International Law and Turkey’s Systematic Destruction of Historic Non-Muslim and Non-Turkish Minorities

Van Coufoudakis

The rise of the Young Turks (1908) set the foundation for the destruction and removal of non-Turkish, non-Muslim communities from Turkey. Historical records document the elimination of these minorities from their ancestral homes and the destruction of their cultural heritage. Greeks, Armenians, Assyrians, Jews and Kurds have been victims of these deliberate and systematic policies. How does Turkey explain its actions? How/why have these actions gone unpunished? An examination of Turkey’s deliberate and systematic policies against its ethnic, linguistic and religious minorities is critical at a time when Turkey aspires to join the EU, an organization dedicated to the rule of law, democracy and human rights. The Republic of Turkey must come to terms with its own past, with the consequences of its policies and with its legal obligations under its own constitution and the various international conventions it has freely signed and ratified during the course of the 20th century.

From the Ottoman Empire to the Republic of Turkey

The Ottoman Empire was a multinational and multi-confessional empire. Non-Turkish and non-Muslim minorities developed
and maintained their own social, cultural, political and economic standing under the millet system. However, this system did not protect these minorities from arbitrary and violent actions usually emanating from Istanbul, nor did it encourage their incorporation in the Ottoman political system. Under European pressure, the reform movement of the Tanzimat period (1839–1876) produced many positive legal and political changes in the Ottoman Empire. The proclamation of the Hatt-i Humayun of 1856 was the climax of these reforms.

The rise of the “Young Turks” in 1908 started reversing these positive developments. The “Young Turks” pursued a policy of Turkification under the slogan of “Turkey for the Turks”. They sought to create an ethnically defined state that was Turkish and Muslim in character. The modern Turkish Republic was founded in 1923 by Mustafa Kemal Ataturk. He built his new Republic on the ideological foundations of the Committee of Union and Progress (1908) and shaped the Republic’s present outlook and world view. Creating and imposing a Turkish national identity, national culture, national economy, and a homogeneous nation meant that the non-Muslim/non-Turkish minorities were seen as an obstacle and as a threat to the unity of the state. It is very telling that, as reported by Zaman on November 13, 2008, Turkish Minister of Defense Vecdi Gonul, speaking in Ankara on the 70th anniversary of Ataturk’s death, claimed that “…if the Greeks and Armenians were still living in the country, Turkey would not be the same nation state it is today!”

By the early 1950’s, the broadening of the Turkish political system provided temporary relief from oppressive anti-minority pressures. However, the Menderes regime, faced with serious economic and political problems, reverted to the Communist threat and to the problem of Cyprus to defend itself. This resulted in new measures against the non-Muslim minorities. The 1955 Istanbul pogrom was primarily directed against the Greek minority. Non-Muslim minorities paid the price of the failure of Turkey’s civilian institutions. The weakness of civilian institutions opened the way for the return of military rule. This, however, did not improve the climate facing the ethno-religious minorities as the Greek minority of Istanbul discovered during the decade of the 60s. After all, the military were the guardians of Ataturkism.

The Legal Framework and its Implementation

In contrast to reforms adopted in the 19th century under European pressure, Turkey, starting with the 1923 Treaty of Lausanne, has freely signed and ratified various human rights treaties. It has also adopted domestic reform legislation. Nevertheless, the effective implementation of human rights legislation and other reforms remains a major issue.

The rights of Turkey’s minorities were explicitly protected by the 1923 Treaty of Lausanne, a treaty that remains in effect to this day. Other international treaties freely signed and ratified by Turkey include, but are not limited to:

- Various UNESCO conventions on the protection of cultural property;
- The 1949 Geneva Conventions with provisions on the conduct of war, the treatment of civilians and prisoners of war, cultural property, settlers, etc.
- The 1950 European Convention on Human Rights, which is now part of EU law.

The 1923 Treaty of Lausanne conferred significant rights to the non-Muslim and non-Turkish minorities inhabiting post-WWI Turkey. It also defined the rights enjoyed by the Eastern Orthodox Ecumenical Patriarchate in Istanbul and the Greek minority of Istanbul. Furthermore, article 14 of the Treaty of Lausanne conferred explicit legal, religious, educational and administrative rights to Turkish nationals of Greek origin inhabiting the islands of Imbros (Gokceada) and Tenedos (Bozcaada). Articles 37–44 of the treaty spelled out Turkey’s obligations toward its non-Muslim minorities. Two months after the conclusion of the treaty these articles were endorsed and placed under the guarantee of the
League of Nations. The United Nations, being the legal successor of the League of Nations retains the responsibility for the enforcement of that guarantee.

Article 14 of the Lausanne Treaty explicitly defined the rights of the Turkish nationals of Greek origin inhabiting the islands of Imbros and Tenedos. This article was considered necessary for the survival of these people once the decision was made to place these islands under Turkish sovereignty because of their strategic location at the entrance of the Dardanelles.

Turkey has violated these explicit legal obligations. In the interwar period Turkey exploited the isolationism of the US, the European preoccupation with Fascism and Nazism, and the effects of the Great Depression. During the Cold War, Turkey took advantage of its geographic position to manipulate the strategic interests of the Western alliance in order to avoid any sanctions for its violations of Turkish as well as international law, especially in the aftermath of the 1955 Istanbul pogrom and the 1974 invasion of Cyprus. By presenting Turkey as a vital ally in the fight against the USSR and currently against extremist Islam, influential states such as the United States have tolerated documented violations of international law by successive Turkish governments. Another factor contributing to Turkey’s illicit behavior has been the timidity of Greece. During the first three decades of the Cold War, Greece was a weak country whose government was dependent on American support. Under pressure from the US, Greece was unwilling to take steps under the European Convention on Human Rights against Turkey's misconduct in the interest of NATO’s cohesion and not allowing the Russians to exploit a NATO “family” dispute.

**Turkish Tactics—Their Repetition and Continuity**

The Turkification policies employed by the “Committee for Union and Progress” after 1908 and, later, by the Kemalist state and its successors, were based on the belief that non-Turkish and non-Muslim ethno-religious minorities were a threat to the unity of the state. This was due to their economic power. They were also suspect because of their connections to European countries and to the United States. The concern about the unity of the state remains incorporated in Turkey’s current constitution in article 14, par. 1, an article that has been liberally interpreted to suppress dissenting individuals and groups.

From the early days of the 20th century, secret state-sponsored para-military organizations were used to terrorize and remove Armenians, Greeks and Jews from Eastern Thrace, the Aegean coast of Anatolia and the Black Sea Coast of Asia Minor. These actions were justified because these minorities were considered potentially “disloyal” to the state. In the aftermath of WWII, these paramilitary groups received a new lease of life and official status under NATO’s “Gladio” Plan. In case of war with the USSR they were to stay behind to fight the Soviets. By 1962, these special action groups were organized into the Army’s “Directorate of Special Operations.” It was that Directorate that organized, trained, armed and financed terrorist groups like the Turkish TMT that played a critical role in Cyprus starting in the 1950s and the groups that organized the 1955 Istanbul pogrom.

**Turkish anti-Minority Tactics—Genocide**

Following the events of WWII, the United Nations General Assembly adopted the “Convention on the Prevention and Punishment of the Crime of Genocide” in 1948. As defined by this treaty, the actions carried out by the Turks against the Armenians and the Pontian Greeks from 1914–1923 were acts of genocide.

The accepted definition of genocide involves acts committed, whether in times of peace or war, “with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group.” Acts of genocide included in the Convention include the deliberate killing of members of a group; causing serious bodily or mental harm; conditions calculated to bring the destruction in whole or in part of a national group; transferring children of one group to another, and so on. Based on photographic evidence, archival research, reports by foreign diplomats, missionaries, foreign correspondents and
survivor testimonies this is what happened to Armenians and to the Pontian Greeks. In both cases, the elite of these communities was summarily executed, men were rounded up and shot, while the elderly, women, children and any remaining male subjects were deported. Thousands lost their lives during the long forced death marches over mountainous or desert territory due to deprivation from food, water, illness, lack of clothing and attacks by irregular forces. Before their deportation, these individuals were stripped of personal belongings, possessions and money and had their properties confiscated.

The Armenians and the Pontian Greeks were forcibly removed from their ancestral homes dating back to 3,000 years. The Turkish authorities also engaged in the systematic destruction of Armenian and Greek cultural heritage in an attempt to eradicate all symbols and evidence of their existence in this ancient land. When these genocidal actions came to an end, more than a million and a half Armenians had been uprooted and killed. More than 350,000 Pontian Greeks, nearly half of the affected population had been exterminated. Today, we are left with dates commemorating these events, on April 24 for the Armenians and May 19 for the Pontian Greeks. Turkey still refuses to come to terms with its past.

Turkish anti-Minority Policies—Ethnic Cleansing

Ethnic cleansing followed Turkish military action in Izmir in 1922 and Cyprus 1974–75. It involved a deliberate decision of the Turkish authorities to remove the non-Turkish, non-Muslim population from their ancestral homes. Turkey also cleansed minorities from areas considered to be strategically important.

The record of the 1922 destruction and expulsion of the historic population of Izmir is well documented. In the case of the Jews of Eastern Thrace, another flourishing ethnic community, a 1934 law provided that minorities not attached to the Turkish culture had to be moved elsewhere in order to assimilate. The same law gave the right to the Minister of the Interior to forcibly remove such minorities for cultural, economic and strategic reasons. Numbering in the thousands, the Jews of Eastern Thrace were moved to areas incompatible with their skills, thus forcing them to emigrate from Turkey.

The Greek-in-origin Turkish nationals of Imbros and Tenedos faced the wrath of the Turkish state before the ink of the Lausanne Treaty had dried! In September 1923, sixty-four leading individuals and their families, the elite of the two islands, were expelled as “undesirable” because of their “questionable” loyalty to Turkey. Others, fearing for their safety, also fled. Despite the amnesty provisions of article 8 of the Lausanne Treaty, these people were never allowed to return to their homes while their properties were confiscated. This was the beginning of the ethnic cleansing of the two islands. In 1923 no Turks resided on Imbros. There were 6762 Turkish subjects of Greek origin. Tenedos, the smaller island, had 1631 Turkish subjects of Greek origin and a handful of Turks. Eighty-eight years after the Treaty of Lausanne the Greek Community of Tenedos has ceased to exist, while only 200 elderly Greeks remain on Imbros. In contrast, Imbros now has a Turkish population of more than 8,000 while Tenedos is home to 2,000 Turks.

The ethnic cleansing of Imbros and Tenedos was based on administrative law 1151 of 1957, a law that was in direct violation of article 14 of the Lausanne Treaty on the administrative, educational, property and religious rights of the Greek population. They also brought Turkish settlers to dilute the homogeneous character of these islands. Other ethnic cleansing tactics involved massive land expropriations allegedly for the construction of public projects that deprived rural people their means of livelihood, and the establishment of an open agricultural jail for hardened mainland criminals in the community of Schoinouidia on Imbros. The violence and terror caused by these free roaming inmates forced Imbriots away from their homes. Having achieved its objective this jail was closed several years ago.

Similar tactics were employed by the Turkish occupation army in Cyprus following the 1974 invasion. Even though prohibited by the 1949 Geneva Convention, Turkey has ethnically cleansed occupied Cyprus despite UN resolutions and binding decisions by the
European Court of Human Rights. More than 170,000 Greek Cypriots have been expelled from their ancestral homes. This amounted to 70% of the population in the areas of Cyprus under Turkish occupation. The ethnic cleansing of occupied Cyprus sought the partition of Cyprus through the creation of two ethnically cleansed states on the island.

**Turkish anti-Minority Tactics—Intimidation**

Those reluctant to leave their ancestral homes faced intimidation tactics sponsored by the Turkish authorities. For example:

- Between 1930 and 1934, the Jews of Eastern Thrace were forced to leave and sell their properties on the cheap to Turks. They faced boycotts, rapes, threats and actual violence as manifested in the attacks against Jews on June 21, 1934 in Edirne and Canak Cale.
- The terror tactics employed by hardened criminals brought into Imbros to serve their sentences in an open agricultural jail set up in the community of Schoinouda.
- The state organized a 1955 pogrom against the Greeks of Istanbul. Most of the remaining Greeks of Istanbul were expelled in 1964, their properties were confiscated and owners were denied by law the right to bequeath their property.

**Turkish anti-Minority Tactics—Rape**

Rape has been a typical tactic used by the Turkish army to breakdown the morale of traditional ethnic groups that place special pride on family values and the honor of women and children. Rape was used against the Jews of Eastern Thrace in 1934 and during the 1955 Istanbul anti-Greek pogrom. The evidence uncovered by NGO investigations and by the three reports by the European Commission of Human Rights on Turkey's invasion of Cyprus, shows the systematic use of rape against Cypriot women and children ranging in age from 12–71. It was intended to humiliate, intimidate and terrorize the Greek Cypriot civilians in order to force them to leave their ancestral homes. These reports have uncovered no evidence that any disciplinary action was ever taken against any offenders or that any preventive measures were taken to avoid such actions. Rape is explicitly prohibited both by article 27 of the 1949 Fourth Geneva Convention but, also, by article 3 of the European Convention on Human Rights, conventions that Turkey freely signed and ratified.

**Turkish anti-Minority Tactics—Settlers**

The importation of Turkish settlers with the clear intent of altering the demography of a particular area has been another characteristic of Turkish policy. These settlers do not involve economic or political refugees or seasonal workers. Settlers are supported by public policy providing them with transportation, homes, jobs and property taken from original owners without any compensation. Settlers were moved to Imbros and Tenedos, as well as to the Hatay region and to the port city of Iskenderun/Alexandretta in order to alter the demography of the region prior to the 1938 League of Nations sponsored referendum that detached that area from Syria.

According to the Parliamentary Assembly of the Council of Europe the most striking case of demographic change through the use of settlers on post-WWII European soil remains that of Cyprus. Today, Anatolian settlers in the occupied areas of Cyprus outnumber the remaining native Turkish Cypriots by a ratio of 3:1. These settlers have been given preferential treatment in jobs and housing by the Turkish occupation authorities and have been granted "citizenship" in the pseudo-state created by the Turkish army in occupied Cyprus despite the prohibition of the 1949 Fourth Geneva Convention.

**Turkish anti-Minority Tactics—Property Confiscation and Denial of Property and Inheritance Rights**

Armenians, Jews and Greeks inhabiting Eastern Thrace, Istanbul, the Black Sea coast of Asia Minor, Izmir, Imbros, and Tenedos
had their property confiscated by the Turkish authorities, while heirs were denied inheritance rights. Sometimes the Turkish state claimed these properties under eminent domain, as on Imbros and Tenedos. Other times, properties were considered abandoned after their owners were expelled or forced to flee. Minority property owners lost title to their homes and properties following the ethnic cleansing of Izmir in 1922. In occupied Cyprus, Greek Cypriot properties were confiscated by “law” without any compensation. These properties have been redistributed to Turkish settlers and to Turkish Cypriots who have been granted titles to these stolen properties. Many false property titles have been sold or re-sold to foreign buyers. The occupation authorities have also implemented rules prohibiting inheritance rights.

Turkish anti-Minority Tactics—Inhuman Treatment—Wanton Killings—Missing Persons

From 1939 to 1944 all Christian and Jewish males from 18-45 years of age were conscripted by the Turkish authorities in forced labor battalions known as Amele Tabaurlari. Thousands died in these camps under poor nutritional and health conditions and harsh working conditions. Others were brought to these camps because of their inability to pay discriminatory taxes.

Another distinctive case of cruelty involves civilian and military persons missing as a result of hostilities. Evidence shows that in 1922 thousands of prisoners of wars and non-Turkish civilians in Anatolia were sent to forced labor camps and were never exchanged at the end of the hostilities. They never returned to their homes and have not been accounted for.

The best documented case involves the nearly 1600 Greek Cypriot missing since the Turkish invasion of 1974. All available evidence placed them in Turkish custody under life threatening conditions. Of the Greek Cypriot missing, 39% were civilians, including 116 females and 27 persons under the age of 16. The number of missing is staggering if taken in proportion to the 1974 population of the Republic of Cyprus. Reports by the European Commission of Human Rights place full responsibility for the fate of the missing on the government of Turkey, which has failed to cooperate in these UN mandated investigations or in the implementation of the decisions of the European Court of Human Rights. The government of Turkey has failed to prosecute anyone for these actions, while the UN sponsored committee on the missing persons has no power to investigate in Turkey, call on Turkish witnesses to testify, or determine the cause of death of the missing persons.

Turkish anti-Minority Tactics—Discriminatory Taxation

The classic manifestation of this policy remains the imposition in 1942 of the “capital tax” known as varlik vergisi. The tax was enforced for two years until its abuses were exposed by the New York Times in the fall of 1943. The ruthless practice of the varlik has been fully documented by its administrator, Mr. Faik Oktay, in his The Tragedy of the Capital Tax. The tax primarily affected Armenians, Greeks and Jews who made up Turkey’s merchant class. Individuals who could not pay these exorbitant taxes had their properties confiscated and were sent to the forced labor battalions. The physical, financial and psychological effect of the varlik on these communities was devastating. Many of the remaining Jews in Turkey were forced to leave to seek a better future in British-controlled Palestine and later in Israel.

Turkish anti-Minority Tactics—Discrimination in Employment

Starting in 1919 and continuing well into the post WWII period, various laws were enacted intended to Turkify the economy by barring employment of non-Turkish and non-Muslim individuals in key economic sectors. Laws adopted between 1919 and 1932 barred employment in the public bureaucracy, the railways, key industries, while minorities could not be licensed for certain professions and trades. As a result thousands lost their livelihood and left Turkey.
Turkish anti-Minority Tactics—The Destruction of Cultural Heritage

One of the consequences of ethnic cleansing was the destruction of the cultural heritage of areas formerly inhabited by non-Muslim and non-Turkish minorities. The elimination of monuments, sites of religious worship, the destruction of cemeteries, etc. removed all evidence that these minorities ever existed. In addition, historical names were altered, personal names were Turkified, and Turkish only became the official linguistic policy. It is only now, under EU pressure, that the Erdogan government has taken steps to allow the limited use of the Kurdish language. The total destruction of Izmir eradicated its multicultural heritage, while in Cyprus the extent of the destruction of the Greek Cypriot cultural heritage has become the subject of international investigations and major court cases in European and American courts. Similar actions took place in Turkey’s Armenian districts, on Imbros and Tenedos, in Iskenderun and in the Pontian region of the Black Sea.

Rationalizing the Elimination of the non-Turkish/non-Muslim Minorities

Under international pressure Turkey has tried to explain, rationalize and defend its anti-minority policies and actions. Turkey has attributed its anti-minority policies to:

- The disloyalty of the minority groups;
- The need to give control of the economy to the government of Turkey;
- The threat of Communism;
- The need to counter fabrications by foreign countries intended to undermine Turkey and its prestige;
- The actions of “others,” including the Russians, over jealous local officials who misinterpreted central government directives, and local response to events in Cyprus.

- The need to protect the unity of the state and to combat "terrorism" in the Kurdish areas.
- The fact that, over the years, Turks have also suffered in the hands of European powers and in particular in Greece and in Cyprus. Thus, Turkey’s actions were a natural response to this regrettable history.

The Outcome of Turkey’s anti-Minority Policies

The outcome of Turkey’s violations of domestic and international law in the case of its non-Muslim and non-Turkish minorities is clear:

- Occupied Cyprus has been ethnically cleansed with the exception of nearly 300 enclave Greek Cypriots.
- Imbros and Tenedos have been cleansed of their Hellenic-origin population with the exception of few elderly Greeks remaining on Imbros.
- Most Jews left Turkey for Palestine and modern Israel following the events of 1934 and the imposition of the varlik.
- The genocide against the Armenians and the Pontian Greeks succeeded in driving the survivors out of Turkey, primarily to Europe, Russia and the United States.
- The once vibrant Greek community of Istanbul and the Ecumenical Orthodox Patriarchate are faced with possible extinction over the next decade.
- The vibrant ethnic communities of Izmir and Iskenderun/Alexandretta are gone.
- Many members of the significant Kurdish minority have been dispersed away from their traditional homelands in SE Turkey in search of safety and economic opportunity.

Turkey succeeded in the extermination of its non-Muslim and non-Turkish minorities capitalizing on international apathy and the country’s strategic position.
What Has and What Can Be Done?

Despite the pessimistic conclusions of this analysis, there are actions that can be taken in order to bring Turkey into compliance with its international obligations. The most positive environment exists in Europe, both because of Turkey's application for EU accession and the mandatory requirement for compliance with the provisions of the European Convention on Human Rights and the decisions of the European Court of Human Rights. Individual Cypriot citizens have taken Turkey to the European Court of Human Rights over the denial of their property rights. Recent European Court decisions have forced Turkey to pay significant compensation to the victims for the loss of use and enjoyment of their properties. European and national courts have also upheld the continuing validity of the titles held by the original owners of these properties.

Similar successful cases involve the property and inheritance rights of Constantinopolitan Greeks and the rights of the Ecumenical Patriarchate to administer its properties. A similar case involves churches and church property on Imbros. The political and judicial climate in Europe is such that those that have been affected by Turkey's actions should pursue their case under European law. They just need to keep up the pressure on Turkey.

Coordinated political action is also needed in countries like the United States, the European Union, Canada, and Australia. Only coordinated action by all communities that have been affected by Turkey's deliberate policies can bring about effective remedies.

At the end of the day, it is in Turkey's own interest to come to terms with its own past and with its obligations under its own constitution and obligations Turkey freely undertook under international law. No one denies Turkey's rightful place in the international system. In the post-Cold War environment, the United States, the EU and influential countries like Canada and Australia have supported a new world order based on the rule of law, human rights and democracy. It is not too much to expect from Turkey, a country that claims to be a key player in Europe and in the Islamic world, to conduct its affairs by the same rules.

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On Being Greek in America: Identities

Dan Georgakas

Upon arrival in the United States of America, Greek emigrants immediately become Greeks in America or American Greeks. How long that identity remains in place is a matter of individual psychology. More often than not, the American Greek, consciously or unconsciously, continues to prioritize Greek culture, only accepting whatever American cultural demands are deemed necessary for an acceptable lifestyle. Again, more often than not, this American Greek identity slowly morphs into a Greek American identity in which American rather than Greek culture becomes prioritized. Less common are those American Greeks who immediately seek to aggressively embrace assimilation, which means discarding Greek culture and Greek identity as quickly and completely as possible. A fourth option, and easily the most complex is that of identifying as simultaneously Greek and American, a dynamic relationship between the two culture without fixed cultural ratios, boundaries, or priorities.

Grammatically speaking, the aggressive assimilationist view makes American a noun; the American Greek view makes Greek a noun and American an adjective; the Greek American view makes American a noun and Greek an adjective; and the Greek and American view makes both Greek and American nouns. Although one or another of these identities may dominate any given period or place, all are always present and all are constantly evolving to meet