



Turkish State Escalates Legal Battle Against Assyrian Monastery

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Tur Abdin, Turkey (AINA) -- Contrary to the expectation that the Turkish authorities might change the course of events and establish some barriers to protect the monastery of St. Gabriel from the arbitrary claims of the neighbouring villages, the state itself is now increasing the legal pressure by filing a new claim at the cadastre court in Midyat, claiming further pieces of land that belong to St. Gabriel.

Across European parliaments, many politicians are observing with surprise and deep worry, how a few neighbouring Muslim villages, with legal support of the state, pressure one of the oldest Christian monasteries in the world. Numerous appeals by politicians, churches and human rights organizations sent to the government in Ankara ask for state protection of the remaining Christians and for the freedom of religion in Turkey.

According to European diplomats, Erdogan's government is aware of the explosiveness of the case. The EU has underlined its strong interest in this matter, particularly expressed through the deployment of the Swedish diplomat Helena Storm as an observer to the trial in late December in Midyat (AINA [1-21-2009](#)). The topic of religious freedom in context of the accession negotiations with the EU is on the agenda. However, what EU observer have witnessed so far does not appear to be evidence of special respect and protection of the Christians as an indigenous population by a country that intends to join the EU.



Click [here](#) for complete coverage of the St. Gabriel Monastery case.

As previously reported, based on several inspections and oral statements made last year by the heads of the three neighbouring villages, Yaylantepe, Eglence, and Candarli, the state claimed 276 hectares of monastery land. As a consequence, the disputed monastery forest has been allocated to become pasture land for the neighbouring villages. This contradicts the boundaries officially defined in 1938 between the monastery and the three villages. The documents of the monastery, which prove the ownership along with the evidence that the monastery paid property taxes are apparently ignored. Therefore, the monastery submitted a complaint with cadastre court in Midyat, where, after several hearings, the latest was held on December 19th, and decision postponed to February 11th.

Now, surprisingly, the Treasury filed-in a new complaint to the cadastre court on January 29th claiming eight parcels within the surrounding monastery wall and four parcels outside of the wall, arguing that they are not cultivated. Although the monastery cultivated this land temporarily, in other years it used it for the cattle as pasture land. The parcel outside the wall was an old vineyard, which has been partially converted to a soccer field. The overall additional size that the government claims is about 130 hectares.

What is behind this course of action? This question is raised by many observers of the case who cannot decipher the attitude of the government with regards to St. Gabriel. Why is the Turkish government escalating and complicating the problem?

It would probably be too easy and trivial to explain or answer the questions the way many Assyrians do, which is, that Turkey tries to drive out the remaining Christians from their historical homeland. Upon closer examination, the case appears much more subtle and complex, like many issues in Turkey. And so far there are only a few indications:

- During his last trip in December to the court hearing in Midyat, the Swedish-Assyrian journalist Nuri Kino conducted talks with all relevant parties involved in the dispute and searched for ways to facilitate a dialog with the people of the Kurdish villages. His article (AINA [1-14-2009](#)) was published in the renowned Swedish magazine Tidningen Kulturen and appeared also in the Turkish newspaper Evrensel. Kino met with the village heads behind the lawsuit, spoke with villagers and tried to understand their motives

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and points of views. Accordingly, the villagers gave hints that the parliamentarian of the ruling party AKP, Süleyman Celebi, a lawyer, helped them to formulate their claims against St. Gabriel. In an interview with the Turkish newspaper Evrensel, Celebi portrayed himself as neutral in this case while blaming the Assyrians for "emotionalizing" the topic. Based on the statistics of the last elections and a report by Evrensel, almost 98% of the villagers did cast their votes for Erdogan's ruling party AKP.

- In a live telephone interview with ACSA-TV (Qolo Hiro) on January 27th, with the village head of Yayvantepe, Ismail Erkan, it became clear to all Assyrians watching: "Without Süleyman Celebi", there would be "no solution possible", Erkan said. The TV moderator Özcan Kaldoyo tried to understand what the gains for the villages would be, if the monastery land would be confiscated by the state. Erkan responded that the "villages would use is to pasture their cattles," without fearing any consequence.
- In a short report of the German TV channel ARD (Europe Magazine) from January 31st, another indication was given as a possible background for the problems of the monastery, which is the "refusal of protection payments" to the neighbouring Kurdish villages. Now, with questionable legal means, the villagers are trying to gain ownership of the monastery land.

These hints would strongly suggest that the members or followers of the AKP party, which are influential in southeast Turkey, backed by politicians, are capable of using the state and its judicial system to annex monastery land for the Kurdish villages; they are trying to demoralize the residents of the monastery by a continuous legal battle to compel surrender.

The latest complaint, however, is not submitted by private people but by the state. Is this the different policy path that the new Governor of Mardin, Hasan Durür, is taking, after he took office on January 1st? Assyrians hoped that he would have taken a different approach and policy stand and help towards pacification of the situation through his authority.

Currently, all political arguments are blocked formally by Turkey, citing the ongoing court case; the state appearing now as the plaintiff shows that this is an excuse. Therefore, the monastery is expecting a lengthy procedure. According to the Chairman of the Monastery Foundation, Kuryakos Ergün, all available legal means, up to the European Court, will be exhausted.

In fact, the monastery has received solidarity statements from all over the world, not least from Turkish democratic circles. Among the people offering help are also quite a few lawyers from the west of Turkey, which have offered the monastery to voluntarily defend its case in court litigations.

Assyrian organizations in Germany organized a large protest rally on Sunday, January 25th in Berlin, where about 20,000 people from all over Germany and its neighbouring countries participated. Many German politicians, church representatives and human rights groups expressed their solidarity with the Assyrian monastery. Some of the posters the demonstrators carried through the streets of Berlin said: "What have we done to you?" which best characterizes the embitterment of hundreds of thousands of Assyrians living abroad, who themselves were driven out of Turkey over the past decades.

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