



# 2012 Human Rights Violations Report

*Prepared by*  
**Association of Protestant Churches (Turkey)**

**Committee for Religious Freedom and Legal Affairs**  
**Jan 15, 2013**

## Introduction and Summary

The Association of Protestant Churches<sup>1</sup> works to ensure that all people everywhere are able to live out the freedom of religion and belief in light of the 18th paragraph of the United Nations Universal Declaration of Human Rights, “everybody has the right to freedom of thought, conscience and religion” and in light of the 24th paragraph of our present constitution, “everybody has freedom of conscience, religion, belief and conviction.” According to several local and international organizations, the freedom of religion and belief in our country continues to have many difficulties and 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 that have been experienced in 2012 by the Protestant community in the area of religious freedom.<sup>2</sup>

The year 2012 can be briefly summarized as follows:

Hate crimes directed at Christians continued in 2012 and there were physical attacks carried out against Protestants and churches. Protestants’ establishing and ability to continue to use places of worship remained a problem. Even though there were some gains this year regarding the establishment of associations (dernek) and congregations gaining official legal status, a complete solution is still lacking. Along with some positive developments, there were still problems within the framework of the compulsory Religious Culture and Moral Knowledge classes (RCMK) in schools. Neither was there movement forward in 2012 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 2012 which continues to increase the risk of discrimination. The court case involving the killing of three Christians in Malatya in 2007 continued.

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’s 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. The Protestant community was invited to the Constitution Reconciliation Committee and was granted the opportunity to give their opinions about the new constitution being written. There were no places of worship closed in 2012 even though one facility used for worship received a closure notice. There were no problems with requests to celebrate Christmas in public arenas. We rejoice that there were no attempts to hinder or harass the holiday celebrations which were done in a format open to the public.

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<sup>1</sup> 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”.

<sup>2</sup> 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.

## Verbal and Physical Assault Hate Crimes

- On Feb 3, 2012, around 3 o'clock in the morning while the leader of İzmir Çeşme Lütuf (Grace) Church, Engin Duran, his wife and child were at home, the door of their house was banged upon and an unknown person or persons attempted to open it. Because he had received threats from various radical religious organizations via the internet, he called the police. Though the police came quickly, the person or persons escaped and were not apprehended. After the complaint was given to the prosecutor, this church leader, fearing for the security of his life and property, decided to leave the district permanently. The place used for worship was shut down by the church leader. As a result, the few Christians left behind are bereft of their worship site and continue to be apprehensive.
- On Feb 25, 2012 the building of the Samsun Agape Church was vandalized by someone. The man was quickly identified through camera footage and apprehended. During the course of the hearing concerning the church's complaint, the person confessed to what he did, the church retracted its complaint and the man was released. It is important to note that these types of events happen on a regular basis in Samsun.
- On March 7, 2012 a man verbally harassed and threatened workers at the Söz (Word) Bookstore in Adana, a store that sells Christian materials. After complaints to the police, no identification was made, even though camera footage indicated there were three people involved in this incident. Afterwards, the police increased their protection of the site.
- On April 7, 2012 four young men requested entrance into the Istanbul Bahçelievler Lütuf (Grace) Church. The church leader, Semir Serkek requested they come back in the morning, citing the late hour and noting the suspicious behavior of the young men. After this, the perpetrators threatened Semir Serkek with statements like "This is a Muslim neighborhood, what business does a church have here, unless you recite the Muslim creed we will kill you," they hit him, and then fled the area. After informing the police, officers came quickly to the scene. Even though camera footage was examined and eyewitness statements taken, the young men were not identified and no one was arrested. After the incident, the church paid for and installed its own security system and the police increased their security measures. A guard was not assigned.
- On June 3, 2012 three men drew suspicion by repeatedly visiting Radio Shema's office in Ankara during evening hours when no one was there. Radio Shema broadcasts Christian programming. Because the radio had been exposed to various threats many times before, the incident was reported to the prosecutor and to the police. There has been no further development because there was no identification of the persons involved.
- On July 28, 2012 a group protested a church that had been opened in Denizli in hopes of closing it down. Because of the increased security measures taken by the police due to increased threats, there have been no physical attacks. Presently the church continues to worship openly.
- The Diriliş (Resurrection) Church Association representative office, known as the "Prayer House" in the Konak, İzmir faced verbal threats and egg attacks throughout the year from 14-18 year old youths. Finally, after the association's official was threatened with a gun, the neighborhood leaders were informed that the issue would be reported to the prosecutor and the police. The neighborhood leaders warned the young men, family members got involved, and the young men apologized. The association decided to withdraw the threat of complaint.

- On November 12, 2012 a woman who was participating in the worship services in Batman was verbally harassed and threatened about attending such meetings by plain clothes policemen. In addition, the janitor of the apartment where the religious meetings are held threatened to give information on the activities and the people who come to the meetings. The woman pressed charges but there has been no further development. However, since the day the charges were opened there has been no further harassment or threat in Batman.
- In 2012 in Denizli, Diyarbakır, Sinop and Hatay provinces, people saying they were plain clothes police have warned, threatened or harassed people about attending worship, warning them to not meet with Christians or demanding that they turn over information about those attending the meetings. However, those who received these warnings and threats did not press charges because they believed that no result would come of it.
- In 2012, police protection from possible attacks continued for leaders of five Protestant congregations.

### **Problems with the Establishment of Places of Worship<sup>3</sup>**

The legal issue of being unable to establish a place of worship continues for Protestants in 2012. 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 places of worship to be rejected or to be left in a never ending bureaucratic process. 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. The Religious Affairs Directorate declares that it represents only the Islamic faith and only works for it. 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.

- In 2012, without giving a reason, the Izmir Municipality refused to grant permission for the Işık Church Association to use the Aya Vukla Church for Easter celebrations. This church is one of those in the municipality's inventory and continues to be used for many activities outside of church purposes.
- On May 15, 2012 a small worship place being used as a prayer house received notice from the Izmir provincial government that it would be shut down due to violation of zoning laws. The closure of the Prayer House was prevented by turning it into a representative office of the Diriliş (Resurrection) Churches Association.
- The Beşiktaş Protestant Church in Beşiktaş, Istanbul applied to the Istanbul Municipality for approval of the building they were using as a worship place and were rejected on Sept 1, 2010. In 2012 their porch roof was altered in order to widen their meeting room. The

<sup>3</sup> The Protestant Community's problems with regard to places of worship can be seen in the November 2008 report on our website. The problems listed in that report in 2008 continue to this day .

[http://protestankiliseler.org/index.php?option=com\\_content&view=article&id=1140&Itemid=462](http://protestankiliseler.org/index.php?option=com_content&view=article&id=1140&Itemid=462)

Beşiktaş municipality quickly locked and sealed the facility, declared that the changes be torn down, and assessed a financial penalty. Even though the disputed changes were over a small area, the city attempted to cut the electricity and water for the entire building in order to make it completely unusable. Despite all the applications for permits and alteration plans, no progress was made and the church's porch roof alterations were torn down and the building restored to its original state on October 17, 2012. Even though there are several buildings in the area that appear to be in a similar situation, the focus upon the church, the rejection of needed permissions, and the speedy production of financial penalties is noteworthy.

- On Aug 8, 2012 the İstanbul Güngören Protestant Church gave 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 was sent to the Religious Affairs Directorate for their opinion. There have been no developments regarding this issue.

## Right of Religious Propagation

Along with the right to propagate and share one's faith as a legal guarantee, the propagation of the beliefs of those groups outside the majority faith is still considered a threat. One of the clearest examples of this situation is the Primary School 8th Grade textbook "History of the Turkish Republic Reforms and Atatürkism,"<sup>4</sup> 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.<sup>5</sup> This section has remained in the 2012 books. In addition to this, investigation shows that the SBS (Level Assessment Exam) preparation and help books, which were prepared with reliance on these chapters in the textbooks, have various incongruities.

- On Dec 20, 2012 in a cafeteria on the İstanbul Marmara University Göztepe Campus, Protestants were speaking with a group of theological faculty students. They were beaten by a group of ten people who called themselves "idealists." The issue was reported to campus security and a unit of campus security apologized for the incident. However, there is no information on whether or not any action was taken against those who carried out the attack.
- In 2012 in Denizli, Diyarbakır, Sinop and Hatay provinces, people saying they were plain clothes police have warned, threatened or harassed people about attending worship, warning them to not meet with Christians or demanding that they turn over information about those attending the meetings. Those who received these warnings and threats did not press charges because they believed that no result would come of it.

## Compulsory Religious Education

In 2012 the complaints registered about not receiving exemption from compulsory religious education classes (RCMK) decreased. In 2010 there were communications sent to the Ministry of Education about the classes and requests made to allow Christian children to be exempt from such

<sup>4</sup> 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

<sup>5</sup> You can access the written communication with regard to this subject in the announcement section of our website. [www.protestankiliseler.org](http://www.protestankiliseler.org)

classes. This resulted in the Ministry of Education notifying all the schools in Turkey regarding this issue.

- A first year high school Christian student living in Izmir was told that exemption would not be applicable due to the changes in the curriculum of the RCMK. She was told this during talks she and her family had with the school principal about exemption from the RCMK. However, the problem was solved after making known the family's legal rights and having discussions with the Ministry of Education. A similar situation occurred in Diyarbakir and was solved in the same way.
- A first year high school Christian in Diyarbakir was told that, because there were no elective courses outside the ones on Islam (Basic Religious Knowledge, Kuran and the Prophet's life), the student had to choose one of these to complete the required number of classes. If he did not, he would not continue to the next grade due to lack of credits. There were no other electives available because other students did not choose other electives besides the ones in question. During discussions between the family and the school, the family was told that the student was not obligated to choose these classes since they were electives. However, since there were no other electives available not choosing one of these classes would cause the student to lack credits and he would automatically fail the year. The possibility of taking electives at a nearby school was rejected also. In light of these developments, the family met with the district's Ministry of Education Directorate, but still did not get a positive result. They then took it to the Provincial Ministry of Education Directorate. As a result of those discussions it was decided that the student would transfer to a different school. However, even though the first semester is about to end, the transfer has still not happened. In addition, the uncertainty continues of how the student's grades will be calculated, how he will adjust to the other school, as well as other pertinent issues.

The work has begun on elective courses for Christian students in grades 5-6 and 9-10 to learn their beliefs. The involvement of church representatives in the preparation of lessons, curriculum and textbooks is an important and positive development. It is expected that this project will begin as soon as possible.

## **The Problem of Training Religious Leaders**

In 2012, 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**

Since 2005, steps towards forming recognized associations have begun to be taken for reasons pointed out above like the difficulty of the Zoning Law, the desire to gain legal status, and the raising of the restrictions of law number 5253 in the new Associations Law. As of 2012, the Protestant community has formed 25 church associations and 7 representative offices connected to these associations. This association forming process is continuing. 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. The problem of a religious congregation becoming a legal entity has not been 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

identity. 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 2012. 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.

## Discrimination

Discrimination directed towards Christians continues to be broadly felt by both the individual and by congregations. Discrimination is felt by the individual when pursuing one's right of education, at the place of employment or, if male, while doing military service. 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.

- In 2012, four Christian public employees, who do not want to reveal their identities, live in a district in Izmir and worked at the same institution. It was reported that they attended Christian meetings and met with other Christians. They were deemed a "missionary" danger to the rest of their colleagues. The administrators reassigned their job locations in response to pressure from police and intelligence officials. This was clearly stated to them by the administration officials. Because the people involved do not think they will receive a positive result and do not want to start legal proceedings, nothing has been done.
- In 2012, 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 and 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.
- Several of those who have changed their faith, even though they are Christians, have had "Islam" written on their identity cards due to discrimination in job placement, work life and daily routines.

## Media

A positive development in 2012 was the *decrease* of defaming and inaccurate information about Christians and propagation non-objective programming by national media in comparison to 2011. Yet in 2012, even though few in terms of incidents, the Protestant community watched with trepidation the connecting of Christianity and/or its symbols with terrorist groups as well as exhibiting Christians or Christianity as negative components of society. This type of programming has the potential to lead to dangerous results for Christians. Anti-Christian local and internet programming was also noted.

## **Malatya Court Case**

It has been almost six years since the violent murder of three Christians in Malatya and almost five 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**

An invitation was extended to the Protestant Churches Association to come to the National Parliament Constitution Reconciliation Commission which is tasked with writing a new constitution. Association representatives had the opportunity to give written and verbal opinions. This was seen as a positive and significant development by the association.

As stated previously, another positive and significant development in 2012 was the lack of any problem obtaining permission to celebrate Christmas throughout the country, sometimes even in the open air.

## **Recommendations**

### **Recommendations for New Constitution and Legislation**

- This period of constructing a new constitution should be completed without delay; that is, participation by all sectors of society and respect for human rights, the rule of law, institutions and processes of democracy all of which are guaranteed in one form or another. In the constitution freedom of religion or faith should be ensured in the same way as the 9th article of the European Convention on Human Rights. One step that would move freedom of religion and faith forward would be the government's stating that they will observe an equal stance with regard to all religions and respect impartiality.
- 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.

### **Recommendations for the Ministries of Justice and Internal Affairs**

- It is sad that hate crimes and intolerance against Christians continued in 2012. All hate crimes (including 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 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 be educated with regard to freedom of conscience and religion in the framework of Human Rights training.

### **Recommendations for the Ministry of Education**

- 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.

### **Recommendations for the Written and Visual Media**

- 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 (Turkey)**  
**Committee for Religious Freedom and Legal Affairs**