

IIRF Reports

International Institute for Religious Freedom
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Institut International pour la Liberté Religieuse



Association of
Protestant Churches (Turkey)

2013 Human Rights Violations Reports

Bonn – Cape Town – Colombo

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Association of
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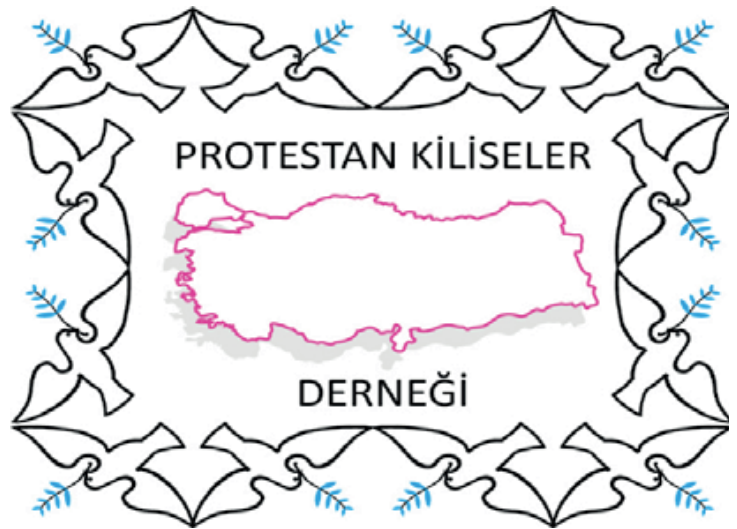


Table of Contents

Introduction and Summary	5
Verbal and Physical Assault Hate Crimes	5
Problems with the Establishment of Places of Worship	6
Right of Religious Propagation	7
Compulsory Religious Education	8
The Problem of Training Religious Leaders	8
Legal Entity / Right to Organize	8
Obligatory Declaration of Faith	8
Discrimination	9
Media	9
Malatya Court Case	9
Dialogue	9
Recommendations	9

Introduction and Summary

The Association of Protestant Churches¹ works to ensure that all people everywhere are able to live out the freedom of religion and belief as one of the basic rights found in national and international laws as well as the Universal Declaration of Human Rights. The freedom of religion and belief in our country continues to have basic problems, even though these are secured under international human rights and constitutional authority and despite having seen significant and positive developments in the last few years. For the purpose of contributing to the development of freedom of belief in Turkey, this report presents some of the experiences and problems as well as positive developments that have been experienced in 2013 by the Protestant community in the area of religious freedom.² 2013 can be summarized as follows:

Hate crimes directed at Christians continued in 2013 and there were physical attacks carried out against Protestants and churches. Protestants' ability to establish and continue to use places of worship remained a problem. Even though the establishment of associations (dernek) has helped congregations gain legal status, it has not provided a complete solution. Along with some positive developments, there were still problems within the framework of the compulsory Religious Culture and Moral Knowledge classes (RCMK) in schools along with the elective classes recently added to the curriculum. Neither was there movement forward in 2013 in the area of protecting the rights of Christians to train their own religious workers. Some foreign religious workers or members of congregations had to leave Turkey because their visa was denied or they were deported. The religion category on identity cards remained in 2013 which continues to increase the risk of discrimination. The court case involving the killing of three Christians in Malatya in 2007 continued throughout 2013.

On the other hand some positive and hopeful developments need to be noted. The complaints of Protestant students being forced to attend compulsory RCMK lessons have decreased as a result of the Ministry of Education informing schools on this subject in previous years. In addition, in 2012 work began on the

possibility of Christian students being given lessons on Christianity. The textbooks and curriculum have begun to be prepared with the help of the congregations themselves. Even though the books were ready in 2013 there is still no real movement forward. The Protestant community was invited along with other religious leaders to the Prime Ministry where they were able to explain their problems and opinions directly to the Prime Minister. In 2013, there was no official attempt to shut down any structure being used for Christian worship. There was no problem in gaining permission for public and communal Christmas celebrations. We rejoice that there were no attempts to hinder or harass the holiday celebrations which were done in a format open to the public.

Verbal and Physical Assault Hate Crimes

- On Jan 14, 2013, because of a planned assassination attempt on the leader of the Izmit Protestant church which is connected to the Istanbul Protestant Foundation, 9 people who regularly attended the Izmit church meetings were taken into custody. Afterwards one of these suspects was arrested, two were conditionally released, and the rest were released. Despite over a year passing, no indictment has been prepared and a secret decision was placed in the folder. Along with the fact that no information can be gained about the case, the decision was made that the file was beyond the court's jurisdiction. The file's transfer back and forth between Istanbul and Izmit district attorney offices showed the disagreement in the case. As a result the file has been sent to the Supreme Court. The church leader has not been assigned any protection. This secrecy and inability to get information has created concern in the congregation.
- On April 27, 2013, the Kurtuluş Church Association's extension office in Istanbul Ataşehir was attacked with stones and eggs by 30-40 people. Though they tried to enter the premises they were unable to do so. Instead, they decided to damage office's entrance, windows, and sign, before leaving. The one female association volunteer who was alone in the office at the time was terribly frightened by this. Although the association has fixed the damage and continues its work, not one of the attackers has been apprehended. Protection was not assigned.
- On Nov 5, 2013, the Samsun Agape Church leader was threatened over the phone by a young man who formerly attended the church. Later

¹ As of Jan 2009, the "Alliance of Protestant Churches of Turkey", which started in 1989, became an association and has been carrying on its work under the title "Association of Protestant Churches".

² The report is limited to the Protestant community due to our limited resources and we are most familiar with this group. Our community defends the freedom of belief for everyone. This also includes the right to not believe.

the police discovered this young man had tried to obtain a weapon and was planning an attack; as a result the police took him into custody. The church leader filed an official complaint but no weapon was found during an investigation and the person was released. When the person continued his threats through email, the complaint was re-issued. There has been no further development; the church leader continues to be under protection.

- On Nov 28, 2013, one of the witnesses in the Malatya Zirve murder trial and members of the victimized Protestant community received threatening and abusive phone calls. An official complaint was filed but because the phone calls were made from a pay phone or a hidden phone number, no suspect has been apprehended. The district attorney continues his investigation.
- On Nov 28, 2013 a person shouting and cursing tried to get into the Ankara Kurtulus Church. The police were informed but came late to the scene and did not catch the person. A complaint was filed.
- On Dec 15, 2013 a thief broke into the Ankara Kurtuluş Church and stole the computer used for recording security camera footage. A complaint was filed, but no suspects have been apprehended.
- On Dec 29, 2013, a 24 year old young man from Mardin who had become a Christian was kidnapped by his relatives and a Syrian national and taken to a deserted area. He was beaten, had a knife placed to his throat and was threatened that if he would be killed if he did not declare his return to Islam by saying the Islamic creed. The frightened young man declared his return to Islam with the creed and was returned to his family. The young man reacted against his family who had informed his relatives about him becoming a Christian. He wanted to leave his home and called E.P. the leader of the Mardin Protestant Church to explain the situation. The church leader came to pick up the young man from his home. When they got in the car to leave, two cars blocked their way and the church leader called the police. Before the police came the church leader was beaten and threatened with death several times. Those beating the leader tried to incite those nearby and wanted to form a lynch mob. When the police came the young man and the church leader were rescued. Several of those involved in the beating were taken into custody. The church leader has received threats and has requested protection, but there has been no response yet.

- In 2013, three Protestant church leaders continued to have police protection against possible attacks.
- Outside of the violations reflected in judgments listed above, there were threats, abuse and attacks in Ankara, Istanbul, Şanlıurfa and Gaziantep. Information about these violations was communicated to us, but these details have not been given in this paper because none of this was reflected in any official police or justice related reports.

Problems with the Establishment of Places of Worship³

The legal and important religious freedom issue of being unable to establish a place of worship continues for Protestants in 2013. In 2003, the changes to Zoning Law number 3194 as part of the European Union's 6th Harmonization Package was intended to meet the needs of non-Muslim citizens for places of worship by replacing the word "mosque" with the words "place of worship." But the negative experiences Turkish Protestants have in obtaining places of worship demonstrate the serious hindrances and rights violations that the Protestant community faces with regard to interpretation and application of this positive legal development as well as their inability to use their legal rights. One of the significant problems with this issue is the administration officials' fear of losing votes and not wanting to be perceived as one who approves the establishment of churches. This causes applications for opening a place of worship to be rejected or to be left in a never ending bureaucratic process. Previous applications receiving either no response or a negative response is a clear indication of this situation. In addition, it is noteworthy that requests for establishing a church or having a church officially recognized are directed by the institution to which the application was made to either make an appointment with the Directorate of the Presidency or go to the Directorate of Religious Affairs. Besides all of this, Christian congregations are prevented from using historical church buildings for Sunday services or holiday celebrations; buildings which are held by government institutions and being used for purposes other than as a church. Protestant communities try to overcome this issue by establishing an association or gaining representative status with an existing association or foundation. However, in this case, meeting places are not recognized as a place of

³ The report is limited to the Protestant community due to our limited resources and we are most familiar with this group. Our community defends the freedom of belief for everyone. This also includes the right to not believe.

worship, but as the locale for the association. Thus they cannot make use of the advantages given to an officially recognized place of worship.

- In 2013, the Diyarbakır Protestant Church and the Gedikpaşa Armenian Protestant Church filed a request to use of the restored Armenian Protestant Church (Surp Pirgiç) in Diyarbakır. They were given a verbal denial to the request. The church's women were granted permission to rent the Sur district administrative office to use for developing their handcraft skills.
- On Nov 29, 2013, the request by the Istanbul Protestant Church Association to use the historical Meryem Ana Church in Kayseri to meet the needs for a place of worship for Christian citizens has still not received a response. The Kayseri Municipality is presently using the building, a building which used to be used as a sports salon. However news in the media indicates that the answer will be negative.⁴
- The applications of the Kurtuluş Church Association to the Ankara Çankaya Municipality took a different course this year. The Municipality verbally shared with the Kurtuluş Church Association the list of the places set aside for worship within the administrative district. Kurtuluş Church Association determined two places that were appropriate with regard to transportation and the fellowship's membership distribution around the area. They applied for the first area, requesting it be assigned to them. But afterwards it was reported that the land plot in question had been previously given to a mosque foundation. In this case the Kurtuluş Church Association was given more information with regard to the second plot of land and officially applied for it. But it was stated that the second plot of land did not belong to the treasury. After this several meetings were held with the Çankaya Municipality, the Religious Affairs Ministry, various bureaucrats and parliamentarians. The issue was brought up to the President's General Secretary also, but there has been no result forthcoming from these contacts
- On Aug 8, 2012 the Istanbul Güngören Protestant Church filed a written application to the Güngören Municipality for a place of worship. The officials did not want to process this request and told the church leader that the municipality was a political

body and that something like this was not possible. When the church leader insisted, the request was processed one day later and then was sent to the Religious Affairs Directorate for their opinion. In March 2013 a negative response was issued.

For many years, by watching the legal procedures, similar experiences have rooted the belief in the Protestant community that the right to establish or build a church is practically impossible and that this right only exists on paper.

Right of Religious Propagation

In 2013 the use of this right, in comparison to previous years, saw some positive developments, but still the propagation of faiths outside the majority belief is still perceived to be a threat. In some cases the threat is the government's own making. One of the clearest examples of this situation is the Primary School 8th Grade textbook "History of the Turkish Republic Reforms and Atatürkism,"⁵ in the section on National Threats under the heading "Missionary Activities." It is here that missionary activity continues to be described as a national threat. There has been written communication with the Ministry of Education concerning the removal of this chapter in 2010, but despite protests that the chapter increases the intolerance against Christians and opens the way for various attacks against them, a negative answer was received.⁶

- On March 28, Yalova Işık Church opened a three-day stand before Easter for the purpose of informing the general populace about Christianity. In spite of the first day passing without incident, the association's leaders were called to the police station on the second day due to negative response by some people. They were told to remove the stand because the Prime Minister planned to visit Yalova on March 30 and they did not want any sort of provocation. So despite having permission, the association shut down the stand at the request of the police.
- On April 12, the Diyarbakır Protestant Church received permission from the municipality and opened a stand at the Diyarbakır Ofis neighbor-

⁴ <http://emlakkulisi.com/kayseri-kilisesine-protestanlar-talip/213848>

⁵ Ministry of Education Primary Education 8th grade "History of the Turkish Republic's Reforms and Atatürkism" textbook. Page 205 (MEB İlköğretim 8. sınıf "Türkiye Cumhuriyeti İnkılap Tarihi ve Atatürkçülük") State Book Publishers – ISBN: 978-975-11-3073-0.

⁶ You can access the written communication with regard to this subject in the announcement section of our website. www.protestankiliseler.org.

hood on the street known as Sanat Street. The stand was to be used to help answer some of the prejudices and inaccurate information with regard to Christianity. However some people saying “Allahu ekber” moved on the church workers and threatened them with by saying “We put up with your worship, but don’t go too far. Do not open a stand here. Blood will be spilled. Remove it at once.” The market police, who were standing next to the Diyarbakir church workers, politely said “Yes you have permission, but please remove the stand. Something very bad will happen.” They removed the stand. Further requests for permission were not deemed appropriate.

- On May 5, 2013, the stand in front of the Samsun Agape Church was attacked by 10 young men, who disrupted the table, tore up New Testaments and threw them at the church. Everything was recorded on security cameras and made known to the judicial offices.

In 2013 churches obtained necessary permissions and were able to do several public activities. Even though there were some negative attitudes over granting permission, public officials in the year 2013 were seen to be more open. Even so, several churches and individuals still exercised self-censure regarding their right to make their faith known. They continue to think that permissions will not be granted and worry about social pressure or that a negative incident will occur.

Compulsory Religious Education

In 2013 the complaints with regard to the exemption requests from the compulsory Religious Culture and Moral Knowledge (RCMK) class decreased.

Families often expressed their concern that the Middle School and High School Entrance tests would contain questions from the RCMK lessons and how this would negatively affect students who had exercised their right to be exempt from those courses.

One positive and important development was the work begun preparing materials and curriculum for Christian students in the 5-6 and 9-10 grades to be able to learn their own faith through elective courses. Representatives from the Protestant community were able to help in the preparation of these materials. The 5th and 6th grade class books have been prepared and submitted to the National Education Ministry for approval. However, there has been no movement forward. We expect this project to be completed and begun in the shortest possible time.

The Problem of Training Religious Leaders

In 2013, the present state of laws in Turkey still does not allow the training of religious leaders and the opening of schools to teach religious communities in any way. Yet the right to train and develop religious leaders is a foundation stone of the freedom of religion and faith. The Protestant community presently solves this issue by providing apprentice training, giving seminars within Turkey, or sending students abroad.

Legal Entity / Right to Organize

The Protestant community has generally tried to solve this issue to setting up associations or becoming a representative of an already existing association. As of 2013, members of the Protestant community have 1 foundation, 26 church associations and 12 representative office connected to these associations. This association forming process continues. Associations are not accepted as a “church” or a “place of worship.” Rather, as pointed out in 2004 by the Minister of Justice, Cemil Çiçek, in order to set up a church there must be a legal entity.⁷ 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 personality as a “congregation.” In addition the present “association formation” path appears complex and hard to work out for small churches. Thus, small congregations continue to be helpless in becoming either an association or a legal entity. It is noteworthy that other non-Muslim groups outside of the Protestants also lean toward gaining legal status through the association pathway.

Obligatory Declaration of Faith

The problem of the religion section on people’s identification cards continued in 2013. The section for religious affiliation on the identity cards forces people to declare their faith and increases the risk of facing discrimination in every arena of life. The problem is not solved by allowing the registration of one’s belief to be elective. For example, those who want to be exempt from mandatory religious instruction do not have the right to leave the religion line blank because they have to prove they are Christian in order for their children to be exempt from religion classes. We are requesting and expecting that the new identification cards have no section for religion.

⁷ Çiçek: Kilise için dernek kurun 22.06.2004 www.milliyet.com.tr/2004/06/22/siyaset/siy05.html

Discrimination

Discrimination directed towards Christians continues to be broadly felt by both the individual and by congregations. The religion section on the identity cards continues to be a factor that increases the risk of discrimination. The internalizing of discrimination by the Protestant community, the difficulty of certifying one's faith, and the inadequacy of present laws and policies explains the absence of complaints or lawsuits with regard to discrimination. The Battle against Discrimination and Equality Law Plan is a positive development and is expected to be codified as law as soon as possible.

- In 2013, the strategy of not renewing residence permits or deportation required several foreign individuals and families within the Protestant Community to leave the country. These people have lived in Turkey for years and many have homes and other investments. Many were subjected to this in the midst of their children's school year. When one considers that several families were denied citizenship requests, requests for religious visas or their residence permits were refused renewal without explanation, one is left with the conclusion that these decisions were made solely on the basis of faith.

Media

In 2013, the infrequent broadcast in the national media of anti-Christian programming or defaming and inaccurate information about Christians is greeted positively. However regional media as well as internet sites have seen an increase of provocative and defaming news. This is being followed with great concern.

Malatya Court Case

It has been 7 years since the violent murder of three Christians in Malatya in 2007 and almost 6 years since the beginning of court proceedings. In 2012, the court received a new indictment. Detailed information is being given about the ongoing hearings, the accused instigators, how the environment of hate against non-Muslims was created, and the role public officials, the media, and civil society played during this time. By showing the ongoing case's material evidence, the families and the Protestant community are hoping for a swift conclusion.

Dialogue

The Association of Protestant Churches which represents the Protestant community, along with other religious leaders, was invited to speak directly and share their concerns with the Prime Minister as well as invited to meet with the President's General Secretary. This was seen as an important and positive development.

Again another positive and significant development in 2013 was the lack of any problem obtaining permission to celebrate Christmas throughout the country, sometimes even publicly outdoors. The number of celebrations increased and most of them were carried out without incident.

The suspension work on the new Constitution was disappointing.

Recommendations

- Government or public institution dialogue with the Protestant community on issues that involve us would go a long way toward overcoming prejudice and solving problems.
- It is sad that hate crimes and intolerance against Christians continued in 2013. All hate crimes (including those in which congregations were targeted) should be effectively recorded by the Ministry of Justice and the reasons that establish the basis for perpetrating these crimes must be removed.
- The Hate Crimes Law needs to be written, effective police investigation needs to be done, and impunity for hate crimes should not be allowed.
- An effective and comprehensive law against discrimination needs to be written.
- The problem of establishing places of worship for the Protestant community, which does not have historical church buildings, has been a problem for years and has not been able to be solved. This is considered a basic right of religious expression. There needs to be immediate steps taken by local and central authorities on this issue. Christians need to have the opportunity to open small worship places made available to them, similar to the masjid concept. Municipalities, the Culture Ministry and other government institutions which own church buildings but use them for other purposes should at least allow church congregations to use the buildings for Sunday or holiday worship services.

- The religion section on identity cards and other written records opens the way for discrimination and needs to be removed.
- Security forces need to continue to be informed about non-Muslim rights, including the right to propagate faith. These basic rights and freedoms should not be allowed to be stolen by public officials or anybody else on the grounds of “missionary activity.”
- The denial of visas or the deportation of foreign church members on the grounds of “missionary activity” must stop.
- Public officials need to continue to be educated with regard to freedom of conscience and religion in the framework of Human Rights training.
- All information and explanations that express hatred or prejudice against Christians, in particular textbook chapters that have discriminatory headings like “missionary activity,” need to be removed. Steps beyond good intentions need to be taken and the application of policies needs to be supervised in regard to forming a culture where differing faiths can live together in respect of one another.
- In light of the possibility of stigmatization and social pressure faced by Christian families and students, it is expected that the Ministry of Education 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.

- While regulations are being written with regard to elective classes, schools need to consider the non-Muslim students in the school and provide elective classes that do not contain Muslim content.
- Central and local government officials, especially by means of the Ministry of Education, need to actively place on the agenda and encourage the idea of a culture where understanding is shown to people of other religions and recognition that these people are citizens of the Republic of Turkey who possess the same rights..
- Within the framework of freedom of expression, the media needs to create its own “code of ethics”. Quick and effective control mechanisms should be established against discrimination and intolerance in the printed and broadcast media.

Respectfully,

Association of Protestant Churches

	<p>The European Union’s European Instrument for Democracy and Human Rights (EIDHR) has financially supported this report. None of the opinions in this booklet reflect the opinions of the European Union.</p>
	<p>The “Protestant Churches Association” 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.</p> <p>Phone / Fax: +90 (232) 4456992 • www.protestankiliseler.org</p>

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