THE TRUST OF FATIH SULTAN MEHMED KHAN, THE COMMON HERITAGE OF HUMANITY
WHEN our President heralded our nation that Hagia Sophia would be reopened as a mosque; he said, “There are some works that are symbols of nations and states. Hagia Sophia is one of such symbols for us.” Indeed, as a nation, being aware that Hagia Sophia is a symbolic value inherited from our ancestry, this historical decision has created a great pleasure for all of us. Hagia Sophia has been a symbol in the past, now it is so, and it will definitely be a symbol in the future too.

The conquest of Istanbul has been a landmark not only in Turkish and Islamic history but in the history of all humanity. After the conquest of Istanbul, the Ottoman Empire made peace, tolerance, and prosperity prevail for centuries in a vast geography as the “world empire”.

This period, which was known as the “Pax Ottomana” in history, created a unique peace atmosphere and civilization in the challenging geographies such as the Middle East, North Africa, the Balkans, and the Caucasus, now known for the relentless conflicts and wars therein.

An age-long tradition in the Ottoman was to recite adhan in the greatest temple of a conquered city and to perform the first Friday prayer in this temple. Thus, it was registered that the city was conquered, the temple in question was called the “Fethiye Mosque” (the Mosque of the Conquest) and the other temples in the city were not intervened unless necessary. Fatih Sultan Mehmed Khan, as a symbol of the conquest, hoisted his flag at the mihrab in the middle of the Hagia Sophia, shot an arrow towards the dome, and recited the first adhan. Thus, he registered his conquest. Then, by going down for prostration of gratitude, he performed two rak’ahs of prayer. With this act, he demonstrated that he converted the Hagia Sophia into a mosque.

As of the reign of Fatih Sultan Mehmed Khan, every emperor has strived to further adorn Hagia Sophia, and Hagia Sophia was transformed into an entire complex, with structures such as mihrab, minbar, lectern, minarets, sultan’s prayer room, shadirvans, madrasah, library, and soup kitchen built over time.

In addition, great importance was attached to the interior decorations of the Hagia Sophia Mosque during the Ottoman period. Hagia Sophia was decorated with the most elegant examples of Turkish arts such as calligraphy and tile art, and new aesthetic values were added to the temple. Thus, Hagia Sophia was not only converted into a mosque but also this common heritage of humanity was preserved and revived.

Hagia Sophia, which was converted into a mosque with the conquest and served as a mosque for 481 years, was closed off to the
public after the restoration works started in the 1930s. Then it was turned into a museum with a Cabinet Decree dated November 24, 1934. The Council of State annulled the decision of the Council of Ministers on July 10, 2020, and no obstacle has remained to the reopening of this valuable temple to worship. Immediately after, Hagia Sophia Mosque was reopened to worship with the Presidential Decree No. 2729 signed by President Recep Tayyip Erdoğan and promulgated.

As the Directorate of Communications, we wanted to leave this very valuable development as a note to history. This book in your hands provides a lot of detailed information to those interested in learning about the value of Hagia Sophia as a historical symbol as well as its architectural features. This book also addresses the importance of Hagia Sophia from the religious and cultural perspectives.

The decision taken by our President has certainly had many repercussions both at home and abroad. In this sense, this book you are holding has not been prepared as a defensive text. We have tried, however, to explain with examples how it was possible to open Hagia Sophia to worship in the light of national and international law. We have thus revealed clearly that the disposition of Hagia Sophia belongs purely and simply to Turkey in terms of sovereignty theory and political philosophy. The speech of our President, which had the characteristics of a manifesto that explicitly clarified many of the issues related to Hagia Sophia, has also been left as a note to history.

I would especially like to underline that the conversion of Hagia Sophia from a museum into a place of worship as it used to be for 681 years, i.e. its reopening as a mosque, is a victory in terms of religious freedoms. The doors of the Hagia Sophia Mosque will remain open to everyone in the world. Under the leadership of our President, citizens of all religions in Turkey have been experiencing the most peaceful period in terms of religious freedom. From the newly-built churches to the repaired historical synagogues and churches, we will continue to ensure that all our citizens can worship according to their beliefs; and to protect and glorify our cultural heritage.

The Republic of Turkey has never insisted on a matter over which it has no rights. Under the leadership of our President, however, it has shown the whole world for years that it would not compromise on its rights. This situation is not solely related to the Hagia Sophia decision. Turkey has been struggling to get what it deserves in its fight against terrorism as well as all developments in international politics.

Let the Hagia Sophia Mosque once again be auspicious for our country, our nation, our region, the entire Islamic world, humanity, and future generations.
The Hagia Sophia Mosque, which is accepted by everyone as one of the most important temples in the world, constitutes the spiritual centre of Istanbul. Hagia Sophia, one of the largest and most magnificent buildings in the world at the time of its construction, is one of the most remarkable symbols of Istanbul, which was inscribed on the UNESCO World Heritage List in 1985. Following the conquest of Istanbul in 1453, Fatih Sultan Mehmed Khan, in his will, endowed this monument and prescribed its preservation forever, while also stipulating that its status as a mosque should be maintained. Within this context, the Hagia Sophia Mosque, for which our nation has great affection, has been preserved as Istanbul's precious gem for centuries and has survived as a heritage of humanity to date. Such that even the original name, which means 'Wisdom of God', has not been tried to be changed. Hagia Sophia, which was in ruins due to earthquakes, fires, looting, and negligence for centuries, was not only turned into a mosque as of 1453 but was also improved within the framework of an envisagement of civilization. Therefore, the Turkish Nation's right to Hagia Sophia with its strong ownership is more than those who built it nearly 1,500 years ago.

However, Hagia Sophia, which served as a mosque for 481 years, was converted into a museum in 1934. This situation, which had inflicted a deep wound in the collective conscience of the Turkish nation, ended on July 10, 2020, and the 86-year longing was over. Hagia Sophia was opened to worship by recourse to the original with the good news given by President Recep Tayyip Erdoğan. In addition to correcting a legal mistake, this decision also means the fulfilment of Fatih Sultan Mehmed Khan's will and foundation chart.

- It is related to Turkey's sovereign rights to determine the utilization purpose of Hagia Sophia and to open it to worship as a mosque, within the context of the country's domestic law and historical rights. This decision taken by Turkey must be respected. All kinds of attitudes beyond expressing a specific opinion on this subject are a violation of Turkey's independence.
- Without prejudice to its identity as a common cultural heritage of humanity, Turkey reopened Hagia Sophia to worship in accordance with its foundation charter. Just like all the doors of other mosques in Turkey, the doors of Hagia Sophia are open to everyone including Turkish and foreign nationals, Muslims, and non-Muslims.
- There are no provisions in international conventions that would prevent Hagia Sophia from being converted into a mosque.
- The decision taken by Turkey will never affect the outstanding universal value of Hagia Sophia. Changing its function does not mean that it would prejudice its superior universal value.
- This decision is to restore the original identity of Hagia Sophia, the place of worship, which was converted into a museum.
- The presence of many churches and synagogues in Turkey, which are still open for worship, reveals the sensitivity of our country towards religious freedom.
- As it has been to date, Turkey will show the utmost sensitivity to the outstanding universal value, authenticity, and integrity of Hagia Sophia, which will continue to exist as the common heritage of humanity also in the future, and pass it on to the future generations by preserving the Hagia Sophia Mosque within the framework of both international agreements and domestic law.
HAGIA Sophia is a work that was constructed three times in the same location. Today’s Hagia Sophia is known as the “Third Hagia Sophia”. The first construction of Hagia Sophia started during the reign of Constantine I, who accepted Christianity as the official religion of the Roman Empire. This building, which was constructed as a basilica with a wooden roof on the first of the seven hills of Istanbul and was called “The Great Church” at the time, was opened during the reign of Constantine II in 360. There is no remnant from this structure, which was largely devastated as a result of a fire that broke out in the revolt that started in 404.

The second Hagia Sophia was built by Emperor Theodosius II on the first one and opened to worship in 415. This building, which was also constructed as a basilica and with a wooden roof, was devastated by the rebels in the Nika Revolt against Emperor Justinian in 532.

Just after the riots, Emperor Justinian decided to build a larger and more glorious Hagia Sophia than the first two. The third Hagia Sophia was built by the Byzantine Emperor Justinian I in 532-537.

Hagia Sophia, which was used as the Imperial Church of Eastern Rome, was frequently devastated due to riots, wars, and natural disasters throughout history. Hagia Sophia experienced one of the biggest destructions during the 4th Crusade in 1204 when the city was invaded. The Crusaders looted Hagia Sophia along with the whole city. During the Latin occupation that lasted from 1204 to 1261 in Istanbul, Hagia Sophia was converted into a cathedral attached to the Roman Catholic Church.
Repairs were made to try and preserve the Hagia Sophia, which was seriously damaged after the Eastern Roman administration was re-established in Istanbul. However, the repairs were insufficient and in 1346 the eastern archivolt of the Hagia Sophia and a part of the dome collapsed.

In fact, Hagia Sophia experienced the darkest period of its history from the Latin invasion to the conquest of Istanbul. Hagia Sophia, which was destroyed twice and built for the third time, ruined by wars and revolts for centuries, and the parts of which collapsed due to neglect and architectural errors, remained under the permanent threat of collapse until the conquest of Istanbul by Fatih Sultan Mehmed Khan. In addition, the sociological and symbolic meaning of the temple was greatly damaged due to the schism between the Catholic and Orthodox churches.

The Ottomans took great care of the Hagia Sophia Mosque, which they acknowledged and appreciated as the symbol of the conquest, maintained and repaired it continuously, and turned the mosque into a much more robust structure starting from the rule of Fatih Sultan Mehmed Khan. In particular, the additions and arrangements made by Sinan the Architect to Hagia Sophia played a major role in the survival of this heritage of humanity.

Thus, it is stated in the historical records that Fatih Sultan Mehmed Khan, who went to Hagia Sophia right after the conquest, was saddened by the status of the mosque and recited the following verses:

"Perdedârimikonedberkasr-i Kayser ankebut Bûmnovbetmîzened der tarem-i Efrâsiyâb"

Or, in modern Turkish:

"Örümcek Kayser'in sarayında perdedâr yapıyor Baykuş Efrasiyab'ın burcunda nöbet tutuyor."

("A spider spins its web in the palace of the Kaiser, An owl hoots in the towers of Afrasiab")

Fatih Sultan Mehmed Khan, who endowed the Hagia Sophia Mosque as his own charity and secured the maintenance-repair costs by providing the income from several properties, started the educational activities by building a madrasah adjacent to the mosque. The first minaret of Hagia Sophia was built of wood during the rule of Fatih Sultan Mehmed Khan. This minaret, which existed for many years, was removed during the major repair in 1574. The second minaret of the Hagia Sophia Mosque was built of bricks during the rule of Sultan Bayezid II.
One of the Ottoman sultans who showed the greatest interest in Hagia Sophia was Sultan Selim II. After the building showed signs of fatigue, Selim II Khan appointed Sinan the Architect for the maintenance and repair of Hagia Sophia. The Hagia Sophia, whose domes and walls collapsed many times during the Eastern Roman period, never collapsed again after the renovations of Sinan the Architect despite many great earthquakes in Istanbul. The tradition of building tombs for the sultans in the graveyard of Hagia Sophia Complex started with the first tomb built by Sinan the Architect for Sultan Selim II.

From the time of Fatih Sultan Mehmet Khan, every sultan strived to beautify the Hagia Sophia even more, and the Hagia Sophia was transformed into an entire complex with structures such as mihrab, minbar, rostrum, minarets, sultan’s office, shadirvans (fountain providing water for ritual ablutions), madrasah, library, and soup kitchen. In addition, great importance was attached to the interior decorations of the Hagia Sophia Mosque during the Ottoman period. Hagia Sophia was adorned with the most elegant examples of Turkish arts such as calligraphy and tile art and the temple gained new aesthetic values. Thus, Hagia Sophia was not only converted into a mosque but also this common heritage of humanity was preserved and improved.

Hagia Sophia, which was converted into a mosque with the conquest and served as a mosque for 481 years, was closed off to the public after the restoration works started in the 1930s. Then it was turned into a museum with a Cabinet Decree dated November 24, 1934. The Council of State reversed the Cabinet Decree in question on July 10, 2020. The Hagia Sophia Mosque was reopened to worship with the Presidential Decree No. 2729 signed by President Recep Tayyip Erdoğan and promulgated immediately after.
THE CONQUEST OF ISTANBUL has been a landmark not only in Turkish and Islamic history but in the history of all humanity. The Ottoman Empire made peace, tolerance, and prosperity prevail for centuries in a wide area. This period called “Ottoman Peace” (Pax Ottomana) in the history is a reflection of an unprecedented peace climate and an envisagement of civilization in the challenging geographies such as the Middle East, North Africa, the Balkans and the Caucasus, now known for the relentless conflicts and wars therein. The sense of leniency, ensuring that people from different nations, tribes, languages, religions, sects, and dispositions lived together in peace and tranquility for centuries, manifested itself in Fatih Sultan Mehmed Khan’s attitudes since the first minutes of the conquest of Istanbul.

Upon conquering Istanbul, Fatih Sultan Mehmed Khan ordered not to harm anyone in the city, put an end to the arrest of civilians, banned the abuse of women and children, and the sale of people as slaves.

An age-long tradition in the Ottoman is to recite adhan in the greatest temple of a conquered city and to perform the first Friday prayer in this temple. Thus, it is a means to declare that the city was conquered, the temple in question is called the “Fethiye Mosque” (the Mosque of the Conquest) and the other temples in the city are not intervened unless necessary. Fatih Sultan Mehmed Khan, as a symbol of the conquest, hoisted his flag at the mihrab in the middle of the Hagia Sophia, shot an arrow towards the dome, and recited the first adhan. Thus, he registered his conquest.
Then, by going down for prostration of gratitude, he performed two rak’ahs of prayer. With this act, he demonstrated that he converted the Hagia Sophia into a mosque.

On the third day of the conquest, the first Friday prayer led by the spiritual architect of the conquest Akshamsaddin as the imam was performed in the Hagia Sophia Mosque. Fatih Sultan Mehmed Khan delivered a khutbah to his army during this first Friday prayer.

Since it had been deprived of a good administration for a long time and thus condemned to poverty and destruction, immediately after the conquest of Istanbul, Fatih Sultan Mehmed Khan exerted great efforts to quickly reconstruct Istanbul, and the works it hosted, especially Hagia Sophia. These reconstructing works were carried out through foundations having prominent importance in the social structure of the Turkish-Islamic Civilization. In this context, with the conquest of Istanbul, Fatih Sultan Mehmed Khan, who received the title of Roman Emperor and possessed all the properties registered on the Byzantine dynasty, endowed the mosque with the first prayer performed in Hagia Sophia, and created the “Fatih Complex and the Hagia Sophia Al-Kabeer Foundation”. In his will, Fatih Sultan Mehmed Khan prescribed the preservation of Hagia Sophia eternally and stipulated the maintaining of its mosque status.

Foundations were established to provide all social services of Istanbul. Thus, Istanbul became one of the most successful centers where the foundation culture, regarded as a flawless system in fields such as science, education, arts, and social aid, were implemented. Istanbul took a form representing the concept of high urban planning of the Turkish-Islamic Civilization.

Foundations were established with a ‘foundation charter’ registered by the judicial authority. Foundation charters contain binding provisions for everyone, including the sultan. The foundation charter dated 1462, which determined the legal status of the Fatih Complex and the Hagia Sophia Al-Kabeer Foundation, is considered one of the most important documents in this regard.

This foundation charter is registered at the Turkish and Islamic Art Museum with the number 2202 (formerly 666). The copy registration of this foundation charter made during the period of Evkaf Nezareti (Ministry of Foundations), is recorded with the number 46 in the Foundation Book no. 6 of Istanbul in the Archive of the General Directorate of Foundations. The modern Turkish version of the same foundation charter translated in the period of the
Republic of Turkey is registered with item number 46 from page 82 onward in the book number 575 in the Archive of the General Directorate of Foundations. In this document, subjects such as charities, terms of charity, properties, management of the foundation are explained in detail, and “foundation prayer” and a “foundation curse” are also included as in every foundation charter.

When Fatih Sultan Mehmed Khan’s Hagia Sophia foundation charter is examined, it is found that this foundation was one of the most significant institutional structures of that time especially in terms of education, religion, and health services. Furthermore, numerous markets, bazaars, shops, and houses have been granted to the foundation as property to ensure the continuity of these services.

**Minorities and Religious Freedom in Turkey**

The constitutional system in Turkey is founded upon equality before the law regardless of the individuals’ religion, race, color, ethnic origin, language, etc. Discrimination is prohibited by law and constitutes a crime. According to the constitutional system, minorities comprise only those who are defined and recognized by bilateral and multilateral agreements to which Turkey is a party. Within this framework, “minority rights” in Turkey are set out by the 1923 Treaty of Lausanne.

Turkish nationals belonging to non-Muslim minorities are entitled to the same rights and freedoms as the other citizens of the Republic of Turkey, pursuant to the fundamental principle that all citizens, without discrimination, shall have equal rights and freedoms. Moreover, they also enjoy minority status within the scope of the Treaty of Lausanne.
Turkish nationals belonging to non-Muslim minorities have their respective schools, places of worship, foundations, hospitals, and media organs, in accordance with the Treaty of Lausanne. Important regulations have been introduced recently to improve the legislation concerning the non-Muslim minorities in Turkey within the scope of a comprehensive reform process in human rights and democratization.

It was reiterated in the Circular dated May 13, 2010, issued by the Prime Ministry that non-Muslim Turkish citizens were an indispensable part and parcel of Turkey, reminding once again all governmental departments should facilitate the works and transactions and protect their rights of these citizens before the governmental bodies.

**Religious Freedoms**

Freedom of religion and belief and respect for religious values are guaranteed primarily by the constitution and laws in Turkey. The religious freedoms of the Turkish nationals belonging to non-Muslim minorities are also guaranteed by the Treaty of Lausanne.

Important works are being carried out concerning the freedom of religion in Turkey. In this regard, necessary legal and administrative regulations are being put in place so that all Turkish nationals and foreigners resident in Turkey enjoy the freedom of religion to the fullest. There is no restriction for foreign religious officials holding working permits to work in Turkey. It does not constitute a crime for an individual to engage in activities to spread his religious beliefs in Turkey. On the contrary, what constitutes a crime is to prevent an individual, by coercion or threat, from expressing or spreading their religious belief.

**Places of Worship**

Non-Muslim citizens in Turkey enjoy the right to freely perform their respective religious obligations/rituals. There are a total of 435 churches and synagogues open to worship in Turkey. The restoration and renovation works relating to the places of worship used by non-Muslim citizens are carried out by the Ministry of Culture and Tourism’s Directorate General of Foundations.

Recently the renovation works have been carried out for Great Synagogue in Edirne, Church of St. Nicholas in Gökçeada, Saint Marinina Greek Orthodox Church in Gökçeada, Syriac Catholic Church in İskenderun, Hatay, Greek Catholic Church in İskenderun, Hatay, Armenian Protestant Church in Sur, Diyarbakır, Armenian Catholic Church in Sur, Diyarbakır, Fevkani Church in Nizip, Gaziantep, Sahinbey Synagogue in Gaziantep, Taksıyarhis (St. Nicholas) Church in Cunda, Ayvalık, Balıkesir, Arsuz Mar Yuhanna Church in İskenderun, Aya Yorgi Church in Edirnekapı, İstanbul, Greek Orthodox Church in Yayladağı, Hatay, Akdamar Church in Van, and Armenian Saint Stephen Church in İstanbul. In 2018, the restoration works for the historical St. Anthony of Padua (Terra Sancta) Church in Beyoğlu, İstanbul, was started.

A great many places of worship previously out of service have been opened after the completion of restoration works. In this regard, the Great Synagogue in Edirne, which is the third greatest in Europe and the greatest in the Balkans, was opened to worship on March 26, 2015. Surp Vortvots Vorodman Church owned by the Foundation of Kumkapı Meryemana Armenian Church in İstanbul was opened to worship after the service held on December 28, 2011. On January 7, 2018, the 120-year-old Bulgarian Saint...
Stephen Church (Iron Church) was opened to worship with a service held after a 7-year-long renovation. President Erdoğan and Prime Minister of Bulgaria joined the service.

Foundations

Important improvements were introduced particularly for the property rights of the foundations with the reforms concerning community foundations in 2003 and 2008. The amendment to the Law on Foundations in 2011 introduced the possibility that the applications previously outside the scope would be evaluated and the immovable properties would be registered in the name of the respective foundations or, if not possible, the current value of such properties would be paid to the foundations.

Consequently, applications were received for a total of 1560 immovable properties by 116 community foundations. 333 immovable properties were registered, the price of 21 of them was paid (due to their transfer to third parties), and the applications for 1206 immovable properties were not approved.

It was decided to build a church in Yeşilköy, İstanbul, for the Assyrian community resident in Turkey upon the request of the Foundation of Beyoğlu Virgin Mary Assyrian Church. An immovable property was allotted to the said foundation for the construction of the church in August 2015. The licence of the church was handed to Mor Filiksinos Yusuf Çetin, the Metropolitan of the Syriac Orthodox Church for İstanbul-Ankara-İzmir. The ground-breaking ceremony for the church was held with the attendance of President Erdoğan on August 3, 2019. The ruling of the European Court of Human Rights concerning the registration of the Büyükada Greek Orphanage in the name of the Greek Patriarchate was thus enforced.

Minority Schools

There are currently a total of 60 minority schools in Turkey, which were founded by the Greek, Armenian, and Jewish minorities and attended by students of Turkish nationality who belong to these minorities. Among these minority schools are 5 Private Jewish Schools, 34 Private Armenian Schools, 20 Private Greek Schools, and 1 Private Assyrian School.
HAGIA Sophia, which belongs to the Abu al-Fath Sultan Mehmed Foundation (today the Fatih Sultan Mehmed Khan Foundation), and has the status of fused foundation (which has no administrator and trustees today) is an immovable charity property that should be used as a mosque in accordance with its foundation. The statement that Hagia Sophia was endowed as a mosque is included in the 1462 dated foundation charter. The most important issue in terms of determining the status of Hagia Sophia is that the Fatih Sultan Mehmed Khan Foundation was established before 1926. Indeed, the legal status of foundations established before 1926 is protected in Turkey. Within this context, the legal rules applicable to foundations established in Turkey before 1926 are still being implemented.

- Charity immovables are immovables of foundations established directly for the performance of charity services such as places of worship, hospital, and soup kitchen.
- Charity immovables are not privately owned by any person, and private property provisions cannot be applied to these immovables.
- Charity immovables cannot be sold, pledged, or seized.
- These immovables are allocated for public use according to Law No. 5737 on Foundations in force.
- It is essential that charity immovables cannot be allocated for any purpose other than the purpose set by the foundation.
- The misuse of foundation charities has been protected against the state as well as third parties. The fact that these foundations are under the protection of the state does not mean that the state makes a decision on the property of the foundation at any time and as desired.
When the legislation on foundations in Turkey and the decisions of the Constitutional Court, Court of Cassation and Council of State are evaluated together, the following conclusions are to be drawn regarding the foundations established before 1926,

- Foundation charter or foundation voucher are foundation deeds and these documents contain the regulations which reflect the will of the founder and endower regarding the subject, purpose, and organs of the foundation.
- The provisions of the foundation charter have the effect, value, and power of legal rules,
- After the establishment of the foundation is completed, these rules legally bind the “State” as well as the “founder and endower”, “those who manage the foundation”, “those who will benefit from the foundation” and “third parties”,
- No one will be able to change the foundation charters or foundation vouchers reflecting the founding will,
- It is obligatory to use foundation assets in accordance with the will of the founder and endower.

According to the title deed dated November 19, 1936, Hagia Sophia is registered in the name of the Fatih Sultan Mehmed Foundation on section 52, block 52, and plot 7 on behalf of the Aya sofya al-Kabir Mosque, consisting of the Mausoleum, Akaret, Muvakkithane, and Madrasah. The registration of the property of Hagia Sophia on behalf of the General Directorate of Foundations was recorded as ‘immovable charity’ by being placed in the 139th rank in Istanbul Central Fused Charity Foundation Immoveable Property Registers.
In this context, when it is considered that the status of Hagia Sophia is maintained and guaranteed by the legal order, that it is the property of Fatih Sultan Mehmed Khan Foundation which is a fused foundation, and that according to the founder and endower’s will, it is put into public service for its continued use as a mosque and it is registered as a mosque in the title deed, it is clearly understood that Hagia Sophia’s conversion into a museum by the Cabinet decree in 1934 was contrary to Turkey’s legislation concerning foundations (the abolished Law No. 864, the abolished Foundations Law No. 2762, the Law on the Enforcement and Implementation of the Turkish Civil Code No. 4722 and the Foundations Law No. 3757). The allocation of charity foundations for another purpose through regulatory procedures is against the legislation and the principles of universal law.

The state has a positive obligation to ensure the use of the foundation’s assets in accordance with the will of the founder and endower, and a negative obligation not to intervene in a way that eliminates the will of the founder and endower regarding the property and rights of the foundation.

Indeed, as a result of the lawsuit filed at the Council of State by the Association for Continuous Foundations Historical Works and the Environment Service, the 10th Chamber of the Council of State reversed the decision of the Council of Ministers dated November 24, 1934, which turned Hagia Sophia into a museum. The Hagia Sophia Mosque was opened to worship with the Presidential Decree No. 2729 dated July 10, 2020, and signed by President Recep Tayyip Erdoğan, promulgated immediately after.

**Chora Mosque Decision**

The Council of State’s Plenary Session of the Chambers for Administrative Cases made a decision that will constitute a precedent for the Hagia Sophia Mosque case in 2019 for Chora Mosque, one of the foundations of Fatih Sultan Mehmed. Since the Chora Mosque is a charity immovable which was owned by Fatih Sultan Mehmed Foundation, the Council of State’s Plenary Session of the Chambers for Administrative Cases reversed the decision of the Council of Ministers in 1945, which turned the Chora Mosque into a museum, deeming it illegal in terms of authority, form, reason, and purpose. As a matter of fact, in the justified decision of the 10th Chamber of the Council of State regarding the Hagia Sophia, reference is made to the Chora Mosque decision.
ALL considerations relating to the legal status and usage of Hagia Sophia have been Turkey’s domestic issue since 1453. Every attempt of any kind of intervention against Hagia Sophia by foreign states does mean nothing else than disrespect to Turkey’s sovereign rights. Hagia Sophia Mosque is a matter of international concern in the context of treaties to which Turkey is also a party only as regards the protection of its cultural and natural heritage nature.

In this regard, “the Convention concerning the Protection of World Cultural and Natural Heritage” comes to the forefront in terms of international law. The Convention was agreed upon on November 16, 1972, to present to the world the cultural and natural properties of universal value accepted as the heritage of all the nations of the world, to raise awareness in nations to preserve the world heritage, and to ensure necessary cooperation so as to maintain cultural and natural features that have for various reasons deteriorated or disappeared. Turkey became a party to the UNESCO Convention concerning the Protection of World Cultural and Natural Heritage in 1983.

Natural features, monuments, and sites of international significance that need to be preserved are recognized as World Heritage and inscribed on the World Heritage List within the framework of the Convention. The World Heritage List features 1,121 sites in total around the world, including 18 sites in Turkey.
Hagia Sophia, situated in the historical peninsula along with Topkapı Palace, Süleymaniye Mosque, Sultan Ahmet Mosque, Şehzade Mehmet Mosque, Zeyrek Mosque, and Historical Walls, was inscribed on the World Heritage List in 1985 under the title “Historic Areas of Istanbul” without any qualification concerning its mode of usage.

Article 6 of the Convention concerning the Protection of World Cultural and Natural Heritage reads: “Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is situated, and without prejudice to property right provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.” The Convention does not restrict a State, on whose territory the cultural heritage is situated, to exercise its powers of sovereignty over such heritage.

Therefore, the States Parties to the Convention expressly agree that Hagia Sophia, as a cultural and natural heritage situated in Turkish territory, is a world heritage that needs to be protected in cooperation with the international community by fully respecting the sovereignty of the State of the Republic of Turkey and without prejudice to property rights provided by national legislation. The Convention does not contain any clause of restriction relating to the mode of usage or identity of a cultural heritage recognized as a world heritage. On the contrary, the fact that the usage of Hagia Sophia has to be identified within the framework of "the law on ownership of foundations" as part of the national legislation is an obligation arising out of the principles, set out in Article 6 of the Convention, of "fully respecting the sovereignty of the States" and
"without prejudice to the property right provided by national legislation". In brief, the usage of such property as a museum, place of worship, public premises, or any other manner falls outside the scope of the Convention.

From the perspective of international law, the reconversion of Hagia Sophia into a mosque is likely to be interpreted in the context of the European Convention on Human Rights. Although the European Convention on Human Rights does not expressly contain a clause on "right to establish a foundation" among the rights guaranteed, the European Court of Human Rights interprets "freedom of association" under Article 11 broadly as to include "right to establish a foundation" and closely relates it to the freedom of thought, conscience, and religion under Article 9 and the freedom of expression under Article 10.

The European Court of Human Rights also guarantees the protection of the immovable properties and the rights of the foundations within the scope of protection of property, as a result of the status of foundations as protected properties, including also those established during the times of the Ottoman State. As the right to property covers the right to use, manage as desired, and benefit from the property owned, the right of the endower over the property and rights that he or she endows them has to be protected. Therefore, it contradicts the case-law of the European Court of Human Rights to make a change in the characteristics of an immovable property endowed, disrespecting the rights and will of the endower, or to render such property useful to serve other purposes.

The international agreements, treaties, and conventions to which Turkey is a party do not contain any provisions or conditions that pose any obstacles to the reconversion of Hagia Sophia into a mosque. Turkey, as in the past and also in the future, will continue to sensitively preserve and protect cultural and natural heritage within its territory. Turkey is one of the countries with the cleanest history in this regard. Turkey will continue to protect the authenticity, integrity, and high universal value of Hagia Sophia, pursuant to the provisions of the UNESCO Convention concerning the Protection of World Cultural and Natural Heritage, the Law No. 2863 on the Protection of Cultural and Natural Properties, and the Istanbul Historical Peninsula Site Management Plan of 2011.
PRESIDENT Recep Tayyip Erdoğan’s decision on Hagia Sophia became an item of the agenda in Turkey and around the world, and some criticisms were voiced concerning the said decision at international level. It should not be forgotten, however, that it is for Turkey, as the home country to Hagia Sophia for long years, and its efforts and contributions to protect and preserve it that the said cultural heritage could survive to date.

The speech Erdoğan delivered on July 10, 2020, when he signed the decision on the reconversion of Hagia Sophia from a museum to a mosque, is a kind of manifesto. His speech features answers to all criticisms directed by the international public against the decision in question. His speech is also the manifestation that Hagia Sophia, as the world heritage of mankind as a whole, will be owned and embraced most strongly and protected and preserved meticulously.

My Dear Nation,

I extend to you my most heartfelt greetings and affection. The Council of State today annulled the 1934 Cabinet Decree, which had enabled the Hagia Sophia’s conversion from a mosque into a museum. Based on that ruling, we have issued a presidential decree to facilitate the reopening of the Hagia Sophia as a mosque. Thus, after 86 years, the Hagia Sophia will be able to start serving as a mosque once again, as stated in the foundation charter of Fatih Sultan Mehmed Khan. I wish this decision to be auspicious to our nation, the ummah, and all of humanity. Our Ministry of Culture and Tourism has immediately begun to
work on the administrative and technical preparations, while our Presidency of Religious Affairs on religious aspects of the matter.

With the termination of its status as a museum, entrance to the Hagia Sophia will be free of charge.

Like all our mosques, the doors of the Hagia Sophia will be wide open to all: locals and foreigners, Muslims and non-Muslims.

Under its new status, the Hagia Sophia, a common heritage of humanity, will continue to embrace everyone in a more sincere and original manner.

By completing the preparations quickly, we plan to open the Hagia Sophia to worship on Friday, July 24, 2020, with the Friday prayer service.

This decision will possibly lead to various controversies at home and abroad.

I call on everyone to respect the decision that our country’s judicial and executive bodies have made regarding the Hagia Sophia.

Surely, we will welcome all kinds of views voiced on this matter in the international arena.

However, to what purpose Hagia Sophia will be utilized is a matter of Turkey’s sovereign rights.

Opening Hagia Sophia to worship following a new regulation is merely an exercise of our country’s sovereign rights.

The right to convert Hagia Sophia into a mosque in line with its foundation charter is the same as the flag of the Republic of Turkey, its capital, its adhan, its language, its borders, and its 81 provinces.

In this regard, we view any approach and expression, which goes beyond the voicing of opinions, as a violation of our independence.

Just as we as Turkey do not interfere in decisions on places of
worship in other countries, we expect the same understanding about us protecting our historical and legal rights.

Moreover, this right dates back to exactly 567 years ago, not just 50 or 100 years.

If today a faith-oriented discussion is to be held, the topic of that discussion should be not Hagia Sophia, but Islamophobia and xenophobia increasing with each passing day in all parts of the world.

Turkey’s decision is solely related to its own domestic laws and historical rights.

I express my gratitude to all political parties and leaders, non-governmental organizations, and every individual of our nation who stand behind this decision.

My dear nation...

The conquest of Istanbul and the conversion of the Hagia Sophia into a Mosque are among the most glorious chapters in history, particularly Turkish history.

On May 29, 1453, Fatih Sultan Mehmed Khan entered the city after a long siege and headed directly to the Hagia Sophia.

As the Byzantines awaited their fate, fearful and curious, inside the Hagia Sophia, Fatih entered the Hagia Sophia, giving assurances to the people regarding their lives and freedoms.

The Conqueror of Istanbul, as a symbol of the conquest, hoisted his flag at the mihrab in the middle of the Hagia Sophia, shot an arrow towards the dome, and recited the first adhan.

Then, by going down for prostration of gratitude, he performed two rak’ahs of prayer.
With this move, he demonstrated that he had converted the Hagia Sophia into a mosque.

Sultan Mehmed carefully examined this great place of worship, Istanbul’s pearl, from its floor to its roof.

According to historians, Fatih Sultan Mehmed Khan, who climbed to the dome of the Hagia Sophia, recited the following famous Farsi poem upon encountering the building and its surroundings in ruin:

“PERDEDÂRÎ MÎKONED BER KASR-Î KAYSER ANKEBUT BÛM NOVBET MÎZENED DER TAREM-Î EFRÂSİYÂB”

Or, in modern Turkish:

“ÖRÜMCEK KAYSER’IN SARAYINDA PERDEDÂ R YAPIYOR BAYKUŞ EFRASIYAB’IN BURCUNDA NÖBET TUTUYOR”

“A SPIDER SPINS ITS WEB IN THE PALACE OF THE CAESARS, AN OWL HOOTS IN THE TOWERS OF AFRASIAB”

Yes... Fatih Sultan Mehmed Khan had taken over such a devastated, worn-out, and miserable Istanbul and Hagia Sophia.

Essentially, the Hagia Sophia, which Fatih took over, had been built for the third time, since the first two churches, which stood on the same spot, were burned and destroyed during the times of turmoil.

After the conquest, with three days of hard work, the Hagia Sophia was prepared for worship – for the first Friday prayer.

Fatih, who entered the mosque with leading statesmen and soldiers, was welcomed with takbirs and salawats that resonated from the domes.

Fatih then performed the sermon of the first Friday prayer in the Hagia Sophia, and his mentor, Akshamsaddin, led the prayer services.

Fatih also enabled the development of the Orthodox Church, which had been excluded by other Christian sects, by bringing them under his auspices.

The domes and walls of this great place of worship have resonated with adhan, salats, takbirs, salawats, hatims, and mawlids for 481 years since then.

Istanbul, which had been devastated by earthquakes, fires, looting, and neglect for centuries, was once again brought back on its feet with the conquest.

The symbol of this process was the Hagia Sophia.

After Fatih Sultan Mehmed Khan, every sultan strived to make Istanbul and the Hagia Sophia even more beautiful.

The Hagia Sophia, which was designated as the Great Mosque of the city, has been transformed into a complex, with buildings that were added in time and served believers for centuries.

In almost every century that followed, the Hagia Sophia went through major repairs to further beautify it with additions and is regarded as our nation’s precious gem.

So much so that we did not even attempt to change its original name, which means the "Wisdom of God."

This temple, which was about to be destroyed under the collapse of an old state, was not only transformed into a mosque by our ancestors, but it was also exalted and revived.

Therefore, for centuries, the Hagia Sophia has had a special place in the hearts of all the members of this nation.

As for ourselves, we have also had a love of Hagia Sophia in our hearts since we were young.

We believe that we have provided an important service to our nation by reopening this mosque, in accordance with its foundation charter and without compromising its cultural heritage identity.
My dear nation...

While the conquest was the minor struggle, the development, construction, and charity activities of the Hagia Sophia were the greater struggles.

As the Hagia Sophia was being built during the Eastern Roman period, materials were transported from across the empire—from Egypt to Izmir and from Syria to Balıkesir.

Fatih and the sultans who came after brought the craftsmen from all over Anatolia and Rumelia to Istanbul and rebuilt both the Hagia Sophia and the city.

In doing so, they made the most of the legacy they had taken over. For example, Fatih preserved the fixed mosaics in the Hagia Sophia and only removed movable statues from the building.

Mosaics that remained in place for centuries were covered gradually, during subsequent repairs, thereby protecting them from external influences and ensuring that they survived until the present day.

Viewing the members of different beliefs with tolerance is fundamentally an attitude essential to our religion.

Our Prophet, while notifying divine orders, did not interfere with communities from other religions that did not aggress Muslims.

When the caliph Omar took Jerusalem, he protected the Christians and Jews in the city with their rights and places of worship.

Like all the states established by our ancestors, the rulers of the Ottoman Empire followed the same path.

What Fatih and his followers did in Istanbul consisted of following this ancient tradition.

Sinan the Architect, one of the most important figures in our civilization’s history, is one of the top contributors to the Hagia Sophia.

In 481 years, the Hagia Sophia became what it is today, with its altar, pulpit, minarets, sultan’s throne, plates, embroideries, chandeliers, carpets, fountain, and all other elements.

With the most crowded congregations of Istanbul, that have gathered through history, the Hagia Sophia has been a place of truly spectacular views that have been experienced during exceptional days such as Tarawih prayer, Laylat al-Qadr, and Eid.

Therefore, the Turkish Nation’s right to the Hagia Sophia is no less than the first builders of this work, approximately 1,500 years ago.

On the contrary, because of its contributions and strong ownership, our nation has more rights over the Hagia Sophia, which is considered as one of the most important works of human heritage or human history today.

With the conquest, Istanbul became a city where Muslims, Christians, and Jews lived together in peace and tranquillity.

History is the witness of the great struggles we made to ensure that prosperity, trust, peace, and tolerance prevailed everywhere we conquered.

Today, besides our mosques in every corner of our country, there are thousands of historical shrines of every faith.

In addition, churches and synagogues operate wherever there are congregations.

There are currently 435 churches and synagogues open for worship in our country.

This situation, which cannot be encountered in other geographies, is the manifestation of our understanding which sees differences as richness.
However, as a nation, we have not been able to avoid examples of the exact opposite even in our recent history.

In Eastern Europe and the Balkan geography, where the Ottomans had to withdraw, only a few of the works built by our ancestors for centuries are still standing.

Based on the phrase that “a negative example cannot set a precedent,” we do not take any of these bad examples into consideration, and we are resolutely maintaining the stance of our own civilization, which is based on construction and revival.

My dear nation…

The debate over the Hagia Sophia, which is once again in the spotlight today due to the decision to reopen it to worship, is nearly a century old.

During the time when Anatolia and Istanbul were under occupation, there were discussions about turning the Hagia Sophia into a church.

As the first step of this intention, fully equipped occupant troops arrived at the doors of the Hagia Sophia.

The French commander of the troops informed the Ottoman officer assigned to the Hagia Sophia that they would settle there and that Turkish soldiers must leave the mosque.

Major Tevfik Bey, who defended the Hagia Sophia with his soldiers, gave them the following answer:

“YOU CANNOT AND WILL NOT ENTER HERE.
BECAUSE THIS IS OUR PLACE OF WORSHIP.
IF YOU ARE GOING TO ATTEMPT TO ENTER BY FORCE, OUR FIRST RESPONSE WILL BE WITH HEAVY MACHINE GUNS, AND THEN THE DEMOLITION CHARGES THAT WERE PLACED IN THE FOUR CORNERS OF THE MOSQUE.
IF YOU CAN AFFORD THE COLLAPSE OF THE HAGIA SOPHIA ONTO YOUR HEADS, YOU CAN TRY TO ENTER.”

He thus crushed the invaders’ hopes of taking the Hagia Sophia.

Foreigners maintained an interest in the Hagia Sophia in the following years, hiding behind various excuses such as repairing the mosaics.

Meanwhile, the single-party era government closed the Hagia Sophia to worship in line with a new decree that required mosques to be at least 500 meters apart from one another.

Later, on February 1, 1935, the Hagia Sophia was instated as a museum and opened to visitors.

“During the years when it was closed to worship, Hagia Sophia, the heirloom of our ancestors, was exposed to a tremendous maltreatment historically.”

The Hagia Sophia Madrasah, the first Ottoman university in Istanbul built by Fatih adjacent to the mosque, was destroyed without reason.

Rare carpets laid on the floor of the Hagia Sophia were cut and distributed here and there.

Antique chandeliers were taken to the foundry to be melted.

Masterpiece plates that were still in place could not be moved out through the door because they were very large and were therefore moved to the warehouse.

These plates were later hung on their respective spots on the wall during the Democrat Party period.
The destruction suffered by Hagia Sophia is not limited to these. Those who wanted nothing left of the time when the Hagia Sophia was a mosque would even have demolished its minarets.

As a matter of fact, the minaret of Little Hagia Sophia, which was converted into a mosque during the reign of Sultan Bayezid II, was destroyed overnight without any legal basis.

Historian, journalist, and musician İbrahim Hakkı Konyalı, who saw that the time had come for the Hagia Sophia, immediately wrote and published a report.

They then decided not to tear down the minarets since late Konyalı said in his report "These minarets are the support of the dome, if they are taken down, the Hagia Sophia will collapse."

In the same period, similar disasters happened to many mosques, madrasahs, and edict relics.

Actually, this decision taken alone or during the single-party period was not only betraying the history but was also against the law.

Because the Hagia Sophia is neither the property of the state nor any institution, but a property of a foundation.

When Fatih conquered Istanbul, he also earned the title of the Roman Emperor and therefore had all the rights of ownership over the property of the Byzantine dynasty.

According to this law, the ownership of Hagia Sophia was given to Fatih and the foundation established by him.

During the Republican period, an official copy of this deed was prepared in the new Latin letters and issued to officially register its legal status.

If Fatih did not hold the deed for the Hagia Sophia, he would not have the right to endow it legally.

In one of the pages of his foundation charter, which is hundreds of pages long, dated June 1, 1453 and including the Hagia Sophia, Fatih Sultan Mehmed Khan said:

"HE WHO CHANGES MY FOUNDATION CHARTER, WHICH CONVERTS THIS HAGIA SOPHIA INTO A MOSQUE, ATTEMPTS TO ALTER, ANNUL OR AMEND ONE OF ITS ARTICLES.

IF HE MEANS TO ABOLISH THE FOUNDATION CHARTER OF THE HAGIA SOPHIA MOSQUE WITH A PECCEABLE OR FLAGRANT GLOSS OR DECEIT...

CHANGES THE ORIGINAL, CHALLENGES ITS PROVISIONS AND GUIDES AND HELPS THOSE WHO DO IT...

UNLAWFULLY USES IT, TERMINATES ITS STATUS AS A MOSQUE AND ARRANGES FORGED DOCUMENTS AND REQUESTS TRUSTEE RIGHTS...

OR RECORDS IT IN HIS OWN INVALID ACCOUNT BOOK OR FALSELY TRANSFERS IT TO HIS OWN ACCOUNT...

I EXPRESS BEFORE YOU, THAT HE HAS COMMITTED THE BIGGEST HARAM AND SIN.

THE ETERNAL CURSE OF ALLAH, THE PROPHET, THE ANGELS, ALL THE RULERS AND EVEN ALL MUSLIMS SHALL BE ON THOSE WHO CHANGE THIS FOUNDATION CHARTER;...

LET THEIR TORMENTS NOT BE ALLEVIATED, AND THEIR FACES NOT LOOKED AT ON THE DAY OF JUDGEMENT.

ANYONE WHO STILL CONTINUES WITH THIS CHANGE AFTER HEARING THESE, THE SIN SHALL BE UPON THE ONE WHO CHANGES IT.

ALLAH’S PUNISHMENT IS UPON THEM.

ALLAH IS ALL-HEARING, ALL-KNOWING."
Yes... The decision taken today has allowed us to get rid of the heavy curse that Fatih has put forth over his foundation.

Then again, the same mentality, let alone eliminating Hagia Sophia’s sorrow, still offers to turn the Sultan Ahmet, Istanbul’s most famous mosque, into a museum.

In the past, this mentality had thought of utilizing the Sultan Ahmet Mosque as a picture gallery, Yıldız Palace as a casino, and the Hagia Sophia as a jazz club, of which some have already been done.

As in every period, this perspective today is a manifestation of an outdated understanding under the guise of modernity.

It is the product of the same logic to demand the Vatican be converted into a museum and be closed to worship and to insist that the Hagia Sophia remains as a museum.

The next step would be the desire of turning the Kaaba, the oldest temple of worship of humanity, and the ancient temple of Masjid al-Aqsa into a museum.

I say may Allah protect our country and humanity forever from this mentality.

I say may Allah not test this nation again with those who are hostile to their values.

My dear nation...

There are some artefacts that are symbols of nations and states. One of these symbols is the Hagia Sophia.

In an article he wrote in 1922, Yahya Kemal said:

“THIS STATE HAS TWO SPIRITUAL FOUNDATIONS: THE ADHAN THAT FATIH RECITED FROM THE HAGIA SOPHIA’S MINARET, AND STILL RESONATES... THE QUR’AN THAT SELIM RECITED BEFORE THE PROPHET’S CLOAK, AND STILL RESONATES...”

Again, in the words of Yahya Kemal, the meaning of the Hagia Sophia for our nation is as follows:

“ONCE UPON A TIME, JUDGING BY YOUR GEOMETRY, I THOUGHT YOU WERE ONLY A MONUMENT; NOW, WHILE LOOKING AT THIS NATION UNDER YOUR DOME, I FEEL LIKE I HAVE ENTERED THE ENCHANTING CLIMATE OF THE ANCESTORS I HAVE BEEN DREAMING AND MISSING FOR YEARS”

Unfortunately, this temple, which the poet described as “the enchanting climate of the ancestors”, was deprived of the voice of adhan and the recitation of the Holy Qur’an for a long time.

Although the worshipping part of the Hagia Sophia allocated for the Sultan was first opened to worship in 1980 and again in 1991, due to the main structure it had remained destitute.

Almost all of our intellectual and artistic people have expressed the destitute of the Hagia Sophia in their writings and speeches.

The late Necip Fazil Kısakürek reveals his belief in this matter by saying “those who doubt whether Turks will remain in this country also doubt whether the Hagia Sophia will be open. One of his conferences was about this matter when we were young.

Today, we are answering the call of the master, “The Hagia Sophia should be opened, it should be opened along with the blocked fortune of Turks.”

The poem of Nazım Hikmet on the conquest of Istanbul and the conversion of the Hagia Sophia into a mosque is also very stunning:
“THIS IS THE MOST HONORABLE DAY THAT IS ISLAM HAS BEEN LOOKING FORWARD TO
GREEK CONSTANTINOPLE HAS BECOME TURKISH ISTANBUL
THE LEADER OF AN ARMY AGAINST THE WORLD
THE SULTAN OF THE TURKS, LIKE A SKY GETS SPLIT
ON THE GRAY HORSE FROM EDIRNEKAPI
HE CONQUERED ISTANBUL IN EIGHT WEEKS AND THREE DAYS
WHAT A HAPPY, BLESSED SERVANT OF ALLAH.
THE SULTAN WHO CONQUERED THE BEAUTIFUL CITY AL-
LAH ACCEPTED HIS BIGGEST PRAYER
AND ENABLED HIM TO PERFORM AFTERNOON PRAYER IN
HAGIA SOPHIA.”

Another historian and poet Nihal Atsız was asked, "If you were born again, what would you like to be?” He says "I would like to be an imam in Hagia Sophia”.

When our world-renowned historian Halil İnalcık said, “The west never forgot the conquest of Istanbul and Hagia Sophia,” he was actually trying to explain to us that this was a supra-political issue.

As one of the leading figures of our literature, Peyami Safa said, “Making Hagia Sophia a museum has not eliminated the ambitions of Christianity on Istanbul but on the contrary encouraged, provoked and excited them.”

An article titled Hagia Sophia, which resulted in its author, Osman Yüksel Serdengeçti, facing the death penalty ended with the following:
"HAGIA SOPHIA!
O MAGNIFICENT TEMPLE...
DO NOT WORRY, THE GRANDCHILDREN OF FATIH WILL OVER-
THROW ALL THE IDOLS AND CONVERT YOU INTO A MOSQUE.

THEY WILL PERFORM ABLUTION WITH THEIR TEARS AND PROSTRATE.
TAHLILS AND TAKBIRS WILL REPLENISH YOUR EMPTY DOMES AND THERE
THERE WILL BE A SECOND CONQUEST.
THE BARD WILL WRITE THE EPIC OF THIS, AND THE ADHAN
WILL DECLARE THAT.
THE TAKBIRS RISING FROM THE SILENT AND ORPHANED MINARETS WILL BE ECHOED IN THE SKIES.
YOUR MINARET BALCONS WILL LIGHT UP IN HONOR OF ALLAH AND HIS PROPHET MOHAMMED.
THE WHOLE WORLD WILL THINK THAT FATİH HAS RESUR-
RECTED. THIS WILL BE HAGIA SOPHIA, THIS WILL BE.
A SECOND CONQUEST, THE NEW RESURRECTION...
THIS IS DEFINITELY...
THESE DAYS ARE CLOSE...
MAYBE TOMORROW, MAYBE SOONER THAN TOMORROW..."
Praise be it, we’ve reached the said tomorrows.
One of the most prominent poems about the grief of Hagia Sophia belongs to Arif Nihat Asya:
“OH GREAT TEMPLE, WHY ARE YOU COVERED WITH SOR-
ROW LIKE THIS?
TELL US ABOUT THE AGE OF FATIH EVEN A LITTLE BIT!
WE WERE LINED UP FIVE TIMES A DAY UNDER YOUR CALM-
ING DOME
WITH YOUR ADHANS, YOU HAD AN INVITATION YESTERDAY.
O MY TEMPLE, LET THEM BE ASHAMED
THOSE WHO CLOSE AND NOT OPEN YOU”
This is the kind of embarrassment from which Turkey saved itself today.

Today, Hagia Sophia is having another resurrection, many of which it has witnessed since its construction.

The resurrection of Hagia Sophia heralds the liberation of the al-Aqsa Mosque.

The resurrection of Hagia Sophia is the footsteps of the will of Muslims across the world to come out of the interregnum.

The resurrection of Hagia Sophia is the reignition of the fire of hope of not just Muslims, but together with them of all the oppressed, wronged, downtrodden and exploited.

The resurrection of the Hagia Sophia demonstrates that the Turkish nation, Muslims, and all of humanity still have something new to tell the world.

The resurrection of the Hagia Sophia represents our memory full of heydays in our history – from Badr to Manzikert, from Nicopolis to Gallipoli.

The resurrection of the Hagia Sophia is the proof of our commitment to protect the trusts of our martyrs and the wounded – if necessary, by paying the price even if it costs to our lives.

The resurrection of the Hagia Sophia is a heartfelt greeting to the symbolic cities of our civilization – from Bukhara to Andalucia.

The resurrection of the Hagia Sophia is required by our respect and commitment to all of our ancestors from Alparslan to Mehmed and Abdulhamid.

The resurrection of the Hagia Sophia not only honors Sultan Mehmed’s spirit of conquest but also revives anew the spirituality of Akshamsaddin and the aesthetics and taste of Sinan the Architect in the depths of our hearts.

The resurrection of the Hagia Sophia is a symbol of the re-rise of our civilization’s sun, on the basis of justice, conscience, morality, tawheed and brotherhood and sisterhood, which humanity awaits longingly.

The resurrection of the Hagia Sophia is to break the chains and locks on the doors of this place of worship as well as the shackles on all hearts and feet.

Seventy years after the adhan’s return to its original version, the reinstatement of Sultan Mehmed’s trust, the Hagia Sophia, as a mosque is an overdue recovery.

It is the strongest answer ever given to the brutal attacks against our symbols and values across the Islamic world.

Turkey, with all steps taken in recent years, has demonstrated that it is the subject, rather than the object of time and space.

With its historic struggle, our nation builds a bridge between the past and the future, embracing all of humanity, for the sake of the bright future of the civilization that we represent.

Inshallah, we will continue to walk on this sacred path without pause nor hesitation, without giving up, through perseverance, sacrifice, and determination, until we reach our ultimate destination.

Once again, I hope that the court ruling and the presidential decree, which facilitated the Hagia Sophia’s reinstatement as a mosque, will be auspicious.

I would like to stress once again that we will open the Hagia Sophia to worship, as a mosque, whilst preserving its qualities as part of humanity’s shared cultural heritage.

I extend my love and respect to you all.

I wish you the best of health.
PROTECTING AND DEVELOPING THE HAGIA SOPHIA MOSQUE IN THE NEW PERIOD

**AFTER** Hagia Sophia has been converted into a mosque and provided with its original identity, the steps and measures to be taken were assessed by relevant ministries and public institutions in order to ensure that it is visited free of charge by anyone, local and foreign, Muslim and non-Muslim as a common heritage of humanity, the originality and integrity of the work are not damaged and its real function is properly fulfilled for believers. In this context, projects started to be implemented and a cooperation protocol was signed between principal institutions involved in the process.

**Hagia Sophia Al-Kabeer Refurbishment Project**

A refurbishing project for opening the Hagia Sophia Mosque to worship was deemed appropriate in accordance with the Decision No. 7527 dated July 16, 2020, by the Istanbul 4th Regional Board Directorate for Protection of Cultural Heritage. As part of Hagia Sophia Al-Kabeer Refurbishing Project, the following will be enabled:

- Visitor routes will be designated and the Great Mosque will be open to both worship and visit,
- Worship area and tour sites will be separated from each other,
- The mosaic with figures of Virgin Mary and Christ Child and Gabriel on the altar located in the worship area (naos), the Mosaic of Emperor at the gateway of the main part (naos) and the Offering Mosaic on the side door (vestibule door) will be covered only during prayer times through a demountable and folding curtain system and other mosaics, frescos and similar assets will be left as they are,
• Felt will be rolled out on the floor of the main part and it will be covered with carpet,
• The Emperor Crowning Area within the main part will be separated with railings and it will continue to be exhibited,
• The shadirvan (fountain providing water for ablutions) built by I. Sultan Mahmud will be made functional.

Cooperation Protocol between the Republic of Turkey’s Ministry of Culture and Tourism and the Presidency of Religious Affairs

In accordance with the cooperation Protocol between the Republic of Turkey’s Ministry of Culture and Tourism and the Presidency of Religious Affairs on July 16, 2020, the main principles for protecting and promoting the historical, cultural, social, spiritual and aesthetic values of Hagia Sophia have been determined and tasks have been shared among institutions.

In accordance with the Protocol, the following was adopted as the main principles:
• Conservation of tangible and intangible values of Hagia Sophia based on internationally and nationally accepted principles,
• Performing no physical intervention that would harm the values, originality, and integrity of Hagia Sophia,
• Before any intervention to be carried out, obtaining the opinion of the existing Scientific Advisory Board and the Administrative Board to be established and the decision of the Regional Board for Protection,
• Pursuant to paragraph 172 of UNESCO Guidelines for the Implementation of the World Heritage Convention dated 1972, providing information to the UNESCO World Heritage Centre prior to large-scale reconstruction and infrastructure operations that are likely to create an impact on the Hagia Sophia Mosque and preparing a Cultural Heritage Impact Assessment Report.

Furthermore, the Protocol also designates the liabilities of the Republic of Turkey’s Ministry of Culture and Tourism and the Presidency of Religious Affairs. All works regarding the maintenance, protection, development, risk management, visitor management, and education related to the Hagia Sophia Mosque will be carried out and supervised by the Ministry, as it has been until now. Necessary measures for the fulfilment of religious services will be taken by the Presidency of Religious Affairs.

Within the framework of the protocol, an Administrative Board will be established to be comprised of representatives from the Ministry of Culture and Tourism, Presidency of Religious Affairs and Historic Areas of Istanbul Site Directorate in order to determine the needs immediately and meet them in coordination and to transfer the scientific and institutional information obtained to date. Considering the Scientific Board, which was formed previously and which includes officials from the Presidency, Ministry of Culture and Tourism and the Presidency of Religious Affairs, and also lecturers and historians, it can be better understood that the process of protecting and developing Hagia Sophia will be managed in a participatory and consultative manner.