



TURKEY

Key Findings

Turkish secularism historically has been particularly detrimental to the smallest religious minority communities and their ability to perpetuate their faiths. Per the 1982 constitution, the state has pervasive control over religion and denies full legal status to all religious communities. Other concerns exist, including the listing of religious affiliation on national identity cards, societal discrimination, anti-Semitism, and religious freedom violations in the Turkish-occupied northern part of Cyprus. In addition, the overall landscape for democracy and human rights has deteriorated significantly in the last two years, with troubling implications for freedom of religion or belief in Turkey. For these reasons USCIRF again places Turkey on Tier 2 in 2015.

Background

Turkey's 1982 constitution provides for freedom of belief, worship, and the private dissemination of religious ideas and prohibits discrimination on religious grounds. The Turkish constitution is based on the French model of *laïcité*, which requires the absence of religion in public life and in government. Therefore,

state control through the *Diyanet* (the Presidency of Religious Affairs) and all other faiths are subject to state control through the *Vakıflar* (the General Directorate for Foundations). Additionally, the 1923 Treaty of Lausanne, a peace treaty between Turkish military forces and several European powers, contains specific guarantees and protections for Greek and Armenian Orthodox and Jewish communities that are not afforded to other minority groups. Turkey's non-Muslim religious minority communities are small, comprising less than 1 percent of the country's current population, but are diverse and are historically and culturally significant.

Following his 2011 re-election as Prime Minister and his August 2014 election as President, Recep Tayyip Erdoğan pledged to revise the constitution. A parliamentary constitution drafting commission established after the 2011 election disbanded over disagreements unrelated to religious freedom, and since August 2014 no new actions to revise the constitution have been implemented. Nevertheless, despite the significant constitutional impediments to full religious freedom protections, the Turkish government has shown that improvements on property rights and

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no religious community, including the Sunni Muslim majority, has full legal status and all are subject to state control that limits all groups' rights to own and maintain places of worship, train clergy, and offer religious education. Turkish policies subject Islam to

religious dress are possible without a new constitution when sufficient political will is present. This will, however, remains lacking on other issues, such as the long-promised reopening of the Greek Orthodox Halki Seminary, which has been closed since 1971.

Religious Freedom Conditions 2014–2015

Interference in Internal Religious Affairs

The Turkish government continues to require that only Turkish citizens can be members of the Greek Orthodox Church's Holy Synod. Although the Prime Minister in 2010 approved dual citizenship for 25 Metropolitans, others were denied. The government's role in deciding which individuals may be part of the Greek Orthodox Patriarchate represents interference in its internal affairs. The government also has interfered in the selection process of the Armenian Patriarchate's leadership. Generally, Turkey denies religious minority communities the ability to train clergy in the country. The Greek Orthodox Theological School of Halki remains closed, as it has been since 1971, despite promises and public

There have been some positive developments in the last year. In February 2014, 425,000 square feet of land in Istanbul was returned to the Holy Savior Armenian Hospital Foundation. In January 2015 the Turkish government approved the construction of a new Syriac Christian church in Yeşilköy district of Istanbul – the first such approval since the founding of the Turkish Republic in 1923. As USCIRF heard from Syriac religious leaders during a February 2014 trip to Turkey, the one existing Syriac church in Istanbul is not sufficient for the 18,000 Syriac Christians living there.

Additionally, in the last year the Turkish government has increased financial subsidies to minority religious communities to help pay utility bills, including electricity and water. According to the Turkish government,

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statements of support for its reopening by President Erdoğan and former President Gül. The Armenian Orthodox community also lacks a seminary, however, there are 16 Armenian Orthodox parish schools.

Religious Minority Properties

The Turkish government throughout its history has expropriated religious minority properties. Beginning in 2003 and especially since the issuance of a 2011 decree, the government established a process to return some properties or pay compensation when return is not possible. The Turkish government reports that since 2003, more than 1,000 properties – valued, at more than 2.5 billion Turkish Lira (1 billion U.S. Dollars) – have been returned or compensated for. Hundreds more applications are still being processed. Nearly 1,000 applications reportedly were denied due to lack of proof of ownership or for other reasons. For example, the Turkish government reports that some applications are duplicates because different religious communities are claiming the same property. However, some communities allege bias, consider the process very slow, and claim that compensation has been insufficient.

387 non-Muslim places of worship recognized by the government are eligible for the subsidies. Additionally, the Turkish government reports that recognized places of worship are exempt from property and environmental sanitation taxes. The Turkish government also reported to USCIRF that in 2014 it had restored more than a dozen Christian and Jewish houses of worship and heritage sites, and said that other restorations were ongoing or planned. For example, in 2014, Izmir's Greater City Municipality restored a Greek Orthodox Church in Bornova and the 19th century Greek Orthodox Agios Voukolos Church. A liturgy service was celebrated in the latter church in August 2014 for the first time since 1922. The Beit Hillel Synagogue in Bornova was also restored, although reportedly the Jewish community does not control the property and services are not allowed. After the reporting year, in March 2015, the third largest synagogue in Europe, the Great Synagogue of Edirne located in the northwest region, was reopened and a service was held for the first time in nearly 50 years.

Since 2008, there had been an ongoing dispute over the Turkish government's attempted seizure of some

territory of the 1,600-year-old Mor Gabriel Monastery, the Syriac Patriarch's residence from 1160 to 1932. In September 2013, the government announced that it would return Mor Gabriel to the appropriate Syriac Foundation and it has handed over the deed for 244,000 square meters (over 60 acres) of land. A case concerning an additional 320,000 square meters (nearly 80 acres) claimed by the community is pending before the European Court of Human Rights.

Education

The constitution makes religious and moral instruction compulsory in public primary and secondary schools, with a curriculum established by the Ministry of National Education. Non-Muslim children can be exempted, although there are reports of societal and teacher discrimination against children who opt out. Additionally, after complaints by religious minority communities, the Ministry of Education reported that it has made an effort to revise textbooks to not portray minorities in a derogatory manner. Alevi have complained that they are not allowed to have their children opt out of Sunni Islamic courses. In September 2014, the European Court of Human Rights ruled that Turkey's compulsory religious education for Muslim students violates the right of Alevi parents to have their children educated consistent with

sities, the parliament, courts, and schools. In the past, women who wore headscarves, and their advocates, were expelled from universities and lost public sector jobs, such as in nursing and teaching. In September 2013, the Turkish government lifted the headscarf ban for women in public institutions and universities. In September 2014, the headscarf ban was lifted in public middle schools and high schools. However, the ban still exists in areas that require a uniform, such as military and police offices, and in some courts. In addition, under Turkish law, only the titular head of any religious group may wear religious garb in public, but there have been no recent reports of government or local police enforcing this law in practice.

Alevi

Alevi comprise 15 to 25 percent of Turkey's total population. Although the Turkish government and many Alevi view them as heterodox Muslims, many Sunni Muslims do not accept that definition and consider them non-Muslims. Some Alevi identify as Shi'a Muslim, while others reject Islam and view themselves as a unique culture. Alevi worship in "gathering places" (*cemevi*), which the Turkish government does not consider legal houses of worship and thus cannot receive the legal and financial benefits associated with such status. In December 2014, the European Court of Human

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their own convictions. The court ruled that Turkey should institute a system whereby pupils could be exempted from religion classes without parents having to disclose their religious or philosophical convictions. The decision became final in February 2015 after the Court's Grand Chamber denied Turkey's request for review.

Religious Dress

Pursuant to Turkish secularism, the government has long banned religious dress, including the wearing of headscarves, in state buildings, public and private univer-

sities, the parliament, courts, and schools. In the past, women who wore headscarves, and their advocates, were expelled from universities and lost public sector jobs, such as in nursing and teaching. In September 2013, the Turkish government lifted the headscarf ban for women in public institutions and universities. In September 2014, the headscarf ban was lifted in public middle schools and high schools. However, the ban still exists in areas that require a uniform, such as military and police offices, and in some courts. In addition, under Turkish law, only the titular head of any religious group may wear religious garb in public, but there have been no recent reports of government or local police enforcing this law in practice.

Anti-Semitism

Representatives of the Jewish community in Turkey have told USCIRF that their situation is better than that of Jews in other majority Muslim countries and in parts

of Western Europe. They are able to worship freely and their synagogues generally receive government protection when needed. Nevertheless, they remain concerned about rising anti-Semitism in society and in the media and occasional derogatory comments by government officials. During the summer of 2014, the Jewish community reported that it faced increased harassment and discrimination that it viewed as related to the Israel-Gaza conflict, and was increasingly fearful of violence.

The Ergenekon Conspiracy and Violence against Religious Minorities

Justice remains elusive in several high-profile past cases of violence against religious minorities. In January 2015, three suspects in the 2007 killing of three Protestant Christians at a Bible publisher in Malayta were released after having been held for more than five years without a final court decision. Early in 2014, five other suspects had been released. Only one suspect remains in jail. The suspects reportedly were members of the “Ergenekon” conspiracy, in which secularist “deep state” officials and elites allegedly plotted to overthrow the AKP government and to carry out violence against religious minorities.

Cases concerning the 2007 killing of Hrant Dink – the founder and editor of the weekly *Agos* and an advocate for democracy and Turkish-Armenian reconciliation – also continue. Two individuals, Ogun Samast

on national identity cards violates the European Convention, all individuals are still required to do so. Some religious groups, such as the Baha’is, are unable to state their religion because it is not on the official list of options. While a 2006 law allowed individuals to leave the religion section blank or change the religious designation, some communities have reported that they face intimidation or harassment when choosing either of these options.

Northern part of the Republic of Cyprus

Turkey has occupied nearly one-third of the northern part of Cyprus since 1974. As in past years, minority communities continued to be denied access to their religious places of worship and cemeteries that are within the boundaries of Turkish military zones or bases during 2014. In May 2014, the European Court of Human Rights ordered Turkey to pay 90 million Euros (100 million U.S. dollars) in compensation for its 1974 illegal invasion and occupation of the northern part of Cyprus.

U.S. Policy

Turkey is an important strategic partner of the United States; it is a NATO ally and there is a U.S. airbase in Incirlik, Turkey. The U.S.-Turkey relationship includes many matters, most importantly regional stability and security due to Turkey’s shared borders with Syria, Iraq, and Iran, and the emergence of the Islamic State of Syria and the Levant (ISIL). The United States

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and Yasin Hayal, were convicted in 2011 and 2012 of involvement in his killing; 19 other suspects were acquitted. In October 2014, Istanbul’s 5th High Criminal Court overturned the acquittal of the 19 individuals, on the grounds that it overlooked possible links to a “criminal organization.”

National Identity Cards

Despite the 2010 European Court of Human Rights’ ruling that the requirement to list religious affiliation

continues to support Turkish accession to the European Union (EU), encouraging Turkey to continue the reforms necessary to complete the membership process, and arguing that a Turkey that meets EU membership criteria would be good for the United States, for the EU, and for Turkey. In addition, in the past, the United States worked to criminalize the sources of material support for the Kurdish Workers’ Party (PKK) by designating the PKK a Foreign Terrorist Organization and supported the Turkish military against

the PKK in northern Iraq. However, in 2014, relations between Turkey and the United States soured over a number of issues, including, differences in their Syria policies and approaches to dealing with the ISIL threat, anti-democratic moves in Turkey, and the Israeli-Palestinian conflict during the summer. Nevertheless, the United States and Turkey continue to be partners, especially regarding the Syrian and Iraq crises.

Since President Jimmy Carter, every U.S. president has called consistently for Turkey to reopen the Greek Orthodox Theological School of Halki under the auspices of the Ecumenical Patriarchate and to take specific steps to address concerns of the ethnic Kurdish population and other minority communities. The U.S. government also cooperates with Turkey to assist in the advancement of freedom of expression, respect for individual human rights, civil society, and promotion of ethnic diversity. Like every country except Turkey, the United States does not officially recognize the “Turkish Republic of Northern Cyprus.” However, the United States government does discuss religious freedom with Turkish Cypriot authorities and supports international efforts to reunify the island.

Recommendations

In its engagement with Turkey, the U.S. government, at the highest levels, should continue to raise religious freedom issues with Turkish government counterparts. Specifically, USCIRF recommends that the U.S. government should urge the Turkish government to:

- Revive the multi-party constitutional drafting commission with the goal of drafting a new constitution consistent with international human rights standards on freedom of religion or belief;
- Fully implement the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights by withdrawing reservations that negatively impact religious freedom, and interpret the 1923 Lausanne Treaty so as to provide equal rights to all religious minority communities;
- Comply with decisions made by the European Court of Human Rights, including by
 - removing the space listing religious affiliation on official identification cards;
- recognizing Alevi *cemevis* as official places of worship; and
- instituting a system whereby pupils can be exempted from religion classes without parents having to disclose their religious or philosophical convictions;
- Fulfill private- and publicly-stated promises that the Greek Orthodox Halki Seminary would be reopened, and permit other religious communities to open and operate their seminaries;
- Permit religious communities to select and appoint their leadership in accordance with their internal guidelines and beliefs;
- Publicly rebuke government officials who make anti-Semitic or derogatory statements about religious communities in Turkey; and
- Ensure that, with respect to the northern part of the Republic of Cyprus, Turkish military authorities and Turkish-controlled local authorities end all restrictions on the access, use, and restoration of places of worship and cemeteries for religious minorities.