

INTERNATIONAL RELIGIOUS FREEDOM
R O U N D T A B L E

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TURKEY

Submission by

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Introduction

1. This UPR report is submitted by a coalition of human rights and faith-based organizations that participate in the International Religious Freedom Roundtable in Washington, D.C. The International Religious Freedom Roundtable is an informal gathering of civil society members, non-governmental organizations, scholars, religious and secular leaders, and government officials that meets regularly in Washington, D.C., to discuss the most pressing issues regarding international religious freedom—especially persecution, violence, and discrimination against individuals and groups based on their religion or belief—and to develop solutions and provide opportunities for collaboration and engagement. A number of signatories have ECOSOC consultative status with the United Nations, and have accreditation with the European Commission and Parliament, and the Organization of American States.
2. This report explains the current state of freedom of religion or belief in Turkey and makes recommendations accordingly.

a) Freedom of Religion or Belief

3. In Turkey, religion and politics have historically been closely linked. Turkey's ancient history, as part of the Ottoman Empire, was one of being a country that was multiethnic and Islamic. At the end of the Ottoman Empire, minority religious groups suffered, and

up to 1.5 million Armenian Christians were killed from 1915-1923 during the Armenian Genocide.

4. After World War I, when Mustafa Kemal Atatürk became president, he introduced a number of liberalizing reforms. Among the “six arrows of Kemalism,” which encapsulated Atatürk political program, two of them have particular relevance for the status of freedom of religion or belief in Turkey: Turkish nationalism and secularism. Atatürk’s secularism made a strong distinction between public and religious life, and led to a number of restrictions on religious expression and religious organizations.
5. But by the end of the century, a number of political developments introduced a view of secularism where religion, particularly Sunni Islam, could play a larger role in the public sphere.
6. Recep Tayyip Erdogan, who founded the Justice and Development Party (AKP), became Prime Minister in 2003, and then President in 2014. Erdogan has increasingly integrated Sunni Islam with his policies and rhetoric. His political focus, which has characterized the AKP, includes a religiously-inspired strong centralized government.¹
7. Over time, the Islamic majority has grown in Turkey. The population of Turkey is approximately 81 million. As of 2018, 99.8% of the population was Muslim, with 77.5% of these being Sunni (there are approximately 15-25 million Alevi, who are classified by the Turkish government as Sunni). There are at least nine other minority religious groups present in Turkey, but only some of these groups, such as adherents of Orthodox Christianity and Judaism (which are specially recognized in the 1923 Lausanne Peace Treaty), are recognized at the national level. Evangelical protestant groups are not recognized.
8. In July of 2016, a coup was attempted against Erdogan. The coup was unsuccessful but has had lasting consequences for religious freedom in Turkey. Erdogan has blamed Fetullah Gülen and his followers for the coup. Gülen is a moderate Islamic scholar, who has been living in the United States since the late 1990’s. Turkey has named all followers of Gülen as part of a terrorist organization (Fetullah Gülen Terrorist Organization or FETÖ), and has detained or dismissed from public service tens of thousands of his followers indiscriminately.² The coup led Erdogan to put the country under a state of emergency for almost two years, and provided an opportunity to continue promoting stronger ties between the government and Sunni Islam.
9. Restrictions on religious freedom and persecution on the basis of religion have increased since the 2016 coup.
10. Some actions targeting other religious minorities has been politically related. For example, Assyrian Christian co-mayor of Mardin, Februniye Akyol, who was the first

¹ See David Gauthier-Villars, ‘After Victory, Erdogan Promises to Strengthen Turkey’ *Wall Street Journal* (25 June 2018) <<https://www.wsj.com/articles/after-victory-erdogan-promises-to-strengthen-turkey-1529916803>>.

² Daren Butler, ‘Turkey orders 1,112 arrested over links to cleric Gulen: state media’ *Reuters* (12 February 2019).

Assyrian Christian co-mayor elected in Turkey in 2014, was removed from her position without reason.³

11. Following the 2016 coup, as the state worked to purge anyone related to the Gülen movement, several minority religious leaders were detained, arrested, or told they had to leave the country. One of these was Andrew Brunson, who had lived as a Pastor in Turkey for 23 years. Brunson was arrested, allegedly for having links to FETÖ.⁴ In October 2018, after a large amount of international outcry and pressure, a judge found he had served his time and released him (although the court still maintained his guilt, which has set a dangerous precedent for future cases dealing with imprisoned Christians). He and his family returned to the United States. The morning after Brunson was released, David Byle, a Canadian-American Christian evangelist, was arrested and detained. He was eventually released and told he had fifteen days to leave Turkey.⁵ The United Nations Working Group on Arbitrary Detention concluded that Brunson was targeted for his religious beliefs and actions.⁶
12. Brunson is not the only Protestant who has been required to leave Turkey. Brunson testified in June 2019 that “[o]ver 50 Protestant families have had to leave the country in recent years.”⁷ Reports indicate that religious workers are having to leave Turkey more frequently, and that it is becoming more difficult for foreign religious workers and church members to enter the country.⁸ One recent case is that of David Byle, a Protestant church member who had been living with his family in Turkey for 19 years.⁹ In October 2018, Byle was arrested for work relating to his church activities and told by authorities to leave Turkey. At the same time, he was verbally informed that he would be able to re-enter on a tourist visa. However, he was denied re-entry when he attempted to return to Turkey three weeks after leaving.
13. Local groups report increased use of state media to discriminate against minority religions. The Hrant Dink Foundation reported that between January and April of 2018, there were 427 instances of anti-Semitic speech and 161 instances of anti-Christian speech in national and local media.¹⁰ In May 2019, a television show hosted by the Turkish Islamic theologian Nihat Hatiopoğlu featured the conversion of an Armenian Christian boy to Islam without the permission of his parents.¹¹ Human rights complaints have been filed against Hatiopoğlu.

³ ‘Turkey removes the country’s only Christian co-mayor,’ *International Catholic News* (18 November 2016).

⁴ Kristina Jovanovski, ‘U.S. pastor Andrew Brunson goes on trial in Turkey, denies ‘illegal activity’,’ *NBC News* (15 April 2018).

⁵ Barbara Baker, ‘Turkey gives Western Christian evangelist 15 days to leave country,’ *WorldWatch Monitor* (25 October 2018).

⁶ Human Rights Council Working Group on Arbitrary Detention, ‘Opinion No. 84/2018 concerning Andrew Craig Brunson (Turkey)’ (15 February 2019) UN Doc A/HRC/WGAD/2018/84.

⁷ Quoted in Marsha West, ‘Dark times to come’: US pastor who had been imprisoned in Turkey testifies before religious freedom panel’ *Christian Research Network* (2 July 2019).

⁸ Protestan Kilseler Derneği, *2018 Human Rights Violations Report* (Report, 2018).

⁹ *See id.*

¹⁰ Hrant Dink Foundation, *Media Watch on Hate Speech Report* (Report, January-April 2018).

¹¹ ‘Turkish theologian under fire after ‘converting’ Armenian boy to Islam on live TV’ *Ahval* (15 May 2019) <<https://ahvalnews.com/turkey/turkish-theologian-under-fire-after-converting-armenian-boy-islam-live-tv>>.

14. Politicians and officials also regularly use anti-Semitic and anti-Christian speech. In August 2018, Burhan Kuzu, a founding member of the AKP, claimed on Twitter that “Zionist bankers of Jewish descent” ran the world.¹²
15. In general, very few non-Muslims are able to attain any sort of government employment.
16. In Turkey, religious groups do not have legal personality and cannot own property directly. Rather, members of religious groups are able to form either foundations or associations if they meet the registration requirements. However, many groups face difficulties with registration. Additionally, since 2013, the Turkish government has halted all elections for new foundation board members, which may cause difficulties in the future.
17. Turkey regulates Muslim facilities and education through the Directorate of Religious Affairs, and regulates non-Muslim groups through the General Directorate for Foundations.
18. In February 2016, Turkey stopped requiring ID cards to display an individual’s religion. However, the individual’s religion is still noted on an electronic chip in the card.¹³
19. Religious prejudices and persecutions also occur in education. New Sunni curriculum, announced in 2017 as part of the mandatory religious and moral teaching in primary and secondary schools, included lessons on jihad and described it patriotically. Meanwhile, textbooks denigrate church religious activity and describe it as a means of dividing the nation.¹⁴
20. Some students from minority religious backgrounds have difficulty obtaining exemptions to mandatory religion classes, although many are able to. Alevis are generally unable to obtain exemptions because the government classifies them as Sunnis.
21. In March of 2017, a court in Turkey’s southern province of Antalya held that compulsory religion classes were against the law.¹⁵ In January 2019, an administrative court in Istanbul also ruled that Turkey’s mandatory religion classes violated the principles of equality for students by requiring them to reveal their religion in order to obtain an exemption.¹⁶

Legal Framework Relating to Freedom of Religion or Belief

22. Article 10 of Turkey’s Constitution requires equality without distinction to religion and sect, and Article 24 guarantees the freedom of conscience, religious belief, and

¹² David Rosenberg, ‘Senior Turkish official claims ‘Jewish bankers’ run the world’ *Israel National News* (21 August 2018).

¹³ Alex MacDonald, ‘Turkey ditches religion from IDs as it eyes EU membership’ *Middle East Eye* (17 February 2016).

¹⁴ Christian Solidarity Worldwide, *Turkey: Freedom of Religion or Belief* (Briefing, September 2018) <<https://www.csw.org.uk/2018/10/24/report/4139/article.htm>>.

¹⁵ Wendy Zeldin, ‘Turkey: Court Rules that Child Can be Exempted from Compulsory Religious Classes’ *Library of Congress Global Legal Monitor* (30 March 2017).

¹⁶ ‘Turkish court rules against compulsory religion class’ *International Christian Concern* (11 January 2019) <<https://www.persecution.org/2019/01/11/turkish-court-rules-compulsory-religion-class/>>.

conviction. However, the guarantee of the free exercise of religion is limited by Article 14 of the Constitution,¹⁷ which states, “None of the rights and freedoms embodied in the Constitution shall be exercised in the form of activities aiming to violate the indivisible integrity of the State with its territory and nation, and to endanger the existence of the democratic and secular order of the Republic based on human rights.” Further, the Preamble to the Constitution was amended in 2001 to state that “no protection shall be accorded to any activity contrary to . . . historical and moral values of Turkishness.”

23. In times of war and state emergencies, Turkey’s Constitution allows the exercise of fundamental rights and freedoms to be partially or entirely suspended.¹⁸ However, Article 15 clarifies that, even under these circumstances, no one is to be compelled to reveal his or her religion or conscience, nor be accused on account of them.
24. Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) guarantee the right to freedom of thought, conscience, and religion for everyone. Turkey ratified the ICCPR in 2003.
25. Article 27 of the ICCPR says that, in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right to profess and practice their own religion, among other things. Despite ratifying the ICCPR, Turkey reserved the right to apply the provisions of Article 27 in accordance with the related provisions and rules of its Constitution.

Status of Alevi

26. Alevi are the second largest religious group in Turkey after Sunni Muslims, and while their population is difficult to know precisely, recent estimates suggest that roughly 15-25 million Alevi live in Turkey. Alevism is characterized by a number of distinct practices and beliefs, including the use of *cemevi* halls rather than mosques for worship.
27. Alevi, particularly those who are practicing, face a general marginalization in Turkish society that is reflected in the government’s laws and regulations. The government refuses to recognize Alevism as a distinct religious tradition apart from Sunni Islam. For this reason, the government does not provide Alevi the benefits that registered religious groups normally receive.
28. Because the Turkish government does not recognize Alevism as distinct from Sunni Islam, the government also does not recognize *cemevi* as houses of worship. Instead, the government treats them similarly to Sufi lodges under Law 677. Law 677 bans the operation of dervish lodges. Similarly, Alevi spiritual leaders, under the government’s interpretation of Law 677, are not allowed to use the title *dede*.
29. While the Turkish government generally does not enforce Law 677 against Alevi, the law still stands, and *cemevi* are still technically illegal in Turkey. The lack of legal

¹⁷ Article 24 of Turkey’s Constitution says, “Acts of worship, religious rites and ceremonies shall be conducted freely, as long as they do not violate the provisions of Article 14.”

¹⁸ Constitution of the Republic of Turkey, Art. 15 (as amended in 2004 and 2017).

recognition of Alevi houses of worship and spiritual leaders also has a discriminatory effect, as practicing Alevis must bear costs that Sunnis do not have to bear.

30. Turkey's failure to recognize the Alevis has even brought criticism from its own Supreme Court of Appeals. The Court ruled in November 2018 that the Turkish government was required to pay for the electricity used by *cemevis* – a benefit that recognized religious groups are entitled to.¹⁹ Despite symbolic gestures by government officials, such as a visit by the head of the Directorate of Religious Affairs to a *cemevi* in October 2018²⁰, the Turkish government still has not followed the Supreme Court of Appeals' ruling.
31. Turkey's treatment of Alevis has also brought judgments against the country by the European Court of Human Rights (ECHR). While the ECHR has ruled in favor of Alevis in many cases against Turkey, the most recent instance occurred in April 2016. The ECHR ruled that, under Articles 9 and 14 of the European Convention on Human Rights, Turkey had discriminated against the Alevis and failed to protect their freedom of religion by preventing them from applying for legal recognition from the government as a religious denomination.²¹
32. Furthermore, Alevis are not granted exemptions from mandatory religion classes. Instead, the Ministry of Education only grants exemptions to Turkish students who are Christian or Jewish, per Decision no. 1 of 9 July 1990. In the ECHR *Case of Mansur Yalcin and Others v. Turkey*, the Alevi applicants argued that they should be exempt from the religious classes because the classes privileged a Sunni interpretation of Islam.²² While the ECHR did not comment upon the religious content of the classes in any depth, the Court did find that Turkey had failed to respect the right of parents to ensure education and teaching in conformity with their own religious convictions, as per Article 2 of Protocol No. 1 to the European Convention on Human Rights. Turkey has yet to remedy any of these issues raised by the ECHR.

Status of Orthodox Christian Communities

33. Nearly all Christian communities face various kinds of discrimination in Turkey. The Orthodox churches within Turkey have been subject to unreasonable regulation, control, and interference in their internal affairs for decades, and the current Turkish government has done little to change this state of affairs.
34. The Turkish government has restricted Orthodox worship spaces and other facilities, and has seized Orthodox property. The Halki Seminary, which served as the sole seminary for the Ecumenical Patriarchate since 1844, has been shut down since 1971

¹⁹ 'Turkey's appeals court rules Alevi minority's cem houses are places of worship' *Ahval* (28 November 2018) <<https://ahvalnews.com/minorities/turkeys-appeals-court-rules-alevi-minoritys-cem-houses-are-places-worship>>.

²⁰ 'Director of Turkey's Religious Affairs visited a Cemevi for the first time' *Ahval* (20 October 2018) <<https://ahvalnews.com/alevis/director-turkeys-religious-affairs-visited-cemevi-first-time>>.

²¹ *İzzettin Doğan and Others v Turkey* App no 62649/10 (European Court of Human Rights (ECtHR), 26 April 2016).

²² *Mansur Yalçın and Others v Turkey* App no 21163/11 (ECtHR, 16th September 2014).

after martial law was declared during the military's "coup by memorandum."²³ Halki Seminary is the only Greek Orthodox seminary in Turkey. Because the government refuses to reopen it, the Greek Orthodox Church is hindered in its ability to train new clergy.

35. In February 2019, Turkey allowed Greece's prime minister, Alexis Tsipras, to visit the seminary for the first time. But it is unclear whether such a visit will lead to the seminary's reopening. Erdogan stated shortly after Tsipras's visit that he would not allow Halki seminary to reopen unless a recently constructed mosque in Athens was allowed to open with minarets.²⁴ Erdogan's statement indicates that he views the rights of religious minorities in Turkey not as absolute, but through a transactional framework.
36. In April 2016, state authorities seized all churches in Diyanbakir, including the 1,700 year-old Virgin Mary Syriac Orthodox Church and the Surp Giragos Church, one of the largest Armenian Orthodox churches in the Middle East.²⁵ The church seizure was part of a larger expropriation of property and affected Orthodox, Catholic, and Protestant churches following military actions that caused damage to many of the churches. Surp Giragos had previously been renovated in 2011 with private funds from Armenian Orthodox Christians. While the Turkish government has stated that it intends to restore the seized churches, local Christians are concerned that they will not be able to use the churches for worship as freely as they previously did.
37. While property expropriations remain a serious concern, the Turkish government has made some positive steps. In May 2018, the government returned 55 property deeds that had been seized in 2017 back to the Syriac Orthodox Church in Mardin,²⁶ and in July 2018, the Council of Foundations began the process of allocating church properties to religious foundations at no additional cost.²⁷ In another positive development, in January 2019, the Turkish government allowed for the construction of the first new church in Turkey in over 90 years, in Istanbul.²⁸ However, even this development became controversial as it was discovered that the land used for the church had previously been owned by a Roman Catholic church and used as a Catholic cemetery.²⁹ The incident required the intervention of Pope Francis.
38. The Turkish Government has also interfered in the internal affairs of the Orthodox hierarchy. Armenian Orthodox Patriarch Mesrob II Mutafyan went into a coma in

²³ Michael-Ross Fiorentino, 'Halki Seminary: the Istanbul Institution at the heart of a political and religious feud' *Euronews* (2 May 2019) <<https://www.euronews.com/2019/02/04/halki-seminary-greek-pm-tsipras-visit-to-turkey-s-closed-religious-school-hugely-symbolic>>.

²⁴ 'No seminary without minarets for Greek mosque, says Erdoğan' *Ahval* (16 February 2016) <<https://ahvalnews.com/greek-turkey/no-seminary-without-minarets-greek-mosque-says-erdogan>>.

²⁵ 'Turkey Seizes Six Churches as State Property in Volatile Southeast' *WorldWatch Monitor* (6 April 2016) <<https://www.worldwatchmonitor.org/2016/04/turkey-seizes-six-churches-as-state-property-in-volatile-southeast>>.

²⁶ Barbara G. Baker, 'Turkey returns confiscated Syriac church property deeds' *World Watch Monitor* (1 June 2018).

²⁷ Burcu Calik, 'Turkey offers places of worship for minorities' *AA* (21 July 2018).

²⁸ 'Turkey's first modern-day church to be built in Istanbul' *Daily Sabah* (9 January 2019) <<https://www.dailysabah.com/istanbul/2019/01/09/turkeys-first-modern-day-church-to-be-built-in-istanbul>>.

²⁹ *Id.*

2008.³⁰ The Turkish government prevented the Armenian Orthodox Church from holding elections to replace him based on the grounds that he was still alive, although incapacitated. Patriarch Mutafyan died on 8 March 2019. Currently, the Turkish government has only allowed the Armenian Orthodox Church to elect a temporary, rather than permanent, patriarch.³¹ Even this process was forcibly postponed by the Turkish government on June 27, with elections for the locum tenens of the Armenian Patriarchate of Istanbul ultimately taking place on July 4.

39. Erdogan has suggested converting the Hagia Sophia, which was a Greek Orthodox cathedral before being seized and converted into a mosque during the Ottoman Empire, back into a mosque.³² While Erdogan's statement may have been a political calculation prior to elections, his opportunistic rhetoric has had the effect of creating greater tensions between the Sunni Muslim majority and Christian minority.
40. Turkey continues to affirm up until the present day that genocide against Armenians, who were predominantly Christians, was not committed within its borders between 1915 and 1923. The International Association of Genocide Scholars (IAGS) has written that "the Armenian Genocide is not controversial," but rather "is abundantly documented by thousands of official records of the United States and nations around the world" and is the "overwhelming opinion of scholars who study genocide."³³ A July 1985 report to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities has recognized what occurred to the Armenians as an example of genocide.³⁴
41. On 25 March 2019, a letter from the Chair-Rapporteur of the UN Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence requested that the Turkish government answer seven questions about the "forcible deportation of Armenians between 1915 and 1923, which resulted in massive suffering, ill-treatment and deaths."³⁵ The allegations cited in the letter describe the

³⁰ 'Turkey's Armenian Church Leader Patriarch Mutafyan Dies' *The Armenian Mirror-Spectator* (12 March 2019) <<https://mirrorspectator.com/2019/03/12/turkeys-armenian-church-leader-patriarch-mutafyan-dies/>>.

³¹ 'Bishop Sahak Mashalian elected Locum Tenens of Istanbul Patriarchate' *Asbarez* (8 July 2019) <<http://asbarez.com/182440/bishop-sahak-mashalian-elected-locum-tenens-of-istanbul-patriarchate/>>.

³² 'Turkey's Erdogan says he plans to change Hagia Sophia's title from museum to mosque,' *Reuters*, 29 March 2019, <https://www.reuters.com/article/us-turkey-election-museum-idUSKCN1RA1ZB>, (accessed 10 May 2019).

³³ The International Association of Genocide Scholars, 'A letter from the International Association of Genocide Scholars' (June 13, 2005) <https://en.wikisource.org/wiki/A_Letter_from_The_International_Association_of_Genocide_Scholars>.

³⁴ United Nations Commission on Human Rights (Sub-Commission), 'Revised and updated report on the question of the prevention and punishment of the crime of genocide prepared by Mr. B. Whitaker' (2 July 1985) UN Doc E/CN.4/Sub.2/1985/6.

³⁵ Mandates of the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of nonrecurrence, Communication Ref AL TUR 13/2018 (23 November 2018) <<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=24294>>.

forced deportation of 600,000-1,500,000 Armenians, along with mass deaths, and state that Turkey has refused to acknowledge the event. Further, the allegations report that Article 301 of Turkey's Criminal Code, which prohibits insulting the Turkish nation and its institutions, is used to prevent discussion about the crimes committed against Armenians. (Other reports have confirmed arrests for commenting upon these events, including the arrest of Turkish-Armenian activist Alexis Kalk in 24 April 2019 for comments made at a memorial service.)³⁶ The questions in the letter addressed to the Turkish government relate to information about whether the Turkish government has put into place any policies or measures in regard to allegations based on these events. In reply, on 17 May 2019, the Permanent Representative of Turkey to the UN Office in Geneva replied that he would not "dwell on the issues raised" in the letter.³⁷

Status of Protestant Christian Communities

42. Apart from the situations that Protestant religious leaders and workers such as Andrew Brunson experience, the Protestant Christian communities in Turkey face a number of other difficulties. The Turkish Association of Protestant Churches reported in their 2018 report that there has been increased coupling of churches and terror organizations in news reports without any evidence of substantiation, and despite declarations to the contrary by churches and church leaders.³⁸ In particular, some churches, and local and foreign church members, became the direct subject of news reports and their names and activities were published, leading them to be concerned for their safety.³⁹
43. Members of the Protestant community have reported being reluctant to complain to the security forces or report incidents because the authorities regularly fail to investigate and perpetrators remain unidentified or prosecution is not pursued.⁴⁰
44. Requests by churches to designate non-church spaces as places of worship (which is commonly necessary for Protestants because there are not many church buildings left) are rejected by municipalities or not even made an agenda item for the municipal council to discuss. As a result, the groups cannot make use of the advantages given to an officially recognized place of worship. When they introduce themselves to the authorities as a church, they receive warnings that they are not legal and may be closed down.⁴¹ Occasionally, landlords who permit churches to operate in their buildings are themselves pressured by the government.

³⁶ 'Turkey Detains Armenian Activist for Referencing Genocide' *International Christian Concern* (30 April 2019) <<https://www.persecution.org/2019/04/30/turkey-detains-armenian-activist-referencing-genocide/>>.

³⁷ Ambassador Sadik Arslan, Permanent Representative of the Republic of Turkey to the United Nations Office in Geneva, Communication to the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances (17 May 2019) <<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34685>>.

³⁸ Association of Protestant Churches, *2018 Human Rights Violations Report* (2019) <<https://www.worldwatchmonitor.org/wp-content/uploads/2019/02/2018-Human-Rights-Violations-Report-2.pdf>>.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ Association of Protestant Churches, *supra* note 38.

45. As a recent example of a church closure, on 21 May 2019, the Bolu Provincial Police Department raided an “unauthorized” church composed of Iranian Christian asylum seekers while a baptism ceremony was occurring.⁴² The police then sealed the church.
46. In January 2019, the ECHR ruled that Turkey had violated the freedom of association of a Seventh-Day Adventists Church when, in 2004, the church’s representatives were not able to register a religious foundation as a legal entity.⁴³

Anti-Semitism

47. Apart from the widespread use of stereotypical and negative depictions of Jews throughout Turkish media, Turkey has seen isolated incidents of violence against the Jewish community in recent years. In July 2017, the ultranationalist Islamist group Alperen Hearths held a protest outside of the Neve Shalom synagogue in Istanbul in response to the installation of metal detectors at the Temple Mount in Jerusalem. During the event, protestors kicked the gates of the synagogue, threw stones, and chanted, “If you don’t let us into our places of worship, we won’t let you into yours.”⁴⁴
48. In March 2019, an unidentified individual threw a molotov cocktail at the Beth Israel Synagogue in Konak, Izmir.⁴⁵ The man was arrested, and the attempted attack did not cause damage.

Other Issues affecting Religious Groups in Turkey

49. In May 2016, the ECHR ruled that Turkey had violated the freedom of religion of Jehovah’s Witnesses under Article 9 of the European Convention on Human Rights when their worship spaces were closed in 2000 and 2004 after their applications to use their premises as worship spaces had been denied.⁴⁶
50. In April 2019, the ECHR ruled that Turkey had violated a Turkish teacher’s right to respect for private and family life when the teacher failed to receive a teaching post abroad.⁴⁷ An evaluation board relied upon secretly discovered information about the teacher’s family life, placing a significant amount of stress on his wife’s Islamic veiling practices and the gender segregation that he practiced in his home.
51. Turkey has a continuing responsibility to ensure that religious sites in Cyprus do not continue to deteriorate. In 1996 in the case of *Loizidou v. Turkey*, the ECHR held that the northern portion of Cyprus was under the de facto control of Turkey, and so maintained responsibility for it. On 2 March 2017, the UN Special Rapporteur in the

⁴² ‘Turkish police raid church during baptism ceremony’ *International Christian Concern* (29 May 2019) <<https://www.persecution.org/2019/05/29/turkish-police-raid-church-baptism-ceremony/>>.

⁴³ *Al Tinkaynak and Others v Turkey*, App no 12541/06 (ECtHR, 15 January 2019); ADF International, ‘Altinkaynak and Others v Turkey’ <<https://adfinternational.org/legal/altinkaynak-and-others-v-turkey/>>.

⁴⁴ Davide Lerner, ‘Temple Mount Crisis: Protesters hurl stones at Istanbul Synagogue over metal detectors’ *Haaretz* (21 July 2017).

⁴⁵ ‘Attacker Who Threw Molotov Cocktail at Synagogue in Izmir Caught’ *BIA News* (2 April 2019) <<https://bianet.org/english/minorities/207034-attacker-who-threw-molotov-cocktail-at-synagogue-in-izmir-caught>>.

⁴⁶ European Court of Human Rights (ECtHR), ‘Refusal to provide the Mersin and Izmir Jehovah’s Witnesses with an appropriate place of worship breached their right to freedom of religion’ (Press Release, 24 March 2016).

⁴⁷ *Id.*

field of cultural rights released a report to the Human Rights Council regarding her mission to Cyprus.⁴⁸ The Special Rapporteur noted numerous instances of important Orthodox religious and burial sites in Northern Cyprus falling into severe deterioration, being vandalized or desecrated, or being used for inappropriate purposes. The Special Rapporteur also noted the widespread looting that has occurred at these sites, and difficulty that visitors face in accessing these sites, including for worship. According to the Cypriot Embassy, 77 churches have been converted into mosques, 18 are being used by Turkish armed forces, and 13 are being used as stockyards or barns.⁴⁹ The Special Rapporteur's 2017 Report made specific recommendations to the Turkish Cypriot authorities, and specifically noted that Christian sites in particular needed protection from further deterioration, "in consultation with the population concerned."

b) Recommendations

52. In light of the aforementioned, the coalition recommends Turkey make the following changes:

- (a) Withdraw the reservation regarding Article 27 of the ICCPR,
- (b) Urge state media and state leaders at all levels to meet their obligations under the Constitution's Article 10, treat all people equally regardless of religion, and speak against derogatory statements made towards Jews, Christians, and other religious minorities,
- (c) Return confiscated church properties, allow church properties to be used as determined by the church, and ensure local governments are fairly reviewing requests for uses of property as worship spaces without undue interference from the federal government,
- (d) Fully comply with judicial decisions made at national and international levels that affirm the freedom of religion and associated freedoms and rights,
- (e) Permit the immediate reopening of Halki Seminary without condition,
- (f) Ensure students are not required to reveal their religion in order to be exempted from school religion classes, or make school religion classes voluntary,
- (g) Permit Alevis and all other religious groups the same access to government benefits for religious organizations as Sunni Muslims,
- (h) Revoke the current ban on elections of board members for religious foundations, streamline the registration process for foundations and associations, and eventually recognize religious organizations directly as having legal personality and the ability to own and dispose of property,
- (i) Permit religious organizations to hold elections for their religious leaders without government interference,

⁴⁸ Human Rights Council, 'Question of Human Rights in Cyprus' (1 February 2017) A/HRC/34/15.

⁴⁹ Embassy of the Republic of Cyprus in Washington DC, 'Destruction of Cultural Heritage' <<http://cyprusembassy.net/home/index.php?module=pages&cid=15>>.

- (j) Implement the “recommendations to the Turkish Cypriot authorities” contained within the 2 March 2017 Report of the Special Rapporteur in the field of cultural rights on her mission to Cyprus (A/HRC/34/56/Add.1),
- (k) Respect conscientious objectors without discrimination,
- (l) Permit entrance into the country by religious groups, including religious leaders, and refrain from deporting individuals for their religious work,
- (m) Respect and preserve the unique status of religious cultural sites, such as the Hagia Sophia, that are important to multiple religious traditions,
- (n) Respond fully to the 25 March 2019 letter from the Chair-Rapporteur of the UN Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence regarding the forced displacement and deaths of Armenians and other Christians during the Armenian Genocide from 1915-1923.