

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4347
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Turkey Christian
3 Churches Accountability Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) United States diplomatic leadership contrib-
7 utes meaningfully and materially to the protection
8 internationally of religious minorities and their faith-
9 based practices and places of worship.

10 (2) The International Religious Freedom Act of
11 1998 states that “It shall be the policy of the United
12 States to condemn violations of religious freedom,
13 and to promote, and to assist other governments in
14 the promotion of, the fundamental right to freedom
15 of religion.”.

16 (3) The House of Representatives, when it
17 adopted House Resolution 306 on December 13,
18 2011, called on the Secretary of State, in all official

1 contacts with Turkish leaders, to urge Turkey to
2 “allow the rightful church and lay owners of Chris-
3 tian church properties, without hindrance or restric-
4 tion, to organize and administer prayer services, reli-
5 gious education, clerical training, appointments, and
6 succession”, and to “return to their rightful owners
7 all Christian churches and other places of worship,
8 monasteries, schools, hospitals, monuments, relics,
9 holy sites, and other religious properties, including
10 movable properties, such as artwork, manuscripts,
11 vestments, vessels, and other artifacts”.

12 (4) On September 28, 2010, the House of Rep-
13 resentatives adopted House Resolution 1631, calling
14 for the protection of religious sites and artifacts, as
15 well as for general respect for religious freedom in
16 Turkish-occupied areas of northern Cyprus.

17 (5) Christian churches and communities in the
18 Republic of Turkey and in northern Cyprus continue
19 to be prevented from fully practicing their faith and
20 face serious obstacles to reestablishing full legal, ad-
21 ministrative, and operational control over stolen, ex-
22 propriated, confiscated, or otherwise unreturned
23 churches and other religious properties and sites.

24 (6) In many cases the rightful Christian church
25 authorities, including relevant Holy Sees located out-

1 side Turkey and Turkish-controlled territories, are
2 obstructed from safeguarding, repairing, or other-
3 wise caring for their holy sites upon their ancient
4 homelands, because the properties have been de-
5 stroyed, expropriated, converted into mosques, stor-
6 age facilities, or museums, or subjected to deliberate
7 neglect.

8 (7) In 2011, the Turkish Government revised
9 the Law on Foundations to provide a legal process
10 for considering claims for return of religious prop-
11 erties and the provision of compensation for those
12 properties that had been sold to third parties.

13 (8) As of January 2014, the Turkish Govern-
14 ment reported the return of over 300 properties, in-
15 cluding cemeteries, places of worship and schools.

16 (9) In the 2014 Annual Report by the United
17 States Commission on International Religious Free-
18 dom, the Commission noted that while those prop-
19 erties had been returned, over 1,000 other applica-
20 tions had been denied.

21 (10) While the Turkish Government has made
22 efforts in recent years to address these issues and to
23 return some church properties, more must be done
24 to rectify the situation of Christian communities in
25 these areas, as a vast majority of Christian holy

1 sites continue to be held by the Turkish Government
2 or by third parties.

3 (11) On April 24, 2013, Catholicos Karekin II
4 and Catholicos Aram I, spiritual leaders of the mil-
5 lions of Christian Armenian faithful in Armenia and
6 the Diaspora, noted that Turkey continued to un-
7 justly “[retain] confiscated church estates and prop-
8 erties, and religious and cultural treasures of the Ar-
9 menian people”, and called on Turkey “[t]o imme-
10 diately return the Armenian churches, monasteries,
11 church properties, and spiritual and cultural treas-
12 ures, to the Armenian people as their rightful
13 owner”.

14 (12) The boundaries of Turkey encompass sig-
15 nificant historic Christian lands, including the bib-
16 lical lands of Armenia (present-day Anatolia), home
17 to many of early Christianity’s pivotal events and
18 holy sites, such as Mount Ararat, the location cited
19 in the Bible as the landing place of Noah’s Ark,
20 which for thousands of years was home to a large,
21 indigineous Christian population.

22 (13) As a result of the Turkish Government’s
23 invasion of the northern area of the Republic of Cy-
24 prus on July 20, 1974, and the Turkish military’s
25 continued illegal and discriminatory occupation of

1 portions of this sovereign state, the future and very
2 existence of Greek Cypriot, Maronite, and Armenian
3 communities are now in grave jeopardy.

4 (14) Under Turkish control, freedom of worship
5 in northern Cyprus has been severely restricted, ac-
6 cess to religious sites blocked, religious sites system-
7 atically destroyed, and a large number of religious
8 and archaeological objects illegally confiscated or
9 stolen.

10 (15) The United States Commission on Inter-
11 national Religious Freedom, in its 2014 annual re-
12 port, placed Turkey on its Tier II watch list of
13 “countries where the violations perpetrated or toler-
14 ated by the government are serious and character-
15 ized by at least one of the elements of the ‘system-
16 atic, ongoing, and egregious’ standard”, and stated,
17 “While the Turkish government has implemented
18 some reforms in recent years to improve religious
19 freedom, significant concerns remain. . .The govern-
20 ment limits all religious groups’ right to own and
21 maintain places of worship, train clergy, and offer
22 religious education. This has been particularly detri-
23 mental to the smallest minority communities and
24 their ability to transmit their faith to future genera-
25 tions. . .”.

1 (16) In its 2014 report, the USCIRF also
2 noted, “The Turkish government has shown that
3 some improvements, such as relating to property and
4 religious dress, are possible without a new constitu-
5 tion as long as there is sufficient political will. Rec-
6 ognition of this dynamic in Turkey makes the gov-
7 ernment’s continued failure to follow through on the
8 long promised re-opening of the Halki Seminary, a
9 disturbing indication of a lack of genuine will to re-
10 solve this longstanding religious freedom violation.”.

11 (17) The Ecumenical Patriarchate is the spir-
12 itual home of the world’s oldest and second largest
13 Christian church located in Istanbul, Turkey.

14 (18) The disappearance of the See would mean
15 the end of a crucial link between the Christian and
16 the Muslim world since the continuing presence of
17 the Ecumenical Patriarchate in Turkey is a living
18 testimony of religious co-existence since 1453.

19 (19) The Theological School of Halki, founded
20 in 1844 and located outside Istanbul, Turkey, served
21 as the principal seminary for the Ecumenical Patri-
22 archate until its forcible closure by the Turkish au-
23 thorities in 1971.

24 (20) The Republic of Turkey has been a partici-
25 pating state of the Organization for Security and

1 Cooperation in Europe (OSCE) since signing the
2 Helsinki Final Act in 1975.

3 (21) In 1989, OSCE participating states adopt-
4 ed the Vienna Concluding Document, committing to
5 respect the right of religious communities to provide
6 “training of religious personnel in appropriate insti-
7 tutions”.

8 (22) In his address to the Grand National As-
9 sembly of Turkey on April 6, 2009, President
10 Barack Obama said, “Freedom of religion and ex-
11 pression lead to a strong and vibrant civil society
12 that only strengthens the state, which is why steps
13 like reopening Halki Seminary will send such an im-
14 portant signal inside Turkey and beyond.”.

15 (23) Turkish Prime Minister Recep Tayyip
16 Erdogan met with the Ecumenical Patriarch on Au-
17 gust 15, 2009, and, in an address to a wider gath-
18 ering of minority religious leaders that day, con-
19 cluded by stating, “We should not be of those who
20 gather, talk, and disperse. A result should come out
21 of this.”.

22 (24) In a welcome development, for the first
23 time since 1922, the Turkish Government in August
24 2010 allowed the liturgical celebration by the Ecu-
25 menical Patriarch at the historic Sumela Monastery.

1 (25) Following a unanimous decision by the
2 European Court of Human Rights in Strasbourg in
3 2010, ruling that Turkey return the former Greek
4 Orphanage on Buyukada Island to the Ecumenical
5 Patriarchate, on the eve of the feast day of St. An-
6 drew observed on November 30, the Government of
7 Turkey provided lawyers representing the Ecumeni-
8 cal Patriarchate with the formal property title for
9 the confiscated building.

10 (26) In March 2012, after bilateral meetings
11 between the United States and Turkey in Seoul,
12 Korea, President Barack Obama praised Prime Min-
13 ister Erdogan's efforts to protect religious minorities
14 and announced, "I am pleased to hear of his deci-
15 sion to reopen the Halki Seminary."

16 (27) Turkey's Council of Foundations returned
17 190 hectares of forestland to the Theological School
18 of Halki in January 2013.

19 (28) In these cases, as with others, inter-
20 national attention has been a positive motivator for
21 progress to the Turkish Government in returning
22 church property.

23 (29) Christian minorities in Turkey continue to
24 face discrimination, prohibitions on the training and
25 succession of clergy, and violent attacks, which have

1 at times resulted in lenient sentencing, including the
2 reduced sentence for the murderer of the Catholic
3 Church's head bishop in Turkey, Luigi Padovese, in
4 June 2010, or delayed justice, including the unre-
5 solved torture and murder, in April 2007, of three
6 employees of a Protestant Bible publishing house in
7 Malatya, Turkey.

8 (30) The Turkish Government, in contravention
9 of its international legal obligations, refuses to rec-
10 ognize the 2,000-year-old Sacred See of the Ecu-
11 menical Patriarchate's international status, has con-
12 fiscated the large majority of the assets and prop-
13 erties of the Ecumenical Patriarchate, Greek cul-
14 tural and educational foundations, maintains that
15 candidates for the position of Ecumenical Patriarch
16 must be Turkish citizens, and continues to refuse to
17 reopen the Theological School at Halki, thus imped-
18 ing training and succession for the Greek Orthodox
19 clergy in Turkey.

20 (31) The Turkish Government, in contravention
21 of its international legal obligations, continues to
22 place substantial restrictions and other limitations
23 upon the Armenian Patriarchate's right to train and
24 educate clergy and select and install successors with-
25 out government interference.

1 (32) Religious freedom is an essential corner-
2 stone of democracy that promotes respect for indi-
3 vidual liberty, which contributes to greater stability,
4 and is therefore a priority value for the United
5 States to promote in its engagement with other
6 countries.

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the Sense of Congress that—

9 (1) meetings between Prime Minister Recep
10 Tayyip Erdogan and Ecumenical Patriarch Bar-
11 tholomew I are a welcome development;

12 (2) some positive decisions last year by the
13 Turkish Government, including allowing the litur-
14 gical celebration by the Ecumenical Patriarch at the
15 historic Sumela Monastery and the return of the
16 former Greek Orphanage on Buyukada Island to the
17 Ecumenical Patriarchate, and the return of the 190
18 hectares of forestland to the Greek Orthodox foun-
19 dation listed as owner-of-record of the Theological
20 School of Halki, indicate that the Turkish Govern-
21 ment can act swiftly on church property returns
22 when motivated;

23 (3) the Turkish Government should facilitate
24 the reopening of the Ecumenical Patriarchate's

1 Theological School of Halki without condition or fur-
2 ther delay; and

3 (4) International attention has provided positive
4 motivation for the Turkish Government to return
5 confiscated church properties.

6 **SEC. 4. REPORT REQUIREMENTS.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act and annually thereafter
9 until 2021, the Secretary of State shall submit to the
10 Committee on Foreign Affairs of the House of Representa-
11 tives and the Committee on Foreign Relations of the Sen-
12 ate a report on the status and return of stolen, con-
13 fiscated, or otherwise unreturned Christian churches,
14 places of worship, and other properties in or from the Re-
15 public of Turkey and in northern Cyprus that shall con-
16 tain the following:

17 (1) A comprehensive listing of all the Christian
18 churches, places of worship, and other properties,
19 such as monasteries, schools, hospitals, monuments,
20 relics, holy sites, and other religious properties, in-
21 cluding movable properties, such as artwork, manu-
22 scripts, vestments, vessels, and other artifacts that
23 are claimed as stolen, confiscated, or otherwise
24 wrongfully removed from the ownership of their
25 rightful Christian church owners.

1 (2) A description of all engagement over the
2 previous year on this issue by officials of the Depart-
3 ment of State with representatives of the Republic
4 of Turkey regarding the return to their rightful own-
5 ers of all Christian churches, places of worship, and
6 other properties, such as monasteries, schools, hos-
7 pitals, monuments, relics, holy sites, and other reli-
8 gious properties, including movable properties, such
9 as artwork, manuscripts, vestments, vessels, and
10 other artifacts.

11 (b) INCLUSION IN ANNUAL COUNTRY REPORTS ON
12 HUMAN RIGHTS PRACTICES AND INTERNATIONAL RELI-
13 GIOUS FREEDOM REPORT.—The information required
14 under subsection (a) shall be summarized in the annual
15 Country Reports on Human Rights Practices under sec-
16 tions 116 and 502B of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2151m and 2304) and Reports on Inter-
18 national Religious Freedom under section 102 of the
19 International Religious Freedom Act of 1998 (22 U.S.C.
20 6412).

