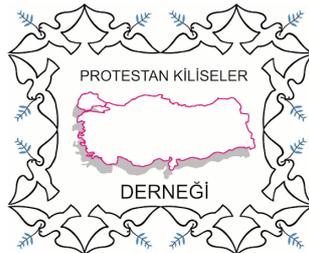


# 2014 Human Rights Violations Report

Prepared by

**Association of Protestant Churches**

**31.12.2014**



## Introduction and Summary

The Association of Protestant Churches<sup>1</sup> has published reports<sup>2</sup> since 2007 in order to monitor the position of the Protestant community in Turkey. The Association of Protestant Churches gives importance to the freedom of religion and belief for all people everywhere, and makes an effort to ensure this becomes reality. In order to serve this purpose, the Association desires to prepare and distribute this monitoring report which describes the Protestant community's situation.

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 international human rights and constitutional authority in our country. However some basic problems of the Protestant community still continue in 2014. 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 2014 by the Protestant community in the area of religious freedom<sup>3</sup>. 2014 can be summarized as follows:

- Hate crimes directed at Christians continued in 2014 and there were physical attacks carried out against Protestants and churches.
- Protestants' ability to establish and continue to use places of worship and to be able to use existing church buildings remained as a problem.
- Even though the establishment of associations has helped congregations gain legal status, it has not provided a complete solution. However, the trend for gaining legal status through establishing associations continued in 2014.
- 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.
- A textbook has been prepared and submitted to 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 2014 in the area of protecting the rights of Christians to train their own religious workers.
- Some foreign religious workers and congregation members had to leave Turkey because their visa was denied or they were deported. Some court cases were opened to protest this and a few were won.
- The religion category remained on identity cards in 2014 which continues to increase the risk of discrimination.
- The court case involving the murder of three Christians in Malatya in 2007 muddled through 2014. The five suspects who were caught in the act on the crime scene have

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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> <http://www.protestankiliseler.org>

<sup>3</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.

been released under supervision because of their long custody. This had a traumatic effect on the Protestant community and undermined confidence in the justice system.

There were not any problems related to receiving permission for Christmas celebrations in open public space. We rejoice that there were no attempts to hinder or harass the holiday celebrations which were done in a format open to the public. Some of the municipalities supported these celebrations and allocated their large meeting rooms for free. Some city officials also attended the celebrations. All of these are reported as positive and hopeful developments for the Protestant community.

### **Hate Crimes, Verbal and Physical Assaults**

- On January 19, 2014 a threatening letter was attached to the door of an apartment in which Istanbul Atasehir Yeni Umut Church members gather. The sign of the church was broken and needed to be renewed three times throughout the year.
- On March 9, 2014 the windows of Istanbul Kadikoy International Church were broken. The incident happened right after the murder suspects of Malatya Zirve Publishing House court case were released under supervision. This caused uneasiness in the community. The suspect was apprehended by the help of security cameras. It became apparent that the attacker was drunk when he broke the windows so no complaint was filed.
- On April 28, 2014 an instructor from the Mardin Artuklu University threatened, cursed and insulted a Protestant church leader because of his brother's conversion into Christianity. In spite of the church leader's warnings, the instructor continued to insult and threaten; therefore an official complaint was filed. A few weeks later, the instructor apologized and the church leader retracted his complaint.
- On May 23, 2014 Istanbul Bahçelievler Presbiteryen Lütuf Church was threatened through social media that there would be an attack on the church. The law enforcement authorities were informed about this but the source of the threat was not determined.
- On May 28, 2014 one of the members of parliament in the Turkish Grand National Assembly (TBMM) tried to view the website of the Diyarbakir Church but could not access it. When he researched the reason, he discovered that the website of the Diyarbakir Church and some of other churches' websites were censored because of "pornographic" content. The censoring of a church website, as well as attributing it as pornography, deeply offended the Protestant community. In response to the negative reaction, the TBMM stated that there was a systemic problem and it was solved.
- On June 15, 2014 a Christian student in the Kayseri Erciyes University was threatened by a group comprised of both students and non-students because of what he wrote on the social networking websites. They accused him of doing Christian propaganda. They tried to put him in a car and threatened him. He filed a legal complaint to the attorney general but there has been no progress in the case. The Christian student left the school because of the threats and inability to adapt to school.
- On December 7, 2014 a fire started in the building of Kadikoy International Church and the Kutsal Kitap Bilgilendirme Association in the evening hours. Since the fire spread slowly firemen arrived in time to fight the fire. There was a lot of damage and

a huge financial loss on the floor on which the fire started. Even though the fire department reported that the fire started by accident, a suspicious person was seen on the security cameras and the door had been forced open. Therefore a suspicion of arson was raised and an official complaint was filed. However, the suspect has not been apprehended yet.

- In Mardin, during 2014, the signs of the Diyarbakir Protestant Church's Mardin Representative office were attacked five different times and needed to be renewed. The vandals have not been identified. Security cameras have been set up to prevent such incidents in the future. The same church organized a showing for "The Life of Jesus Christ" in a movie theater but a large portion of the announcement posters were torn down.<sup>4</sup>
- During 2014, some people introduced themselves as Christians in the Agape Church in Samsun. They took photographs and personal identifying information of church members. They then went to the families and the work places of the church members in order to put pressure on them.<sup>5</sup>
- On July, 2014 in Mardin, it was discovered that two people who had been attending the church, one for 4 years and the other for 6 years, were inserted into the church by Jitem to gather intelligence on the congregation. This was discovered through the confession of one of them. The other one then admitted it as well and they both left the church. It became apparent that congregation members were blacklisted and some of the foreign members were deported because of false information provided by these two people.
- Apart from these violations which were officially recorded, many other threats, incidents of abuse and attacks in Istanbul were communicated to us. Since they were not officially reported to police forces or investigative units, the details of these violations were not mentioned in this report.

### **Problems with the Establishment of Places of Worship<sup>6</sup>**

The legal and important religious freedom issue of being unable to establish a place of worship continues for Protestants in 2014 as similar as in the previous years. 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

<sup>4</sup> Norway Helsinki Committee, July 2013-June2014 Freedom of Belief Initiative The right to religion or belief in Turkey Monitoring Report, p.23

<sup>5</sup> Ibid, p.12

<sup>6</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/raporlar/7-turkish-protestants-places-of-worship-question>

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

- Meryem Ana Church is under the authority of Kayseri Metropolitan Municipality and it was used as sports hall in the previous years. Istanbul Protestant Church Foundation applied to allocate the Meryem Ana Church to the Christian citizens in Kayseri to meet their need of a place of worship. But a response has not been given to the application yet. In a meeting with Kayseri Metropolitan Municipality it was stated that the Meryem Ana Church will be convert into either a museum or a mosque. However, this was not a formal response.
- Uskudar District Governorship sent an official notice that Istanbul Uskudar Son Buyruk Church's building is not suitable for worship and they would help in the process when the church applies for an official place of worship. When the church had to vacate their building, it filed an official application for a place of worship to the Uskudar Municipality and included a copy of the letter that said they would help with the process. Uskudar Municipality responded that all the places of worship are in use, so the church needs to apply to the Istanbul Metropolitan Municipality. The church applied to the Istanbul Metropolitan Municipality but have not received a response. The church continues to have difficulty finding a place to worship.
- On August 25, 2014 the foreign national leader of Gaziantep Yeni Yaşam Church was fined and asked to leave the country because he was preaching and leading the church even though he does not legally work at the church. The church building was declared an illegal work place then it was closed and sealed by the officials of Gaziantep Metropolitan Municipality. The decisions of working illegally and deportation were contested through the court and won. However, the church has continued to be kept closed.

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**

There were some problems in the use of this right during the year 2014. The propagation of faiths outside the majority belief is still perceived to be 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>7</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.

<sup>7</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

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>8</sup>

- On October 4, 2014 a group of foreigners in Izmir were taken into custody for the reason of “missionary activity”. While in custody, they were told that they should not share their beliefs or they would be deported. They were then released.
- On December 22, 2014 the bookstand with Christianity related books which is in front of the Istanbul Ataşehir Yeni Umut Church was torn down and thrown away by unidentified people.
- On December 24, 2014 during a pre-approved public Christmas celebration which was organized by Antalya İncil Church police and city authorities stepped in and removed a Bible bookstand because they were distributing Bibles. The church was allowed to carry on the celebration.

### **Compulsory Religious Education**

In 2014 the complaints with regard to the exemption requests from the compulsory Religious Culture and Moral Knowledge (RCMK) class increased.

In many cases from Istanbul, Izmir, and Antalya families communicated to us about difficulties in using their right of exemption, pressuring the families regarding their student taking the RCMK class, and making the children say the shahadah. The majority of the problems are solved by our Association helping the families communicate with the school administration.

In Istanbul, Sancaktepe, a Christian student in 5<sup>th</sup> grade did not want to take the RCMK class. School management asked for an official request from the family in spite of this not being required in the legislation. The family submitted the request to the school administration on September 18. The school administration told them that they cannot decide by themselves so they will defer the decision to the Ministry of Education district office. They also said to the family that the student should take the class until they have a response. The family continually sought information from the school regarding developments but the assistant principal kept saying, “we didn’t have the response yet. You can write another request and the student should keep taking the class.” When the exams started and the report card day approached, nearly 2.5 months after the initial request was submitted, the family went to Ministry of Education district office and asked about the official request. They found out that a day after they filed the request the district office wrote a response to the school that the student can be exempt from the class. However, the assistant principal decided not to apply the response as it should be and forced the student to take the RCMK class. The family filed a complaint against the assistant principal. The principal of the school apologized to the family and the student used her right of exemption from the class.

Families continued to express their concern that the Middle School and High School entrance exams would contain questions from the RCMK lessons and how this would negatively affect

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<sup>8</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)

students who had exercised their right to be exempt from those courses in 2014. The Ministry of Education and the Student Selection and Placement Center should make a clear and satisfying statement about the issue.

Many incidents from Izmir, Kayseri, Van, and Diyarbakır were communicated to us about Christian students being required to select Muslim content elective courses because other elective courses did not have a teacher, did not have a classroom or did not have enough students who chose the course.

The work preparing materials and curriculum for Christian students in the 5th and 6th grades to be able to learn their own faith through elective courses was begun, the course textbook and curriculum was finished in 2014 and then submitted to the Ministry of Education. However, there has been no movement forward. We expect this project to be put into practice in the shortest possible time.

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

In 2014, 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 legal entity problem is the problem of all religious groups as well as minority groups in Turkey. 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 2014, members of the Protestant community have 1 foundation, 32 church associations and 16 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.<sup>9</sup> 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.

### **Obligatory Declaration of Faith**

The problem of the religion section on people’s identification cards continued in 2014. 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.

<sup>9</sup> Çiçek: Kilise için dernek kurun 22.06.2004 <http://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 2014, The Association of Protestant Churches gave seminars in 6 cities to create a public awareness about discrimination.

- On December 2014 Istanbul Protestant Churches Foundation applied in Adapazari for permission to hold a Christmas celebration open to the public and they rented space at a public cultural center. However, later on the church was notified that the meeting hall would be remodeled during that date and the celebration was cancelled.
- On December 2014 Istanbul Aile Yaşam Church Association submitted written notice to the Sancaktepe District Governorship that they would organize a Christmas celebration in their association's building. However, they were told verbally that they would not receive permission and that the district governor did not approve it. During a meeting with the district governor the church was told the subject would be reconsidered but there has been no progress on this.

## Malatya Court Case

It has been 8 years since the violent murder of three Christians in Malatya in 2007 and almost 7 years since the beginning of court proceedings. On December 25, 2014, the 100<sup>th</sup> court session was held.

By the enacting of a law that limits custody to five years, the five suspects who were caught in the act at the crime scene, have been released under supervision because of their long custody. This had a traumatic effect on the Protestant community and undermined confidence in the justice system. The release of the murder suspects and at the same time the change of the panel of judges when considered with the 140,000 page court file creates concern in the Protestant Community that the process will extend indefinitely and the court case will never end. These concerns have been shared in various arenas beginning with the Ministry of Justice. By showing the ongoing case's material evidence, the families of the victims and the Protestant community are hoping for a swift conclusion.

## Dialogue

In 2014, The Protestant Community gave importance to the development of relationships with the non-governmental organizations, the Government, the public institutions especially the municipalities.

Another positive and significant development in 2014 was the lack of any problem obtaining permission to celebrate Christmas and Easter throughout the country, sometimes even publicly outdoors. The number of celebrations increased and most of them were carried out without incident. Some of the municipalities supported these celebrations and they allocated

their large meeting rooms for free. Some city officials also attended the celebrations. All of these are reported as positive and hopeful developments for the Protestant community

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 2014. 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**



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.



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.