



Turkey

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International Religious Freedom Report 2003

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

There was no significant change in the status of respect for religious freedom during the period covered by this report. Some Muslims, Christians, and Baha'is faced some restrictions and occasional harassment, including detentions for alleged proselytizing or unauthorized meetings. The Government continued to oppose "Islamic fundamentalism." State authorities continue their broad ban on wearing Muslim religious dress in state facilities, including universities, schools, and workplaces. Following the June 2001 closure of the Islamist-led Fazilet (Virtue) party for "antiseccular activities," two new political parties were formed. The leaders of the new parties, Prime Minister Recep Tayyip Erdogan of the Islam-influenced AK (Justice and Development) Party and former Prime Minister Necmettin Erbakan of the Islamist Saadet (Felicity) Party, were banned from participating in the November 2002 national elections due to past convictions for illegal speech. Following the end of their respective political bans, Erdogan entered Parliament and was appointed Prime Minister, while Erbakan assumed the formal leadership of Saadet.

The generally tolerant relationship among religions in society contributed to religious freedom in principle; however, a sharp debate continued over the State's definition of "secularism," the proper role of religion in society, and the potential influence of the country's small minority of Islamists. Christians, Baha'is, and some Muslims faced societal suspicion and mistrust, and more radical Islamist elements continued to express anti-Jewish sentiments. Additionally, some persons wishing to convert from Islam to another religion experienced social harassment from friends and neighbors.

The U.S. Government frequently discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 301,394 square miles, and its population is approximately 67.8 million. Approximately 99 percent of the population are Muslim, the majority of whom are Sunni. The level of religious observance varies throughout the country, in part due to the strong secularist approach of the State. In addition to the country's Sunni Muslim majority, there are an estimated 5 to 12 million Alevi, followers of a belief system that incorporates aspects of both Shi'a and Sunni Islam and draws on the traditions of other religions found in Anatolia as well. Turkish Alevi rituals include men and women worshipping together through oratory, poetry, and dance. The Government considers Alevism a heterodox Muslim sect; however, some Turkish Alevi and radical Sunnis maintain Alevi are not Muslims.

There are several other religious groups, mostly concentrated in Istanbul and other large cities. While exact membership figures are not available, these include an estimated 65,000 Armenian Orthodox Christians, 25,000 Jews, and 3,000 to 5,000 Greek Orthodox Christians. These three groups have special legal minority status under the 1923 Lausanne Treaty. There also are approximately 10,000 Baha'is, an estimated 15,000 Syrian Orthodox (Syriac) Christians, 3,000 Protestants, and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, Roman Catholic, and Maronite Christians. The number of Syriac Christians in the southeast was once high; however, under pressure from state authorities and later under the impact of the war

against the PKK insurrection, many Syriacs have migrated to Istanbul, Europe, or North America. No figures are available on the number of atheists or nonreligious persons in the country.

There are no known estimates of the number and religious affiliation of foreign missionaries in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on non-Muslim religious groups and on Muslim religious expression in government offices and state-run institutions, including universities, usually for the stated reason of preserving the secular State. The Constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, these rights are restricted by other constitutional provisions regarding the integrity and existence of the secular State. The Constitution prohibits discrimination on religious grounds.

The Government oversees Muslim religious facilities and education through its Directorate of Religious Affairs (Diyanet). The Diyanet has responsibility for regulating the operation of the country's 75,000 mosques and employing local and provincial imams, who are civil servants. Some groups, particularly Alevis, claim that the Diyanet reflects mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the Government asserts that the Diyanet treats equally all those who request services.

A separate government agency, the General Directorate for Foundations (Vakiflar Genel Mudurlugu), regulates some activities of non-Muslim religious groups and their affiliated churches, monasteries, synagogues, and related religious property. There are 160 "minority foundations" recognized by the Vakiflar, including a Greek Orthodox foundation with approximately 70 sites, an Armenian Orthodox foundation with approximately 50 sites, and a Jewish foundation with 20 sites, as well as Syrian Christian, Chaldean, Bulgarian Orthodox, Georgian, and Maronite foundations. The Vakiflar also regulates Muslim charitable religious foundations, including schools, hospitals, and orphanages.

In October 2002, the Government implemented a reform measure allowing, in principle, non-Muslim foundations to acquire property for the first time since 1936. The measure applies specifically to the 160 minority foundations recognized by the Vakiflar; whether the reform would also apply to other foundations remains unclear. A number of foundations criticized the application process as lengthy and burdensome, and by the end of the period covered by this report, the Vakiflar had rejected many such applications.

Some religious groups, particularly the Greek and Armenian Orthodox communities, have lost property to the State in the past or continue to fight against such losses. If a non-Muslim community does not use its property due to a decline in the size of its congregation to under 10 individuals, the Vakiflar may assume direct administration and ownership. If such groups can demonstrate a renewed community need, they may apply to recover their properties.

Government authorities do not interfere on matters of doctrine pertaining to non-Muslim religions, nor do they restrict the publication or use of religious literature among members of the religion.

There are legal restrictions against insulting any religion recognized by the State, interfering with that religion's services, or debasing its property. However, some Christian churches have been defaced, including in the Tur Abdin area of the southeast where many ancient Syriac churches are found, and communities often have been unable to make repairs due to lack of resources. In January the Meryam Ana Kilesesi Syriac Church in Diyarbakir was robbed.

Alevis freely practice their beliefs and build "Cem houses" (places of gathering). Many Alevis allege discrimination in the State's failure to include any of their doctrines or beliefs in religious instruction classes in public schools, which reflect Sunni Muslim doctrines. They also charge a

bias in the Diyanet, which views Alevis as a cultural rather than religious group; the Diyanet does not allocate specific funds for Alevi activities or religious leadership. However, some Sunni Islamic political activists charge that the State favors and is under the influence of the Alevis.

Restrictions on Religious Freedom

The Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

Secularists in the military, judiciary, and other branches of the State bureaucracy continued to wage campaigns against what they label as proponents of Islamic fundamentalism. These groups view religious fundamentalism, which they do not define clearly, but which they assert is an attempt to impose the rule of Shari'a law in all civil and criminal matters, as a threat to the secular republic. The National Security Council (NSC), a powerful military and civilian body established by the 1982 Constitution to advise senior leadership on national security matters, categorizes religious fundamentalism as a threat to public safety.

According to the human rights organization Mazlum-Der, some government ministries have dismissed or barred from promotion civil servants suspected of anti-state or Islamist activities. There were credible reports that the Education Ministry has deemed that observance of Ramazan (Ramadan), which includes daytime fasting, qualifies as such an activity; some teachers allegedly have experienced harassment or reassignment to more difficult posts as a consequence. Additionally, reports by Mazlum-Der, the media, and others indicate that the military regularly dismisses religiously observant Muslims from the service. Allegedly such dismissals are based on behavior that the military believes identifies these individuals as Islamic fundamentalists, which they fear indicates disloyalty to the secular State. According to Mazlum-Der, the military has charged individuals with "lack of discipline" for activities that include performing Muslim prayers or being married to women who wear Muslim headscarves.

In November 2002, an appeals court overturned a February 2002 ruling by an administrative court to close the Union of Alevi-Bektasi Organizations (ABKB) on the grounds that it violated the Associations Law, which prohibits the establishment of associations "in the name of any religion, race, social class, religion, or sect." The case was returned to the lower court, which ruled against closure in February. In May an appeals court upheld the lower court's ruling.

Mystical Sufi religious-social orders (tarikats) have been banned officially since the 1920s. The military ranks tarikats among the most harmful threats to secularism; however, tarikats remain active and widespread. The NSC has called for stricter enforcement of the ban as part of its campaign against the perceived threat of Islamic fundamentalism. Nevertheless, some prominent political and social leaders continue to associate with tarikats and other Islamic communities.

Under the law, religious services may take place only in designated places of worship. Municipal codes mandate that only the State can designate a place of worship, and if a religion has no legal standing in the country, it may not be eligible for a designated site. Non-Muslim religious services, especially for religious groups that do not own property recognized by the Vakıflar, often take place on diplomatic property or in private apartments. Police occasionally bar Christians from holding services in private apartments.

An August 2001 circular signed by the Ministry of Interior encouraged some provincial governors to use existing laws, such as those regulating meetings, religious building zoning, and education, to regulate gatherings of "Protestants, Baha'is, Jehovah's Witnesses, Believers in Christ" within their provinces, while "bearing in mind" those provisions of the law that provide for freedom of religion. According to one Protestant group, as well as reports by the media and other observers, local authorities asked more than a dozen churches in Istanbul and elsewhere to close. They subjected others to increased police harassment following the publication of the circular. Several Protestant groups that have engaged in religious activities, including worship, Bible study, and religious education, had charges filed against them for zoning violations. There is no official method for acquiring zoning permits for any new religious building construction. Mosques, churches, and synagogues lack official zoned status, and no group is known to have received zoning permission for the construction of a new place of worship.

Following the Constitutional Court's June 2001 closure of the Islamist Fazilet (Virtue) party for

activities "contrary to the principle of the secular republic," two successor parties were formed, the Islamist Saadet Party and the AK Party. The AK Party, while conscious of the strength of Muslim tradition in Anatolia, has presented itself as a "conservative democratic" party. AK Party Chairman and Prime Minister Recep Tayyip Erdogan faced immediate legal challenges to his role as founding member of the party as a result of his 1999 conviction for the crime of "inciting religious hatred." In January 2002, the Constitutional Court ruled that Erdogan was ineligible to run for Parliament due to this conviction and that he could not be a founding member of the party. The court then gave the AK Party an October 2002 deadline to remove Erdogan as party chairman. When the AK Party failed to comply, prosecutors opened a case demanding the party's closure. The case continued at the end of the period covered in this report; however, under recent legal reforms a conviction would not lead to closure. Erdogan also faces possible legal charges for speeches he made in the early 1990's that allegedly contained anti-secularist statements and for alleged financial misconduct. Erdogan was elected to Parliament in by-elections held after the term of his political ban expired and subsequently was appointed Prime Minister.

Necmettin Erbakan, an Islamist former Prime Minister, was also banned from the November elections due to a past conviction for illegal speech. Erbakan assumed the Saadet chairmanship in May after his 5-year political ban expired.

In March an Ankara State Security Court postponed a verdict in the trial in absentia of Fetullah Gulen, a controversial Islamic philosopher and leader now residing in the United States. Gulen, actively supported by the State from the mid-1980s until 1997, faced 5 to 10 years imprisonment after being indicted in 2000 under the Anti-Terror Law on charges of "attempting to change the characteristics of the Republic" by trying to establish a theocratic Islamic state. The prosecutor also charged that Gulen had attempted to "infiltrate" the military. Under the postponement ruling, the case against Gulen will be closed formally if he does not commit another felony crime within 5 years.

The authorities continue to monitor the activities of Eastern Orthodox churches but generally do not interfere with their activities. The Government does not recognize the ecumenical authority of the Greek Orthodox Patriarch, acknowledging him only as head of the country's Greek Orthodox community; however, the Government does not interfere with his travels or other ecumenical activities. The Ecumenical Patriarchate in Istanbul continues to seek to reopen the Halki seminary on the island of Heybeli in the Sea of Marmara. The seminary has been closed since 1971, when the State nationalized all private institutions of higher learning. Under existing restrictions, religious communities largely remain unable to train new clergy in the country for eventual leadership. Coreligionists from outside the country have been permitted to assume leadership positions in some cases, but in general all religious community leaders, including Patriarchs and Chief Rabbis, must be Turkish citizens.

No law explicitly prohibits proselytizing or religious conversions; however, many prosecutors and police regard proselytizing and religious activism with suspicion, especially when such activities are deemed to have political overtones. Police occasionally bar Christians from handing out religious literature and sometimes will arrest proselytizers for disturbing the peace, "insulting Islam," conducting unauthorized educational courses, or distributing literature that has criminal or separatist elements. Courts usually dismiss such charges. In September 2002, the Erzurum State Security Court charged 12 Baha'is with "openly inciting hatred and enmity" for distributing materials on the Baha'i Faith; the charges later were dropped. If the proselytizers are foreigners, they may be deported, but generally they are able to reenter the country. Police officers may report students who meet with Christian missionaries to their families or to university authorities.

State authorities continued to enforce a long-term ban on the wearing of religious head coverings at universities and by civil servants in public buildings. Women who wear head coverings and persons who actively show support for those who defy the ban have been disciplined or have lost their jobs in the public sector as nurses and teachers. Students who wear head coverings are not permitted to register for classes. Many secular Turkish women accuse Islamists of using the headscarf as a political tool and say they fear that efforts to remove the headscarf ban will lead to pressure against women who choose not to wear a head covering.

In April the President, the chief of the military's General Staff, opposition party members, and high-ranking bureaucrats threatened to boycott a reception marking the 83rd anniversary of the

founding of Parliament, because Parliament Speaker Bulent Arinc's wife, who wears a Muslim headscarf, was listed on the invitation as co-host. Arinc later announced that his wife would not attend the event in an effort to avoid further tension. The incident marked the first time the event had been boycotted in 83 years. Arinc also drew sharp criticism from the secular elite in November 2002 for bringing his wife with him to the airport to see off President Sezer on a foreign trip. Some members of non-Muslim religious groups claim that they have limited career prospects in government or military service, particularly as military officers, judges, or prosecutors. A 1997 law made 8 years of secular education compulsory. Students may pursue study at Islamic Imam-Hatip high schools upon completion of 8 years in the secular public schools. Imam-Hatip schools are classified as vocational, and therefore graduates face some barriers to university admission, such as an automatic reduction in their entrance exam grades. Only the Diyanet is authorized to provide religious training, usually through the public schools, although some clandestine private religious classes do exist. Students who complete 5 years of primary school may enroll in Diyanet Koran classes on weekends and during summer vacation. Many Koran courses function unofficially. According to Mazlum-Der, police conducted approximately 20 raids of illegal Koran courses in the first 6 months of the year. Only children 12 and older legally may register for official Koran courses, and Mazlum-Der reports that many of the police raids target illegal courses for younger children.

State-sponsored Islamic religious and moral instruction in public 8-year primary schools is compulsory. Upon written verification of their non-Muslim background, religious minorities "recognized" by the Government under the 1923 Lausanne Treaty (Greek Orthodox, Armenian Orthodox, and Jews) are exempted by law from Muslim religious instruction. These students may attend Muslim religious courses with parental consent. Other non-Muslim minorities, such as Catholics, Protestants, and Syriac Christians, are not exempted legally; however, in practice they may obtain exemptions. The courts have ruled that all universities are public institutions and thus have an obligation to protect the country's basic principles, including "secularism." Small, peaceful protests against this policy occurred at various times during the period covered by this report, and some journalists and supporters face minor charges relating to their roles in the protests.

Some religious groups have lost property to the State in the past or continue to fight against such losses. An Armenian Orthodox church in Kirikhan, Hatay Province, faced possible expropriation when its community decreased to fewer than 10 persons. The Armenian Patriarchate won a court case allowing it to retain control of the property, but prosecutors appealed. In April an appeals court upheld the original ruling and ordered the property to be turned over to an Armenian Orthodox Church board.

In April 2002, the Baha'i community lost a legal appeal against government expropriation of a sacred site in Edirne. The Ministry of Culture had granted cultural heritage status to the site in 1993, but in January 2000, the Ministry of Education notified the Baha'i community that it had expropriated the property for future use by the adjacent primary school. At the end of the period covered by this report, members of the Baha'i community were awaiting the results of their final appeal to the Council of State.

Jehovah's Witnesses reported increasing official harassment over meeting for worship due to the fact that they are not members of an officially recognized religion. Members also have reported some difficulties in claiming conscientious objector status and exemption from required military service. Jehovah's Witnesses who are conscripted into the military refuse to take the military oath or carry weapons and have faced arrest and detention as a result; generally the detention lasts for about a month after which the individual is released pending trial. There were reports of three such cases during the period covered by this report.

Restoration or construction may be carried out in buildings and monuments considered "ancient" only with authorization of the regional board on the protection of cultural and national wealth. Bureaucratic procedures and considerations relating to historic preservation in the past have impeded repairs to religious facilities, especially in the case of Syrian Orthodox and Armenian Orthodox properties. However, according to religious leaders, the Government has become more supportive of these communities' requests. Groups are prohibited from using funds from their properties in one part of the country to support their existing population in another part of the country.

Although religious affiliation is listed on national identity cards, there is no official discrimination based upon religious persuasion. Some religious groups, such as the Baha'i Faith, allege that

they are not permitted to state their religion on their cards because no category exists; they have made their concerns known to the Government. Conversion to another religion entails amending one's identification card; there are reports that those who convert from Islam to another religion have been subject to harassment by local officials when they seek amendment of their cards.

Abuses of Religious Freedom

U.S. citizen and Sufi Muslim preacher Aydogan Fuat was released following his May 2002 acquittal on charges of wearing banned religious clothing. Prosecutors appealed Fuat's acquittal, but the appeals court did not take up the case. Fuat was also acquitted on separate charges of causing religious enmity through speech.

Christian groups have encountered difficulty in organizing (especially in university settings) in Gaziantep, Eskisehir, and other cities in which they have not sought recognition as a foundation; the authorities briefly detained some Turkish and foreign Christians in these areas.

In June an Istanbul court acquitted 13 Ahmadi Muslims, members of a small religious community, who had been arrested in April 2002 and charged under Article 7 of the Anti-Terror Law for involvement with an organization "with terrorist aims." Three of the defendants remained in detention until their August 2002 hearing; the other defendants had been released on bail shortly after their arrest in April. The case was under appeal at the end of the period covered in this report.

In March an Istanbul court acquitted seven Christians charged with holding illegal church and Bible study meetings in an apartment.

In February a Protestant pastor in Diyarbakir who had been charged with "damaging a historical church" was acquitted. The pastor's own church remains closed due to zoning restrictions that prohibit the use of the property as a place of worship.

There were no other reports of religious detainees or prisoners.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In June Parliament approved an amendment to the Act on Construction replacing the word "mosques" with "houses of worship," removing a legal obstacle to the building of non-Muslim religious facilities.

In October 2002, the Government implemented a reform measure allowing, in principle, non-Muslim foundations to acquire property for the first time since 1936. A number of foundations criticized the application process as lengthy and burdensome, and by the end of the period covered by this report the Vakıflar had rejected many such applications.

In May 2002, the Diyanet adopted a series of decisions after holding a 4-day conference on religious issues with attendees from the Diyanet's Supreme Council on Religious Issues and experts from theology schools. The Diyanet formally decided to: allow women to participate in the congregation for daily prayers on Fridays, during religious holidays, and funeral prayers; allow original Arabic prayers to be recited in native tongues; rule that men may not use the Koran as a premise for domestic violence; underline the fact that civil marriages (rather than religious marriages) are required by law; and state that social and legal advances for women are not against the spirit of the Koran. Some women immediately began to participate in congregations with men.

In the fall of 2001, the Diyanet issued an immediate statement condemning terrorism as a crime against humanity. The Diyanet also issued a statement, read during Friday prayers at all

mosques, stressing that there is no Islamic justification for any form of terrorism. This message was reinforced during the Ramazan period at state-sponsored Iftar dinners attended by members of non-Muslim religious groups and repeated in a statement at the Diyanet-sponsored "Fifth Eurasia Islamic Council."

Section III. Societal Attitudes

Government policy and the generally tolerant relationship among religions in society contributes to religious freedom; however, some Muslims, Christians, and Baha'is face societal suspicion and mistrust. Jews and most Christian denominations freely practice their religions and report little discrimination in daily life. However, there were regular reports that citizens who convert from Islam often experience some form of social harassment or pressure from family and neighbors. Proselytizing on behalf of non-Muslim religions is socially unacceptable. A variety of newspapers and television shows have published anti-Christian messages, including the leftist-nationalist newspaper "Aydinlik," which in May 2002 published a purported list of 40 churches in the city of Izmir that were "bribing" converts. Occasional violence against minority religious communities continued. In September 2002, two pipe bombs exploded, causing minimal damage at the Birth of St. Mary Armenian Church in Bakrkoy; the attack did not result in any casualties.

Many non-Muslim religious group members, along with many in the secular political majority of Muslims, fear the possibility of Islamic extremism and the involvement of even moderate Islam in politics. Several Islamist newspapers regularly publish anti-Semitic material.

Iftar dinners, evening events tied to the daily breaking of the Ramadan fast, often involve invitations to non-Muslim religious and secular leaders. Iftars hosted by diplomats, as well as business and religious leaders, typically include invitations to non-Muslims as a sign of openness and hospitality.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Ambassador and other Mission officials, including staff of the U.S. Consulate General in Istanbul and the U.S. Consulate in Adana, enjoy close relations with Muslim majority and other religious groups. The U.S. Embassy continues to urge the Government to re-open the Halki seminary on Heybeli Island. In October 2002, the Archons of the Order of St. Andrew, an American group that actively supports the Ecumenical Patriarchate, made its first trip to Ankara and, with the support of the Embassy, met with the Diyanet and other senior officials to urge the reopening of Halki. The Ambassador and other Embassy officers also remain in close contact with local NGOs that monitor freedom of religion.

Embassy and Consulate staff members monitor and report on incidents of detention of foreigners found proselytizing and have attended the trials of Americans and others facing charges relating to free expression and the free practice of religion.

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