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Institut International pour la Liberté Religieuse



Association of Protestant
Churches (Turkey)

2016 Human Rights Violations Report

Bonn – Cape Town – Colombo

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Association of
Protestant Churches (Turkey)

2016
Human Rights Violations Report



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.

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Introduction and Summary

The Turkish Protestant community is made up of over 140 small and large fellowships, mostly in Istanbul, Ankara and Izmir.

The Protestant fellowships have established 5 religious foundations, 3 foundation representatives, 34 church associations and over 30 representatives tied to those associations. The remaining fellowships have no official/legal status. Approximately 25 of them are house fellowships, the rest use public places for worship but do not have official/legal status.

The Protestant community does not have capability within the Turkish National Education system to train/develop its own religious personnel. The Protestant community in the majority of cases train their own religious leaders, a small percentage obtain education at theological schools overseas while others gain necessary knowledge and skills for pastoral leadership through seminars given here in Turkey. Because there are not enough local Protestant leaders some church's spiritual leadership is done by foreign pastors.

The Protestant community does not have a hierarchical or centralized structure. Every local church acts independently. However, church pastors began meeting together in the 80's for the purpose of unity, solidarity and partnership between the Protestant churches, and in the mid 90's they formed TeK (Turkish Pastors Association, throughout the document called TeK) in order to structurally improve unity. Because of the former Association Rule's limits, TeK continued to have problems as a representative body before the official bodies in Turkey; as a result of the change in the Association Rule, TeK chose to become an association. The Association of Protestant Churches was officially formed on Jan. 23, 2009. At this time the Association of Protestant Churches acts as the Turkish Protestant community's representative and institution for unity.

Since 2007 the Association of Protestant Church has published these monitoring reports which explain the Protestant community's situation in Turkey.¹ The Association of Protestant Churches attaches impor-

tance to the freedom of religion and belief for all people everywhere, and makes an effort to ensure this becomes a reality. In order to serve this purpose, the Association desires to prepare and distribute this annual monitoring report that describes the Protestant community's situation.

In 2016 Turkey as a whole faced a wave of terror and violence on every front, in particular through a significant coup attempt on July 15th. For all these reasons a state of emergency was declared which continues in Turkey today. The Protestant community, just like the rest of Turkey, has been affected by these difficult developments. Yet the Protestant community from the first day has stood for democracy against terrorism and the coup attempt and it continues to do so.

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, is secured under national and international laws and constitutional authority in our country. However, from the perspective of the Protestant community some basic problems still continue in 2016. 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 2016 by the Protestant community in the area of religious freedom.² 2016 can be briefly summarized as follows:

- In 2016 hate crimes committed against Protestant Christians continued, as well as physical attacks against Protestants and churches. In 2016 churches faced serious terror threats and took heavy security precautions.
- Requests related to establishing a place of worship, to continuing to use a facility for worship, and to use an existing church building were met with problems.

¹http://www.Protestantkiliseler.org/?page_id=638

²Our community defends religious freedom for all. This right includes the right to not believe.

- During Christmas and the period around New Years, the following caused apprehension during Christmas celebrations: billboard notices with hate filled slogans, brochures distributed on the street which also contained hate language, newspaper and television programs, and especially a street show featuring a Santa Claus with a gun pointed at his head. Christmas celebrations, due to this language and terror threats, were carried out under heavy security.
- In some national media organizations, local media and social media hate speech directed against Christians showed a marked increase, along with an increase of using churches and terror organizations together in publications. Some churches became a direct news item and this raised concern in those churches and among their members.
- The trend for gaining legal status for the Protestant community through establishing associations continued in 2015. However, even though the establishment of associations has helped congregations gain legal status, it has not provided a complete solution.
- There were still problems experienced with compulsory participation in the Religious Culture and Moral Knowledge classes (RCMK) in schools along with the elective classes in Islamic religion recently added to the curriculum.
- A textbook has been prepared and submitted to the Ministry of Education for Christian pupils as an elective course of Basic Religious Knowledge. Even though it has been approved by the Ministry of Education, there has not been any further progress at this point.
- There was no movement forward in 2016 in the area of protecting the rights of Christians to train their own religious workers. Some foreign church leaders were deported, were denied entry back into Turkey or faced problems with getting their residence permits renewed. A foreign church leader in Izmir was arrested for being a member of the Fetö/PDY terror organization.
- The use of the religion section on identity cards continued in 2016, thus continuing the risk of discrimination.
- The first court case regarding the killing of 3 Christians in Malatya in 2007 was concluded.
- Public celebrations of Christmas and Easter in 2016 were not allowed due to security reasons.

Hate Crimes and Speech, Verbal and Physical Attacks

- On Feb. 14, 2016, Valentines Day, in Adana's Yüreğir district the members of the church were distributing flowers to neighbors and passers by. After the church members left the church a group came to the front of the church with threats and protests. After saying they would return on Sunday, they left. The issue was reported to the security forces, and since then the police force has provided security and there have been no other negative incidents.
- On Feb. 23, 2016 the Diyarbakır Province Police Directorate gave written notice to the Diyarbakır Protestant church leader Ahmet Güvener that he and his family had been threatened by a radical religious group, that security would be increased and that he and his family should be careful in their own personal security.
- On the evening of Feb. 25, 2016 a group broke the security camera at the Samsun Protestant church and tried to kick in the door of the church but failed. After an official complaint was registered 4 people were captured and they informed people they were drunk. A court case was opened against the four for property damage and damage to a place of worship. The property damage complaint has been retracted, but the court case regarding damage to a place of worship continues.
- On March 31, 2016 a document purportedly from the Joint Chiefs of Staff claiming a future attack on churches in Ankara by ISIS was circulated in the news and on social media. A similar document in 2015 with similar threats caused concern and fear

in the Protestant community. After this document appeared, the police force has significantly increased security precautions in churches in Turkey and at various Protestant organizations starting with Protestant churches in Ankara as well as Radio Shema in Ankara, a Christian radio station. Some churches experienced police searches before entering the building, during worship and other meeting times. Serious physical precautions were taken during organization work hours. This period of time has ended due to good communication with police forces. There are still physical barriers at some churches.

- On July 16, 2016, during the chaos caused by the attempted coup, a group wanting to bring about a provocation broke the windows of the Malatya church. Through the intervention of neighbors and the arrival of the police the group fled before they could enter the church.
- On July 22, 2016 the pastor of the Çanakkale Peace Church received a threatening phone call which he made known to the authorities.
- During 2016 some national media, local media and social media saw an increase in in publications designed to demean, disgrace and provoke the Protestant community. It was especially sad-denening to see the finding of our book the New Testament in terrorist hideouts mentioned in the press and other official announcements as well as it being displayed as if it was terrorist propaganda. Legal proceedings have started against some of these publications.
- During Christmas and New Years of 2016 there was an increase from previous years in anti-Christmas celebration campaigns. Most significant was having posters hung on streets and brochures distributed of a Santa Claus with a gun pressed against his head and his being circumcised. Having certain groups and organizations participate in this campaign caused an environment of hate. There was little evidence of response to this hate campaign by the justice and public authorities.

The social media attacks which had increased in 2015 decreased in 2016. There were several legal steps taken against these threats in 2015; some perpetrators were captured, some were penalized and others' court cases continue. These perpetrators, rather than being connected to some group, appear to be young people affected by our country's pain that it experiences due to our geography. For that reason several victims have retracted their complaints.

Problems Related to Places of Worship

The ability to legally establish a place of worship, an important part of freedom of religion, continued to be a problem for Protestants in 2016, just as it was in previous years.

One of the significant problems with this issue is the administration officials' fear of losing votes and not wanting to be perceived as approving 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. A clear indication of this situation is the fact that previous applications have received no response or a negative response.

Besides all of this, apart from some exceptions,³ Christian congregations are prevented from using historical church buildings for Sunday services or holiday celebrations; these buildings are held by government institutions and are 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 religious foundation. However, in this case, meeting places are not recognized as a place of worship, but as the locale for the association. Thus they cannot make use of the advantages given to an officially recognized place of worship.

- The 'French Church Cultural Center' in Bursa, connected to the Religious Foundation General Directorate, based on the assignment and protocol

³Orthodox churches are granted permission once a year in some historical churches. For example, Sümela Monastery, Ahtamar Church, etc.

of the Greater Bursa Municipality has been used by Catholic, Protestant and Orthodox fellowships since 2004. However at the end of 2015, unbeknowned to the church, the Greater Bursa Municipality closed the Foundation's assignment and thus the church was faced with the problem of no place to worship. As a result of discussions, the process of solving this in a way that prevents the place from being closed to worship began. Catholic, Protestant and Orthodox fellowships have been using the church without a problem since then.

- There are approximately 1000 Christians living in the Yalova province and they have no official church building. A worship place has been requested from the Yalova Municipality for years. The Yalova Municipality Parliament on Jan 6, 2016 with a majority vote approved land and the moving of the Yalova Light church, a decision that was greeted with great joy. However, on the last day of the time period available for objection one was raised by a parliament member. A new vote was taken and this time the majority vote was to overturn the previous decision. This decision was received with great sadness in the Protestant community. The discussions with the Yalova Municipality are ongoing. We believe there will be positive steps taken shortly to solve this issue. The Yalova Light Church continues its worship in the present church association building.
- The Yalova Protestant community's long standing request for a cemetery was granted by the Yalova Municipality on Oct 27, 2016.
- The Protestant church which represents approximately 250 Christians in the Ordu province, applied for the opening of the historical Taşbaşı church which was being used as a cultural center. The application was denied by the Ordu Provincial Tourism Directorate on the grounds that the church was to be used as an archaeology museum.
- The Diyarbakır Protestant Church, other churches within the Diyarbakır Sur district, and 6300 other parcels of land were declared national property by a Cabinet decision announced in the Official Newspaper on March 25, 2016. Legal proceedings against this decision have started. Officials have

told the church leaders during this period that the church will be returned to the owners. However the Diyarbakır Protestant Church had recently obtained the building next to the church along with 3 parcels of land they use for a garden; their concern over that real estate continues as does the legal proceedings associated with them. The Diyarbakır Protestant community is still using their church building and worship continues there.

Place of worship issues continue to be a serious problem. The over-140-member Protestant community has only ten official buildings. Outside of 3 of these, all of them are historical buildings.

The Right to Propagate Religion

In 2016 the legal use of this right faced various problems. The propagation of faiths outside the majority belief is still perceived to be a threat.

- On April 7, 2016 after obtaining all permissions, a stand was set up and invitations distributed for the Easter celebration in Yalova. While the invitations were being distributed, a group came to the stand, swearing at and threatening the personnel, tearing up and throwing the invitations on the ground. When the police came the attackers fled. The police took security precautions. Despite the police protection and the permission to distribute invitations, the distribution was cancelled so that no other negative incident would occur. There was no complaint registered against the perpetrators.
- In Antep and Çanakkale some Turkish and foreign believers who were sharing their faith publically were hindered and detained; afterwards all were released.

After the attempted coup on July 15, 2016 the Association of Protestant Churches sent a letter to all the Protestant fellowships. During this sensitive time for our country, in order to avoid provocation or giving an opportunity for people to create a provocation, not doing evangelism, not handing out brochures in public areas was believed to be proper and useful. Outside of a few exceptions, the Protestant churches have abided by this request.

Problems Faced in Education and Compulsory Religious Class

During 2016, problems continued to be experienced with Religious Culture and Moral Knowledge classes (RCMK) and with the right of exemption from this class.

The exemption right has been applied based on the decision by Religious Education General Directorate's Education and Learning Higher Board on July 9, 1990. The decision's first article reads: *"Those Turkish students of Christian and Jewish persuasion who are receiving education in primary and middle schools outside of minority schools who can prove that they are members of those religions are not required to attend Religious, Culture and Moral Knowledge classes; if they want to participate in those classes the decision to require a written request from their parents was accepted."*

The National Education Ministry, in a missive sent to the provincial governor's offices on Feb 3, 2015, stated that only those who have Christian or Jew written on their identity cards are exempt from the RCMK classes. Those whose religion section on their identity cards is blank or Christian refugees cannot use this exemption and must attend this class.⁴

In 2016, despite Christian being written in the religion section on the student's identity cards, in addition to the decision above some school administrators and some province and district National Education Directorates required that "Christian and Jewish students need to document the place of worship to which they are connected."

In three schools in İzmir, in one school each in İstanbul and Ankara a similar request was made. In one school a baptismal certificate was verbally requested. Discussions with either the schools or the Education General Directorates have led to a solution. But all of this shows that the exemption right's use is being made more difficult. On this issue the

⁴In our country a great part of the Protestant community has Islam written on their identity cards or leave the section empty. The diminishing of the exemption right affects many families deeply. It is noteworthy that Christian refugees are forced to take this course.

National Education Ministry will take responsibility to ensure that the exemption right is protected, made easier and that the National Education Directorates are informed so that no rights are violated.

In 2016 several incidents of the following were made known to us. Students who use the exemption right, because they leave the classroom during the religion class, had to explain their faith, were abused by fellow students and were pressured to become Muslims. For school administrators and RCMK teachers to take responsibility to explain religious pluralism and the normalcy of religious differences in a way that the students understand would be an important step in seeing this problem solved.

Even though 5th and 6th grade Christian students had a curriculum and book prepared in 2014 for elective classes to learn their faith, and despite all of this being submitted to the National Ministry of Education, there was no development in this area in 2016.

The Problem of Training Religious Leaders

In 2016, 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, sending students abroad or using the support of foreign church leaders.

In 2016 foreign religious workers and church members were deported, denied entry into Turkey or refused residence permits.

– On August 26, 2016 the leader of the Gaziantep church, Patrick Jensen, was denied entry into Turkey and returned to his country on the grounds that he was listed as a "threat to national security." In previous years attempts had been made to deport Patrick Jensen; even though he has won a court case in this regard. The grounds for this present decision were stated to be the present state of emergency in Turkey.

- The leaders of İzmir Resurrection Church, Andrew Craig Brunson and his wife Norine Brunson went to the local police station in response to an invitation left at their house on October 7, 2016. They were detained on the grounds of “threat to national security” and sent to the expulsion center. Norine Brunson was released approximately 2 weeks later. Andrew Craig Brunson was held for 64 days at the expulsion center, his voluntary desire to leave the country was refused and on Dec 9, 2016 he was taken to court, arrested on the grounds of being a part of the FETÖ/PDY terror organization and sent to prison. He is still in prison and his court case is ongoing. Because his file is labeled top secret and limited, no information on the grounds of his accusation has been obtained up to now.
- Ankara Salvation Church member Ryan Keating, while leaving for a conference on Nov. 8, 2016 was told that his residence permit had been cancelled due to “threat to national security” and that he could not return. Because his family and children were in Ankara, he obtained a visa and tried to return on Nov 17, 2016 but was denied entry.

There were several other incidents like the ones listed above, but are not in this report due to lack of information or the desire to not appear here. There have been other incidents over the past years, but we have no solid statistics.

These incidents have caused great concern among foreign church members and leaders. For this reason some have left and many continue to leave Turkey on their own volition.

Legal Entity / Right to Organize

The legal entity problem is the concern of all religious groups as well as minority groups in Turkey. The Protestant community has generally tried to solve this issue by setting up associations or becoming a representative of an already existing association. As of 2015, members of the Protestant community have 1 religious foundation, 35 church associations and 18 representative offices connected to these associations. This association forming process continues. Associations are not accepted 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 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. This problem is trying to be resolved through forming church association representatives.

- The İstanbul Family Life Church Association’s Üsküdar Representative, because of and after some negative and slanderous coverage in local and national news outlets, was inspected outside of normal working hours in a way that was contrary to the Association Rule by Üsküdar Province Kaimakam and police forces.⁵ The matter was announced to the Interior Ministry’s Association General Directorate.⁶

Obligatory Declaration of Faith

The problem of the religion section on people’s identification cards continued in 2015. The section for religious affiliation on the identity cards forces people to declare their faith and increases the risk of facing discrimination in every area of life. The new identity cards that will begin to be distributed in 2017 will not have a section for religious affiliation but instead will have a chip that will minimize this risk; this is regarded as a very positive step. Yet

⁵Number 5253 article of the Association Rule reads: Article 19- ...At times of necessity whether an activity is done in accord with Association constitution purposes or not, whether notebooks and records have been kept in accordance with laws will be inspected/supervised by the Interior Ministry or the property administration commander. No police force member can be involved in this inspection. Inspections by the Interior Ministry or the Property Administrative commander will be done during work hours. This association will be notified of the inspection at least 24 hours prior to the inspection.

⁶During the process of writing the report, despite the activities being in accord with the constitution and in accord with the rules, a declaration from the İstanbul Governorship was officially presented to the association which declared that the association and its representative’s activities were not in accord with the rules and declaring upcoming sanctions against the association.

the complete removal of the religion section from documents simply at the verbal request of people is requested.

Malatya Court Case

After 3 Christians were viciously murdered in Malatya on April 18, 2007 it has taken 9 years and 115 court appointments for the first court to bring the case to a conclusion. The 5 accused of the murder, after being caught at the scene and after 2 years of being free while awaiting sentencing, each received a triple life sentence. 14 suspects, most of them public employees, were acquitted, while 2 military commanders received a 6 year prison sentence each for illegal wire tapping on phones. The 5 suspects who received triple life sentences were still allowed to be free until the Higher Court process is completed. This decision was greeted with great sadness and negative reaction by the victim's relatives and the community. One day after official objection was filed, the 5 suspects were again arrested and sent to prison. In addition, despite being presented the idea that these 5 could not have done this act on their own and that there had to be an organization behind them, the court did not give the suspects any penalty tied to a terror organization due to lack of any such evidence.

Generally, despite taking 9 years, the decision was happily received, but not labeling the incident an act of terror was not appreciated by the victim's relatives and hurt the public conscience. The court process is ongoing. The first step is the Regional Administrative court, and afterwards the Supreme Court. The possibility of going to the Constitutional Court as well as the European High Court of Human Rights also continues.

Dialogue

In 2016 no Protestant community or church representative was invited to meetings of religious groups organized by the government or by official organizations. Dialogue over the problem of the Bursa Protestant Church's place of worship and the positive steps taken by the Religious Association Directorate and the State Minister over Religious Associations was positively received by the church.

During 2016, when the risk of terror incidents was high, police forces were in dialogue with churches about security issues, carried out security precautions in a way that did not disturb or abuse members and the resulting freedom of the Protestant community to worship and celebrate without incident continues today.

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

Suggestions

- 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. The experiences this year clearly show that when the channels of communication are open, many problems are solved quickly.
- It is sad that hate crimes and intolerance against Christians continued in 2016. It is important that especially in regard to crimes where complaints have been registered, that information about the ongoing process be given to the community and the victims.
- The problem of establishing places of worship for the Protestant community which does not have a historical church building has been a problem for years and has not been solved. This is considered a basic right of religious expression. There need to be immediate steps taken by local and central authorities on this issue. Christians need to have the opportunity to open small places of worship made available to them, similar to the masjid concept. Municipalities, the Culture Ministry and other government institutions that 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.
- Within the framework of Human Rights, certain public officials should be instructed in freedom of religion and conscience issues.

- In light of the possibility 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. A culture of living together and showing respect for faiths needs to be developed beyond the foundations, with further steps taken and inspection of its application.
- 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 through 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 print and broadcast media. Justice authorities should be encouraged to officially respond to hate crimes and speech without having to receive an official complaint.

Sincerely,
Association of Protestant Churches

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