

<http://www.gibrahayer.com/>

BOLIS PATRIARCHATE FILES A SUIT FOR THE RETURN OF THE ERZERUM SANASARYAN SCHOOL



BOLIS (Hurriyet Daily News) - The Armenian Patriarchate of Istanbul filed a landmark suit in Ankara for the return of the historical Sansaryan School in the eastern province of Erzerum that was the site of the 1919 Erzurum Congress, an assembly headed by Mustafa Kemal Ataturk. Some other foundations belong to [minority] communities, but the Sansaryan Foundation was granted to the Patriarchate by philanthropist Meguerdich Sansaryan in the 1800s. The administration and management of the Sansaryan Foundation legally belongs to the Patriarchate, lawyer Ali Elbeyoglu, who represents the Armenian Patriarchate in court, told the Hürriyet Daily News Sunday.

The Patriarchate also demanded the return of other properties in Sivas formerly owned by the Sansaryan Foundation in the lawsuit it filed on March 14.

“We are not going to content ourselves with the mere return of historical buildings. We are also going to demand compensation from the Foundations General Directorate for all material losses incurred by the Patriarchate since 1936,” Elbeyoglu said.



Upon the government's request, Turkey's minority groups in 1936 gave the government declarations detailing their real property. Over the years, however, many of these properties did not remain registered under the minority foundations' names, and some were even sold to third parties.

Turkey's Foundations General Directorate expropriated the Sansaryan Foundation citing the 1936 Declaration, according to Elbeyoglu.

The Istanbul Armenian Patriarchate also filed another suit against the Foundations Directorate General in recent months demanding that the Sansaryan Shopping Center in Istanbul's Eminonu district be returned to the Patriarchate. However, the head of Turkey's Foundations Directorate General has said it will not be returned despite a ruling by an Istanbul court to impose an interim injunction over the building.

This runs counter to all international legal [norms] as well as the Treaty of Lausanne. The Patriarchate is still in possession of the title deed, Elbeyoglu said.

The Armenian community currently owns three small foundations across the whole of Anatolia. If the Patriarchate wins its lawsuit, it will mark the first time that Turkey's Armenian community has regained control of a foundation in Anatolia.



If the Armenian community had not hesitated for various reasons, they could have filed this suit in 1936, as they are legally in the right. There is a case dated to 1936, and its files indicate that the Patriarchate officially owns Sansaryan. Our research shows that the best-preserved archival documents are located at the Land Registry Cadastre, Elbeyoglu said.

Elbeyoglu also dismissed suggestions indicating a link between the lawsuit and the Foundations Law that recently came into effect. The Turkish government enacted a measure that went into effect on Aug. 27, 2011, to return properties seized from minority foundations through the 1936 Declaration.

The Foundations Directorate General still classifies Sansaryan as a property left without a manager and whose ownership consequently passed onto the Foundation Directorate General, but for that definition to hold up in court, it would require there to be no citizens of Armenian descent in Turkey, according to Elbeyoglu.

The Sansaryan Foundation was established by Meguerdich Sansaryan, a Russian-Armenian philanthropist. The police used the Sansaryan Shopping Center in Istanbul for a long period during which torture was widespread.