rights violations against Christians in Turkey have increased significantly - the most horrific attack against Christians occurred only in June 2010 with the murder of Catholic Archbishop Luigi Padovese by his Turkish Muslim driver. Arameans in Tur-Abdin have informed the SUA that little to no progress is visible with complaints of human rights violations rapidly increasing¹⁹. The SUA has commenced the process of recording complaints by the Aramean people, monasteries and churches in Tur-Abdin of violations of the ECHR. The information gathering process is critical as this will show gravity of the dire situation faced by the Arameans people in Tur-Abdin (the initial findings will be released in due course).

c) Turkey’s failure to sign, ratify and/or comply with international conventions, declarations and resolutions

There are numerous international standards which Turkey has failed to sign, ratify and/or comply with. The extent and gravity to which are beyond the scope of this Report, however the SUA has briefly outlined some of the well-known and lesser known international standard below as follows:

- i) International Covenant on Civil and Political Rights – this Covenant states that all persons are equal before the law²⁰ and that minorities shall not be denied the right to enjoy their culture, profess their religion, or use their own language²¹;

¹⁸ At the time the EC Turkey Progress Report was released, the ECtHR had delivered 553 judgements finding that Turkey had violated the ECHR. This was a substantial increase from the previous year (2009) whereby the ECtHR delivered 356 judgements of violations. The number of new applicants has continued to rise for the fourth consecutive year. Since October 2009, a total of 5,728 new applicants were made to the ECtHR (the number of applicants in the previous year was 4,474). The majority of the applicants concern the right to a fair trial and protection of property rights. As of December 2011, there were some 18,500 cases pending against Turkey at the ECHR. In September 2010, 16,093 cases were pending before the ECtHR regarding Turkey, again this had increased from 13,115 cases in December 2009.

¹⁹ Briefly, complaints made by Arameans which amount to violations of the ECHR include, but are not limited to, the following:

- Article 6 - Right to a fair, length of proceedings – the St Gabriel Monastery trial has languished in the Turkish Courts for over 2 years (the first trial started in the Land Registration Court in August 2008). Turkey has a reputation for being guilty of delay in proceedings where in 2009 the ECtHR determined Turkey as the worst offender for length of proceeding violations. Clearly, St Gabriel Monastery is suffering from unjustifiable delays in proceedings which amount to length of proceedings violations;
- Article 9 - Freedom of thought, conscience and religion: Arameans do not have the benefit of freely practicing their Christian faith. For instance, the Archbishop of St. Gabriel Monastery must hide his crucifix when travelling in Tur-Abdin or the recent assault of a young Aramean man in Batman for wearing a crucifix;
- Protocol 1, Article 1 - Protection of property: Arameans villagers, monasteries and churches currently face the extremely serious problem of the illegal occupation and unlawful appropriation of millions of hectares of their native land. This is not a new phenomena as it has been determined by the ECtHR that Turkey is the worst offender for protection of property violations (a total of 554 protection of property violations to date). One need only refer to the plethora of cases relating to unlawful appropriation of property previously owned by Greeks in North Cyprus and the Ecumenical Patriarchate in Turkey; and
- Protocol 1, Article 2 - Right to education: The EC Turkey Progress Report confirms that Arameans can only provide informal training, outside any officially established schools. Turkish legislation does not allow for the operation of such training or schools, therefore the schools are unofficial and the Turkish state is entitled to close these down at its discretion. Previously, in 1997, the Turkish state prohibited the education of students at St Gabriel Monastery to be closed. To date, teaching and educating Aramean students remains legally non-permissible.

²⁰ Article 26.

- ii) International Covenant on Economic, Social and Cultural Rights – defines freedom of religion in close connection with the freedom of conscience and thought;
- iii) UN Declaration on the Rights of Persons Belonging to a National or Ethnic, Religious and Linguistic Minorities – this treaty represents the basic understanding and norms protecting the rights of minorities in the international community. Turkey has refused to ratify the treaty to date;
- iv) 1981 Declaration on the Elimination of all Forms of Intolerance – this Declaration further defines the international standards for religious freedoms. Of importance to the Arameans it prohibits discrimination based on religion²² and addresses religious education both by giving parents the right of access to religious teaching on behalf of their children²³;
- v) European Constitution - Article II-70 deals with freedom of thought, conscience and religion. The Article protects the freedom to “manifest religion or belief in worship, teaching, practice and observance”. Article II-74 allows parents the right to ensure education for their children “in conforming with their religious beliefs”;
- vi) European Convention on the Declaration of Human Rights and Fundamental Freedoms - Turkey has still not ratified Protocols 4, 7 and 12 of the ECHR. Protocol 12 is of particular importance to the SUA and the Aramean people as this Protocol expands the grounds of prohibited discrimination in Article 14 of the ECHR to the exercise of any legal right and to the actions (including the obligations) of public authorities. Despite this, Arameans are discriminated against daily based on their religious preference; and
- vii) Agreement on the Conference on Security and Cooperation in Europe (also known as the Helsinki Final Act) – in short, these Agreements further guarantee the human rights and fundamental freedoms of minorities similar to those declaration and treaties mentioned above. Of particular importance for the protection of minorities is Charter of Paris of 1990.

The list does go on, and the clear acts of violations of international law by the Turkish Government or its failure to sign and/or ratify remains largely a secondary issue for a great portion of the international community.

d) Arameans and the Turkish Constitution

The Turkish Constitution requires respect for the human rights of its Turkish citizen and provides for the right to the freedom of conscious, religious belief and conviction²⁴. While it does not directly refer to minorities, the Constitution does guarantee all individuals equality before the law without any discrimination, irrespective of language, race, colour, sex, political opinion, philosophical belief and religion²⁵. Despite the poetic language of the Constitution in

²¹ Article 27.

²² Articles 1 and 2.

²³ Article 5.

²⁴ Articles 2 and 24.

²⁵ Article 10.

affirming the human rights of its citizens, the Constitutional rights of the Arameans (i.e. equality before the law based on race and religion) have, and continue to be, violated.

The current Turkish Government has previously proposed 26 Constitutional reforms²⁶. This has been ceremoniously hailed by some in the international community as progressive and ground breaking strides by the Turkish Government. The reality is that the Constitutional reforms conspicuously did not include greater protections for its minorities, freedom of speech and religion. Given Turkey's appalling human rights record, this presumably ought to have been one of the priority issues addressed in the reforms package. It would appear Turkey had missed an opportunity to show the international community that it is actually committed to promoting the basic human rights of its minorities and indigenous peoples.

After winning a referendum on constitutional changes in 2010, Recep Tayyip Erdogan, the Turkish Prime Minister, promised to make the new constitution the centrepiece of the legislative term that began after June 2011 elections. In October 2011 an "Agreement Commission" discussed the new redraft and stated it hoped work on a new basic law could be wrapped up within a year. Mr Erdogan said his party would aim for a broad consensus, stating "If we talk about democracy, we cannot allow a minority to dominate over the majority," he told his party members, referring to the AKP's majority in parliament, where it controls 327 of 550 seats. "But I also want to underline that we want to protect the rights of minorities." The SUA strongly encourages Turkish politicians to truly protect minority rights in Turkey and put in place many other reforms as we state herein.

4.6 European community and the Arameans

The European community has taken certain steps toward recognising the perennial human rights problems faced by the Aramean in Southeast Turkey, for instance, the Council of Europe passing Resolution 1704. The SUA commends the European community for its work to date, however much more is required to ensure the Turkish Government takes immediate action today to rectify the clear injustices faced by the Aramean (Syriac) people.

In the European Commission 2009 Turkey Progress Report the EU Rapporteur, Ms. Ria Oomen-Ruijten, noted her concerns on the illegal acquisition of St. Gabriel Monastery's property and the plight of the Arameans in Southeast Turkey. The SUA regrets the fact that the current Progress Report 2011 on Turkey does not adequately deal with the deteriorating situation of the Christian Arameans in the South eastern region of Turkey. Problems with the local governments and (mostly Kurdish) Muslims regarding property and human rights violations are still ongoing.

Although Turkey has made some positive steps towards the harmonisation of its laws with the Copenhagen-criteria, much reform is still required with promoting and protecting human rights. Ms. Alejandra Cas-Granje (Director Enlargement) stated during the Public Hearing on Minority Issues in Turkey (25 October 2010) that individual cases brought to the attention of the EC Enlargement are testimonies of systematic failures to comply with the criteria.

²⁶ "Factbox: Turkey's Constitutional Amendments", 12 September 2010, <http://www.reuters.com/article/idUSTRE68B28B20100912>

The SUA regrets that the Aramean cases concerning the illegal property expropriation and human rights violations are not mentioned in the European Parliament draft Resolution for a Motion 2010 submitted by Ms. Oomen-Ruijten (EP Turkey Rapporteur). Ms. Oomen-Ruijten, did recognise a few important symbolic steps taken by Turkey as well as the adoption of treaties, however the implementation of these laws leave much to be desired.

4.7 The Ottoman Genocide against Armenians, Greeks and Arameans

The European Parliament, 42 American States and over 20 countries, including 11 of Turkey's NATO allies, have acknowledged the 'Armenian Genocide' of 1915. As the first nation in history, on 11 March 2010, the Swedish Parliament also recognized the Greek and Aramean victims of this Genocide. The only other Parliament has been the South Australian lower house which, on 30 April 2009, condemned "*the genocide of the Armenians, Pontian Greeks, Syrian Orthodox and other Christian minorities.*"

Approximately 600,000 Arameans were systematically killed within the Ottoman Empire between 1895 and 1923. These horrific events have decimated the Arameans and almost completely destroyed the original Aramaic landscape. The Genocide has obliterated an invaluable segment of the native Aramaic cultural heritage, including many Aramaic dialects that are already extinct or are presently at the verge of extinction.

The SUA also asks Turkey to also reconsider its harsh position against France where on December 22, 2011, the French Parliament approved a bill criminalizing the denial of the Armenian Genocide and rendering it punishable with a year in jail and a fine of 45,000 euros (\$58,000). The SUA also understands that as Israel considers its position on the Genocide, the Turkish Government has also put forward its firm stance against any such action. The Turkish State would be better suited to enter into real dialogue with relevant parties and politicians about its full acceptance of the Genocide.

SYRIAC UNIVERSAL ALLIANCE

5. Ten Critical Questions for Turkey

One of the goals of the SUA is to seek justice, security and a bright future for Arameans in Turkey. There are many barriers which impede this achievement from taking place. The SUA has focused on 10 primary critical and unanswered questions to Turkey. This is not an exclusive list of concerns but rather those issues which have the highest priority today. These Questions to Turkey are as follows:

A. Lack of Recognition & Legal Status

1. What is Turkey's position on recognizing the Arameans as a 'minority', in conformity with the Lausanne Treaty (1923) and other international conventions, notably by the United Nations?
2. What is Turkey's view on recognizing the Arameans as 'indigenous people' of Southeast-Turkey, in keeping with the UN Declaration of the Rights of Indigenous Peoples signed by Turkey in 2007?

B. Illegal Land Occupation

3. What is Turkey's stance towards the illegal expropriation of huge amounts of land historically and legally belonging to the Arameans, as affirmed by the European Union and Council of Europe? We ask Turkey to reconsider its largely irrelevant Decree on the return of limited land of minorities, especially in light of the recent Resolution 306 calling upon Turkey to return all Christian property. We ask Turkey how much further it can go to put itself in a position consistent with true global human rights conditions.
4. How will Turkey end the delays of court cases, noted by the European Court of Human Rights Annual Report 2011, which ancient Aramean monasteries, villages and proprietors are facing?

C. Endangered Aramaic Cultural Heritage

5. Is the Turkish Government willing to take any responsibility in restoring, safeguarding, developing and promoting the endangered Aramaic cultural heritage in Southeast Turkey? If so, how?
6. Is the Turkish Government prepared to assist and sponsor the Aramean Diaspora, who originates from Turkey, in preserving their threatened language, culture and identity? If so, how?

D. Return Migration: The Future of Tur 'Abdin

7. Is Turkey ready to invest structurally in its south-eastern region, particularly in improving the security, infrastructure, job employment and facilities for attractive life circumstances in the area? If so, how?
8. How will Turkey ensure that the Tur-Abdin region remains populated by its original Aramean inhabitants for the distant future?

E. The Ottoman Genocide against Armenians, Greeks and Arameans

9. Is Turkey ready to reconsider its official reading of history in the light of the rising worldwide recognition, including a growing number of Turkish intellectuals and human rights organizations, of the tragic events during World War I in the Ottoman Empire as 'Genocide'?
10. What historical explanation and what solution does Turkey offer the Arameans for the mass murder of about 600,000 innocent Arameans in its south-eastern region between 1895 and 1923?

6. Ten Recommendations to the United Nations and Turkey

The SUA appeals to the United Nations and to Turkey itself to support the forgotten Aramean people with all the necessary facilities to safeguard, develop and promote the endangered Aramaic legacy. This is especially so because Aramean culture, heritage, history and current global standing is a vital part of worldwide heritage and Turkey's rich cultural heritage. From that perspective, the SUA offers the following recommendations to the international community and to Turkey:

1. Officially recognize the Arameans as a 'minority', in line with the Lausanne Treaty and the existing international treaties on minority rights that are especially guaranteed by the UN;
2. Officially recognize the Arameans as 'indigenous people' of Southeast-Turkey, in keeping with the UN Declaration of the Rights of Indigenous Peoples signed by Turkey in 2007 and Resolution 1704;
3. End the delays of legal cases, as noted by the European Court of Human Rights Annual Report 2009, which ancient Aramean monasteries, villages and proprietors are facing;
4. Stop the illegal expropriation of huge amounts of land historically and legally belonging to the Arameans, as affirmed by the European Union and Council of Europe;
5. Accept its responsibility in restoring, safeguarding, developing and promoting the endangered Aramaic cultural heritage in Southeast Turkey;
6. Assist and sponsor the Aramean Diaspora, who originate from Turkey, in effectively preserving their threatened language, culture and identity;
7. To invest structurally in its south-eastern region, particularly in improving the security, infrastructure, job employment and facilities for attractive life circumstances in the area;
8. Ensure that the Tur-Abdin region in Southeast-Turkey remains populated by its original Aramean inhabitants in the next decades, if not centuries;
9. Reconsider its official reading of history in the light of the rising worldwide recognition, including a growing number of Turkish intellectuals and human rights organizations, of the horrendous events during World War I in the Ottoman Empire as 'Genocide'; and
10. Offer the Aramean people a historical explanation and a solution for the mass murder of about 600,000 innocent Arameans in its south-eastern region between 1895 and 1923.

7. Conclusion

The SUA is concerned about the most serious of grave situations facing the Aramean Christian people in Turkey. In this SUA Turkey Report 2011, the SUA has attempted to provide readers with an understanding of the primary issues of concern to the Aramean Christian community in Turkey. We ask the questions that need to be addressed and also provided our recommendations to ensure that Turkey press forward on the path to equality and justice for its indigenous Aramean peoples.

In chapter one of this Report, the Syriac Universal Alliance was introduced as the only Aramaic-speaking NGO in Special Consultative Status with the Economic and the Social Council of the United Nations. As stated, SUA serves, defends and promotes the interests of the Aramean people, worldwide, including those of the Chaldeans, Syriacs (Orthodox and Catholics) and Nestorians (sometimes called Assyrians) of Turkey. To achieve this goal, SUA closely cooperates with national governments, the (agencies of the) United Nations, the European Union and the Council of Europe.

Chapter two showed the ancient presence of the Aramean people in Turkey. Historically, they have contributed much to this country in particular and even to world civilization in general. In a word, the world is much indebted to the Aramean people and their Aramaic mother tongue.

The third chapter argued that the indigenous Aramean people constitute an integral part of Byzantium and Turkish society for nearly 3,000 years and, as such, must be protected by the Turkish government. The Aramean Christians have always remained an indispensable part of Turkish society and without their presence; the country would be culturally and spiritually impoverished. Yet, as also shown, the Aramean Christians dramatically dwindled in their ancestral land numbering now only 2,500 to 3,000 people.

Chapter four was divided into seven sub-sections dealing with the various key issues faced by the Arameans in Turkey. These were as follows:

1. Sub-section one dealt with the lack of recognition of the Arameans as a minority and indigenous peoples in Turkey, hence the reason that the Arameans never enjoyed their basic human rights in Turkey. Because of this they have no position to defend themselves against human rights violations or to appeal to laws or treaties, such as the Law on Foundations;
2. Sub-section two covered the illegal expropriation of land by the Turkish State government and by the Kurdish population, violating the Aramean peoples' right to property in their homeland;
3. Sub-section three outlined the precarious situation of the Arameans endangered cultural and architectural heritage and Turkey's international obligation to protect their ancient property being vandalised and expropriated;
4. Sub-section four moved onto the issue of the Arameans return migration to Tur-Abdin, the status of refugees and social and economic factors inhibiting Arameans from returning to their native lands. The living conditions in Tur-Abdin have not improved for many years, despite the huge amounts of European Union funding provided to Turkey;

5. Sub-section five specifically dealt with Turkey's violation of Arameans' human rights, its failure to comply with various international laws. Additionally it was noted that the Constitutional reform packages made no changes to the status of minorities, freedom of speech and religion;

6. Sub-section six briefly outlined some of the latest position taken by the European community on Arameans in Southeast Turkey and the need for greater attention to the imminent problems; and

7. Finally, sub-section seven dealt with the Ottoman Genocides of the Armenians, Greeks and Arameans where 600,000 Arameans were systematically killed within the Ottoman Empire between 1895 and 1923. It seems that in modern day Turkey, Christians still cannot live in peace.

Chapter five has offered the international community and the Turkish Government ten (10) questions that deal with seven key issues for the Arameans. Respectively, they consist of legal recognition; illegal expropriation of land; endangered Aramean cultural and architectural heritage; the refugee question; violation of human rights; latest European response to Aramean problem and, finally, the Aramean Genocide.

In the final chapter, SUA offers several recommendations to the Turkish Government and the international community. The solutions are not exhaustive and merely a starting point for initiating discussion and action between all stakeholders.

The premise of the present Report is that the Aramean Christians wish to be legally recognised by the Turkish Government as a minority and indigenous people and have the same fundamental human rights demanded by international law. This includes the right to practice their Christian religion free from discrimination by Turkish and Kurdish Muslims, the protection of their property for illegal expropriation by the Turkish Government and Kurdish population, the right to be treated equally with respect to preserving their unique indigenous Aramean cultural heritage and the rightful recognition of the Aramean Genocides of 1895 and 1923 by the Turkish state.

The Aramean question appears to have taken a back seat on the list of issue with respect to Turkey's European accession discussions. The population of the Arameans has dropped dangerously lower and bordering extinction from their native lands in Southeast Turkey. There are many Arameans in the Diaspora who are desirous of returning to their land, however nothing is being implemented by the Turkish Government to facilitate this return. Urgent and immediate action must therefore be taken by the Turkish government and the international community which aims to protect them in their homeland and which will effectively prevent further decimation of indigenous Aramean people.

Turkey should embrace the native Arameans rather than marginalise them and aim to foster a mutual beneficial relationship that will lead to the preservation of the ancient Arameans in their native homeland, similar to the position taken by the United States, Canada and Australia with their indigenous peoples. Additionally, Turkey should accept the Arameans as a minority and provide all the human rights benefit that would be normally afforded to a Turkish citizen irrespective of race or religion. We can all stop the extinction of the Arameans in Southeast Turkey, if we act as one global voice and assist the Turkish government today. If not, the situation of the Arameans Christians may sadly be nothing more than a historical note of another lost civilisation.

APPENDIX 1: Summary Table of Current Cases Against Saint Gabriel Monastery

No.	SAINT GABRIEL CASE	CURRENT STATUS	LEGAL IMPLICATION
1.	<u>Forestry Land Case 1:</u> Inside the outer wall	Decided <u>against</u> the Saint Gabriel Monastery by the Midyat Court in earlier trial. Appeal to the Ankara Supreme Court. However, this case was lost on 29 January 2011 when a decision was published on the internet by the Ankara Supreme Court. The Treasury and Forestry cases have now been referred to German based lawyers who are now preparing a Brief on behalf of the Monastery in order to take action at the ECHR. It is not clear when the Brief will be complete, when it will be submitted to the ECHR and how long the ECHR will take to hear the case. We must remember that there are over 15,000 cases against Turkey at the ECHR and there is no current sense on priority level of the St Gabriel Monastery case.	The area of land inside the Monastery wall is approximately 276,000 square meters.
2.	<u>Forestry Land Case 2:</u> Outside the outer wall	Decided <u>against</u> the Saint Gabriel Monastery by the Midyat Court in earlier trial. Appeal to the Ankara Supreme Court. However, this case was lost on 29 January 2011 when a decision was published on the internet by the Ankara Supreme Court. Case being taken to ECHR. See above notes in Case (1).	The area land outside the Monastery's outer wall is approximately 60,000 square meters.
3.	<u>State Treasury Land Case</u>	Case determined for the Saint Gabriel Monastery by Midyat Cadastral Court on 24 June 2009. <u>However</u> , the State Treasury lawyer appealed to the Ankara Supreme Court and on 26 January 2011, the Midyat decision was reversed. It appears that the Supreme Court based its decision on the Turkish Law on Cadastre which states that a person can only register a maximum of 100.000 m2 of real estate (where an official document does not exist to the contrary). Here the court ignored the Monastery ownership documents which would have defended this position. Following this decision, the Monastery appealed to the Supreme Court to use its rightful second right for appeal. This is known as a "decision correction claim" and was requested from the Supreme Court to confirm that the decision on 26 January 2011 was a mistake in law. In late June 2011 the Ankara Court decided against the Monastery appeal. The case went back to the Midyat Court and the Judge decided against the Ankara Court decision. The case has now been appealed again to Ankara. The decision is pending.	The area of land is approximately 244,000 square meters in total (involves a claim of 12 Parcels of land inside the Forestry Wall and 12 Parcels of land outside the wall of the Monastery).
4.	<u>Land Boundaries Case:</u> Village of Yayvantepe	<u>17 August 2010:</u> the Ankara Court decided astonishingly that the local court in Midyat did not have any jurisdiction to hear the case. <u>5 September 2010:</u> The Saint Gabriel appealed to the Supreme Court in Ankara, <u>to no avail</u> . The case, originally initiated on 13 August 2008, has now been taken to the Administrative Court in Mardin for a decision to be made. We note that the case is not reheard but instead the decision will be based on the case file. The decision is still pending.	Original Case granted three surrounding villages more than 110,000 square meters of land owned by Saint Gabriel. Current case referred back to Mardin relates to this 110,000 square meters of land. Villages then claimed an additional 300,000 square meters of land by the surrounding villages
5.	<u>Land Boundaries Case:</u> Eğlence	As above with Case (4)	As above with Case (4)
6.	<u>Kuryakos Foundation Case</u>	<u>Recent Postponements:</u> A. 17 February postponed till 5 May 2010 B. 5 May postponed till 14 July 2010 C. 14 July postponed till 3 November 2010 D. 3 November postponed till 26 January 2011 E. 26 January 2011 postponed to 13 July 2011. F. 13 July 2011 postponed to 19 October 2011. G. 19 October 2011 postponed to 10 January 2012.	If the Court decides against the Monastery in the Forestry Land Cases above, then the Monastery defendant, Mr. Kuryakos Ergün (Head of the Religious Foundation of the Monastery), may be criminally punished and the outer Monastery wall built will be subject for destruction.

Appendix 2: TEXT OF H. RES. 306

RESOLUTION

Urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties.

Resolved, That it is the sense of the House of Representatives that the Secretary of State, in all official contacts with Turkish leaders and other Turkish officials, should emphasize that Turkey should -

(1) end all forms of religious discrimination;

(2) allow the rightful church and lay owners of Christian church properties, without hindrance or restriction, to organize and administer prayer services, religious education, clerical training, appointments, and succession, religious community gatherings, social services, including ministry to the needs of the poor and infirm, and other religious activities;

(3) return to their rightful owners all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties, including movable properties, such as artwork, manuscripts, vestments, vessels, and other artifacts; and

(4) allow the rightful Christian church and lay owners of Christian church properties, without hindrance or restriction, to preserve, reconstruct, and repair, as they see fit, all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties within Turkey.

SYRIAC UNIVERSAL ALLIANCE