



Reports

Association of Protestant Churches (Turkey)

2023 Human Rights – Violation Report

2024/15

International Institute
for Religious Freedom



International Institute
for Religious Freedom

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Institut International pour la Liberté Religieuse
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Association of Protestant Churches (Turkey)

2023 Human Rights – Violation Report



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The **Association of Protestant Churches** had its beginnings in 1989 with the meeting of church leaders as a ‘Representative Council’ which turned into the ‘Alliance of Protestant Churches’ and finally became an official association January 23, 2009.

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Introduction, Background and Summary

We respectfully submit this year’s Human Rights Violation Report to the public. Such reports have been prepared annually for many years from the perspective of the Protestant Community in Turkey.

This report contains the following key sections:

- A summary of current historical and sociological information to assist in understanding the situation facing Protestants in Turkey
- The purpose of this report
- Summary information concerning the areas examined by the report
- More detailed information concerning the areas focused on by the report
- Recommendations

Background

The Protestant community in Turkey is made up of approximately 205 churches/fellowships of various sizes, the majority of which are found in Istanbul, Ankara and Izmir.¹

134 of these Protestant fellowships have obtained legal entity status by establishing 20 religious foundations, 18 representative branches of religious foundations, 34 church associations and 63 representative branches linked to those associations. The remaining fellowships do not possess legal entity status.

Of the 205 Protestant fellowships, 12 worship in historical church buildings, 119 have rented facilities that are open to the public and 52 meet in premises they own. 22 fellowships meet together in their own homes for worship.²

In 2023, the Protestant community did not have the opportunity to train its own religious personnel within the Turkish National Education system. Therefore, the Protestant community trains most of its religious leaders through its own internal apprenticeship method. A small percentage study at theological schools overseas. Some are able to gain the necessary knowledge and skills for pastoral leadership through seminars organized within country. The recent increase in the number of national Protestant religious workers continued in 2023. But as there have not been enough national leaders to meet the need, some churches continue to meet their need for spiritual guidance through foreign pastors (Protestant spiritual leaders). However, since 2019 the severe restrictions on foreign religious workers by requiring them to leave the country either due to the issu-

¹ This figure covers fellowships where the language used for worship is Turkish. There are approximately another 100 Protestant fellowships meeting in Turkey, the majority of these are formed by migrants and refugees from Iran.

² “House fellowships” means the members of a fellowship meeting together regularly in their own homes without any public presence.

ance of N-82 or G-87 codes³ banning entry into Turkey or the denial of residence visas, has caused severe difficulties for Protestant fellowships that relied on a foreign pastor for spiritual guidance.

Protestant churches do not have a hierarchical or centralized structure. Each church or group of churches is independent. However, church pastors began meeting together in the late 1980's for the purpose of unity, solidarity and partnership between Protestant churches. In the mid 90's this unity gained structural momentum, so they formed "The Alliance of Protestant Churches", known as TeK (Representative Committee). Earlier laws relating to the formation of associations prevented TeK from being a representative body before official government bodies. As the result of a change in the Law of Associations, TeK decided to establish an association and the Protestant Church Association was formed on Jan 23, 2009. The Association of Protestant Churches continues to act as the representative and unifying institution for a large part of the Protestant community in Turkey.

Since 2007 the Association of Protestant Churches has published these monitoring reports⁴ which set out the situation faced by the Protestant community. The Association of Protestant Churches attaches great importance to freedom of religion and belief and strives to ensure these freedoms become a reality for everyone, everywhere. These yearly monitoring reports serve this aim as they present the Protestant community's situation to public officials, civil society and the media.

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Summary

Freedom of religion and belief, one of the basic human rights listed in the Universal Declaration of Human Rights, is granted in our country through international human rights law, the Constitution and national law. Whilst generally there is freedom of religion in our country, however in spite of legal protections the Protestant community still faced some basic problems in 2023. In the spirit of contributing to the development of freedom of belief in Turkey, this report has been prepared to present some of the problems as well as positive developments relating to religious freedom that have been experienced in 2023 by the Protestant community.⁵ The situation in the year 2023 is briefly summarized below:

- Protestant Christian individuals or institutions experienced hate crimes or associated physical attacks based solely on faith
- 2023 saw an increase from the previous year in both written and oral hate speech aimed at provoking hate in public opinion, both written and verbal, that was directed at Protestant Christian individuals or institutions

³ N-82: (Entry conditional on pre-approval) According to article 9/7 of Law number 6458 Foreigners and International Security some foreigners with entry bans can enter the country if they have prior approval. G-87: Foreigners considered to be a threat to security.

⁴ Before 2009 the phrase "Union" ("Birlik") was used. URL: http://www.protestankiliseler.org/?page_id=638.

⁵ Our society defends to right of freedom of religion for all. This includes the right not to believe.

- The 6 February 2023 earthquake affected the whole of Turkey, including the Protestant community
- In 2023, problems continued to be faced with regard to requests to establish a place of worship, to continue using a facility for worship, or with applications to use existing church buildings.
- In 2023, the trend for churches to gain legal status through the establishment of a religious foundation continued to increase.
- No progress was made in 2023 with regard to the rights of Christians to train their own religious workers. Many foreign church leaders were deported, were denied entry into Turkey or faced problems with getting their residence permits renewed.

Hate Crimes and Hate Speech, Verbal and Physical Attacks

2023 saw an increase from the previous year in terms of hate crimes.

- On 28 January in Suruç, Şanlıurfa, the female leader of the ladies' section of a house of mourning attempted to stir people up against the church by making unfounded accusations towards and showing the photographs of the church leader, his family and some church members. When this was brought to the attention of some respected persons they intervened, warned the lady concerned and informed her that they would make an official complaint to the police if she persisted.
- On 28 February in the province of Hatay, people wearing religious dress took video footage of a field kitchen that had been set up by a church to feed earthquake victims; they attempted to incite locals by calling the church volunteers who were there to serve victims "specially trained employees". Despite repeating these accusations on social media and in the press, no negative reaction occurred. On the contrary, the local public and officials thanked the church for its service and asked for it to continue. No legal action was taken.
- On 6 March in Adıyaman, a Christian group that was serving meals to earthquake victims was harassed by a group of people wearing Islamic cassocks and the Christian group was identified as a target on social media. An official complaint was not made to the police, but the security forces and governor's office were informed. The group who made threats were warned about their behavior by the security forces.
- On 29 April, a rock and a note saying "take your religion and your race and go" was placed on the windshield of the church pastor's car. No official complaint to the police was made.
- On 2 Mayıs in Üsküdar, İstanbul, an individual threw eggs and coins at the entrance door of the Eurasia Protestant Churches Foundation and shouted violently. No official complaint to the police was made.

- On 5 June in the province of Kayseri stones were thrown at the windows of a facility owned by the church and being used as a free laundry for earthquake victims, and the windows were broken. No official complaint to the police was made.
- On 18 September in the province of Sinop, the provincial director of an extreme nationalist organisation threatened the church and its pastor by name in a speech he gave at a function. This speech was then shared on social media. Although the church was very apprehensive, no official complaint to the police was made.
- On 28 October in the province of Mardin, a local newspaper wrongly substituted the photograph of the church pastor for a swindler in an unconnected article concerning fraud. An official complaint to the police was made but there have been no developments.
- On 6 November in the province of Eskişehir, someone punched the pastor as he preached his sermon as part of the worship service. The perpetrator was seized and given to the police. In his defense statement he said he wanted to test how tolerant Christians were. Although the public prosecutor gave instructions for the individual to be arrested, he was committed to a local mental hospital for his mental state to be assessed. The legal process continues.
- On 17 November in the province of Konya, a local news website published a provocative article called “Church Houses and Missionaries” which included the church’s full address in an attempt to make them into a target.
- On 25 November in Tepebaşı, Eskişehir, two people attempted to force their way into the Protestant church. They threatened the pastor saying, “Are you Jewish? Are you Israeli? If you call the police, we will set you alight.” The security forces were notified, and the perpetrators were transferred to a court accused of “inciting the public to hatred and hostility, threatening behavior as a group of more than one person, violating workplace immunity by using force or threats”. The individuals were officially charged with the crimes of “threatening behavior and violating workplace immunity” and then released on bail.
- On 3 December in the province of Amasya an individual attacked the church with stones during the worship service. The police were called, and the individual attacked the church once more, in the presence of the police. The individual was arrested but the church later withdrew its official complaint following an apology by the perpetrator.
- On 17 in the province of Kayseri a banner was erected in the town center that says, “Do not make friends with Jews and Christians”. This banner is still in place.
- On 18 December in Çekmeköy, İstanbul, a telephone call was made to the landlord of the building used by Kurtuluş Church asking him to evict the church and later that evening the church’s sign was smashed by two people with knives. Another panel that contained the church’s logo and contact information was also destroyed. The perpetrators went to the police and expressed regret for their crime. However, the church still feels under threat.

Problems with regard to Places of Worship

The right to establish and maintain a place of worship is an important component of the freedom of religion and belief.

Because members of the Protestant community are mostly new Christians, they do not have religious buildings that are part of their cultural and religious heritage like the traditional Christian communities have in Turkey. The number of historical church buildings which are available for use is very limited. Therefore, a large portion of the Protestant community tries to overcome the problem of finding a place to worship by establishing an association or religious foundation or gaining representative status with an existing association or religious foundation and then renting or purchasing a property such as a stand-alone building, shop or depot that has not traditionally been used for worship. A very small number have been able to build their own free-standing buildings. However, many of these premises do not have official status as a place of worship and therefore they are not officially recognized as a place of worship even though they are used that way. They cannot benefit from the advantages, or the assistance given to an officially recognized place of worship such as free electric and water as well as tax exemption. When they introduce themselves to the authorities as a church, they receive warnings that they are not legal and may be closed down.

The range of places of worship used by the Protestant community as at the end of 2023 is as follows: The known number of Protestant congregations in all of Turkey is 205. An analysis of their use of worship sites is:

- Congregations with their own stand alone or independent building (in the name of an individual or legal entity) – 23.
- Congregations who worship in their own building that is not stand alone or independent (in the name of an individual or a legal entity) – 29.
- Those who worship in a traditional historical church – 12.
- Those who worship in a rented facility – 119.
- Those who worship at home or in an office – 22.

From these statistics it is clear how important the issue of having a place of worship is for the Protestant community, and how insecure the current situation is due to the number rental properties and home fellowships.

The steadily growing Protestant community continued to face a serious problem in 2023 regarding a place to worship. In smaller communities where there has not been a Christian presence in the recent past or where there is no Christian place of worship, Protestant community members are confronted with serious and very visible social pressure. Instead of public institutions adding to this pressure, it would better serve the state's basic responsibilities relating to human rights for these institutions to take the role of protection and easing the burden of these small Christian congregations.

The Right to Propagate Religion

There were no violations of this right reported to us in 2023.

Problems Faced in Education and Compulsory Religious Knowledge Classes

In 2023, there were no violations reported to us concerning the Religious Culture and Moral Knowledge Class (DKAB) and the right to exemption from this class. In 2021, there were no violations that restricted the right to education that were reported.⁶ The content of the mandatory Religious Culture and Moral Knowledge classes and the resources used in the classroom are currently far from being pluralistic. The sections relating to Christianity are presented from an Islamic perspective and do not represent the views of Christians themselves.

Some Christian students and their families have faced significant difficulties as students are required to select at least three optional classes. One of these optional classes covers the Islamic faith, and despite it being optional if no alternative is offered students have to take it to meet the required minimum. Although this problem can often be solved by dialogue with the school, this process is stressful and exhausting for the students and their families.

The Problem of Being Unable to Train Religious Leaders and Difficulties Faced by Foreign Protestants

In 2023, the laws in Turkey continued to deny the possibility of training Christian clergy and the opening of schools to provide religious education for the members of church communities in any way. Yet the right to train and develop religious leaders is one of the foundation stones of the freedom of religion and belief. The Protestant community presently solves this issue by providing apprentice training, giving seminars within Turkey, sending students abroad or utilizing the support of foreign clergy.

In 2023, although spiritual leadership for the majority of congregations was offered by local Christians, the need for foreign religious workers still continues. In 2023, we continued to see cases of foreign religious workers and members of congregations being deported, or refused entry to Turkey or denied residence permits and visas. Many congregations were left in difficult situations and the need for religious workers continues to be great.

⁶ URL: <https://www.hukukihaber.net/egitim/mahkeme-zorunlu-din-dersinden-muafiyet-sartini-hukuka-aykiri-buldu-h344451.html>.

Number of Protestants reported to us as having received an entry ban code

	2019	2020	2021	2022	2023	Total
USA	15	10	3		22	50
UK	5	1			1	7
South Korea	4	3	1		4	12
Germany	3	4	1		1	9
Other European	2	4	2		1	11
Latin America	2	3	0		0	5
Rest of the World	4	5	6	2	4	21
Total	35	30	15	2	33	115

2023 Rest of the World: Canada, Egypt

The number of those affected (not receiving a code but those who need to leave Turkey to keep the family together)

	2019	2020	2021	2022	2023	Total
Coded individuals	35	30	13	2	33	78
Spouses	24	12	5	0	5	46
Children (under 18)	28	31	7	0	25	66
Total	87	73	25	2	63	250

As can be seen from these tables the already small Protestant community is seriously threatened by this negative development.

Most of these people have settled in our country for many years and live here with their families. These people have no criminal record, investigation or court documents concerning them. This situation has exposed a huge humanitarian problem. Having someone from a family receive an unexpected entry ban breaks family unity and leaves everyone in the family facing a chaotic situation.

Nearly all of these individuals received an N-82 code (which links entry to Turkey to a process of prior approval). When the authorities who issued these codes give their explanation to the court, they state that the N-82 restriction is not an entry ban, it is simply a requirement to obtain prior approval. However, in practice, all of those who have been coded and subsequently applied for a visa have had those applications rejected. Although the N-82 is not an entry ban de jure it is a de facto entry ban in Turkey.

It had been believed that the N-82 code was an entry ban valid for five years, however some who obtained the code five years ago attempted to re-enter Turkey as a tourist and were turned back because they had a code on their record. We consider that this possible lifetime ban for those who had spent an important part of their lives in our country is both illegal and unconscionable.

A small number of those deported or banned from entry received the G-87 code (people who are thought to pose a general security threat). In other countries this code is used for those who participate in armed activities, terrorist organizations or people who participate demonstrations. It has deeply wounded us and the code recipients that in our country this code is being given without any evidence to members of the Protestant community who are focused on living their faith, who are opposed to violence and who do not have criminal records. These people have been given entry bans for at least five years.

Some of the court cases have come to a conclusion, with decisions made against these people without the presentation of any specific reason, proof, information or documentation. Very few cases have resulted in a positive result. Even in these cases the refusal of the authorities to apply the courts' rulings, instead either reapplying a code or cancelling visas or residence permits. The ability of the authorities to act without impunity which then necessitates the opening of a whole new court case has caused many to lose hope.⁷

In court cases opened to challenge this situation, the authorities have claimed that these people are pursuing activities to the detriment of Turkey, have taken part in missionary activities and that some of them had attended our Family Conference (which our Association has held annually for twenty years) or other seminars and meetings that are similarly completely legal and transparent. Some of the court cases have reached a conclusion and a verdict was delivered against those receiving the code without any concrete reason, proof, information or document being given. A few cases have produced a positive result. However, in these cases the administrators insisted on not implementing the court decisions and started the litigation process again by revoking the given code or visa, thus, destroying people's hopes with arbitrary practices within the bureaucracy.

Where the coded person is a foreigner married to a Turkish citizen, they often win their court case and a renewed residence permit is granted, however in Ankara a family who won their court case found that the authorities insisted on behaving illegally and cancelled the foreign spouse's new residence permit.

Court cases that have resulted in negative decisions have been appealed to the Constitutional Court. Some of those court cases have also resulted in negative decisions and application has been made to the European High Court of Human Rights.

⁷ Personal details of the victims of this treatment have been withheld in order not to prejudice their court cases.

Most of the internal court processes continue for the victims. Our hope is that these cases which have no legal standing and are against human rights will find justice in the Constitutional Court.

Our Association respects our country's sovereign rights, that is, the right to decide who can and cannot be within the country's borders, but at the same time we view this policy as a grave violation of rights and discriminatory since it is being applied solely because these people are Christian.

In addition, foreign members of the Protestant community live with the worry that they could be deported at any time. Rather than subject themselves and their families to this chaos and stress, some individuals or families have chosen not to participate in church meetings and activities or have left our country voluntarily. But because there are no accurate records kept concerning those who have left in this way, we have not included data on these cases in this report.

Legal Entity / Right to Organize

The lack of Legal Entity is a problem for all religious groups in Turkey, but especially for minority groups. The Protestant community has tried to solve this issue mostly by establishing associations and religious foundations or becoming a representative of an existing association or foundation.

As of 2023, members of the Protestant church community have established 20 religious foundations, 18 representative branches of foundations, 34 church associations and over 63 representative branches connected to these associations. 134 fellowships do not possess any form of legal entity. This trend towards gaining legal entity continues. However, associations and foundations are not accepted officially as a "church" or a "place of worship." The problem of a religious congregation becoming a legal entity has not been completely solved. The present legal path does not allow for a congregation to obtain a legal identity as a "religious congregation." In addition, for small churches, the present path to "forming an association" appears complex and hard to implement. Furthermore, the cost of establishing a foundation is very high and the legal procedure is long, making it hard for small fellowships to gain legal entity status. Small congregations try to resolve this problem through becoming a representative branch of an existing church association or religious foundation.

The trend seen in recent years for churches to become religious foundations continued in 2023.

Obligatory Declaration of Faith

In 2023 we received no report of this right being violated.

The requirement to declare one's faith to be exempt from Religious Culture and Moral Knowledge classes, or even to prove this faith, continues to be a violation of human rights. Decisions taken by the European High Court of Human Rights Court and local courts need to be implemented for this problem to be solved.⁸

6 February Earthquake and its effect on the Protestant Community

The two disastrous earthquakes of 6 February 2023 caused great sorrow for our nation. Protestant churches were not exempt from this pain.

Three Protestant Church buildings in the earthquake zone were completely destroyed, others suffered different degrees of damage. In İskenderun, a Pastor and his wife tragically died under the rubble, and there were other cases of loss of life or injury. Following the earthquake many members of the Protestant community moved to other cities, primarily Mersin; the majority of these have now returned to their hometowns. They continue to rebuild their lives, as is the case for many of our citizens, with great pain and difficulties. Fellowships that have lost their buildings continue to exist and to worship in different premises.

No violations of the right to worship or to gather together were experienced during this period.

We have not been advised of any discrimination in relation to the provision of assistance or access to services offered to earthquake victims.

Along with the whole nation, the Protestant community responded to this huge disaster. The support offered to those in the earthquake zone far exceeded expectations based on the size of the Protestant community; participation in humanitarian assistance continues to this day. Attempts by certain media outlets and extremists to obstruct this selfless service by the churches, or to use it as a cause for provocation, have been unsuccessful with earthquake victims and public officials and organizations. Churches have been able to continue offering genuine assistance.

Media

One of the significant problems facing the Protestant church community is the increase of hate speech as a result of the increased use of social media in our society. We encounter hate speech filled with insult and profanity directed at official church social media accounts, church leaders, Christianity, Christian values and Christians in general, originating from the activity of social media groups that cultivate hatred against Christians and have targeted Christian websites and social media accounts.

Some of the cases listed above demonstrate how hate speech against Christians in the media results in local cases of threats and action.

⁸ URL: <https://www.hukukihaber.net/egitim/mahkeme-zorunlu-din-dersinden-muafiyet-sartini-hukuka-aykiri-buldu-h344451.html>.

Social media has become the center of targeting, polarization, and every form of discrimination and is now the chief source of misinformation. Hate speech easily spreads on this platform.

These types of activities directed at all Christian denominations and minority groups creates concern in the Protestant community.

Dialogue

In 2023, the Protestant community representatives were not invited to participate in meetings of religious groups organized by the Government or by official organizations. This shows that in 2023 there is still a tendency to discount or ignore the presence of the Turkish Protestant community.

During 2023 there was close communication with several municipalities and related local authority organizations. However, we desire to have a comprehensive level of communication with all public offices and institutions.

The Protestant community continues to attach great importance to the development of relationships with all public institutions, especially the Government, Parliament and municipalities.

Recommendations

- To solve problems more easily and overcome prejudice it would be helpful if the government or public institutions would enter into dialogue with our church community with regard to their efforts on issues that concern the Protestant community as well as officially inviting representatives from the Protestant community to meetings. Experience in this area shows that when the channels of communication are open, many problems are quickly solved.
- Hate speech directed at Christians has seen an increase in 2021 in comparison to the previous year. Even though complaints were registered, perpetrators being released without penalty or punishment is a source of concern and distrust. An important step toward a solution for this would be updating present laws that are open to interpretation as well as legal arrangements that would include clear statements that are not open to interpretation with regard to hate speech and hate crimes. Public broadcasting to raise awareness of the issue and educate the public concerning hate speech and hate crimes would create a paradigm shift in the education and cultural awareness of the public.
- The issue of establishing places of worship for the Protestant communities which do not possess historical church buildings has been a problem for years and has not been solved. This basic right of religious expression retains its relevance as a problematic issue. Immediate steps need to be taken by national and district authorities on this matter. Christians need to have the opportunity to open small places of worship (chapels) made available to them, similar to the masjid concept. Municipalities, the Ministry of Culture, the Directorate General of Foundations and other government institutions that own church buildings but use them for other purposes should at the very least allow con-

gregations to use the buildings for Sunday and religious holiday worship services. Where issues such as providing land for building of places of worship are concerned, officials should be inclined to be helpful.

- The problems faced by church associations in relation to their rights need to be solved, in particular the right to gather for religious purposes, worship and to propagate religion.
- Within the framework of human rights education, relevant public officials should be trained in freedom of religion and conscience issues.
- In the light of the risk of stigmatization and social pressure faced by Christian families and students, the Ministry of Education is expected to proactively inform schools regarding non-Muslims' rights in schools and classrooms, as well as the issue of exemption from religion classes without waiting for the families to complain. Steps beyond wishful thinking should be taken for the development of a culture based on coexistence and respect for beliefs, and its implementation should be monitored.
- The requirement of the Religious Culture and Moral Knowledge class should be repealed, people should be freed from the requirement to declare their faith.
- National and district government officials need to actively place on the agenda and encourage the idea of a shared culture where understanding is shown to people of other religions and where these people are recognized as citizens of the Republic of Turkey with equal rights. A key role falls to the Ministry of Education here.
- Within the framework of freedom of expression and freedom of the press, there needs to be an effective and rapid oversight mechanism established with regard to intolerance in the media, which can deal with visual and written publications using hate speech, inciteful rhetoric and prejudice. Judicial authorities need to instigate official actions against hate crimes and speech without needing an official complaint to be filed. This is not just a vital need for Protestant Christians, but for any disadvantaged group.
- There is a need for more action to be taken by journalistic bodies and other civil society organizations to raise awareness among members of the local media (journalists, columnists) of the problem of hate speech and to require formal education to create a sensitivity towards this issue.
- The policy applied to foreign members of the Protestant community which suddenly prohibits their entry to the country in a shocking manner must be repealed. This situation must come to an end. These people have not been charged with any crime and are suffering purely because of their religious faith. People who are deemed inappropriate to remain in our country must be subject to objective, lawful and equitably applied policies.

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