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U.S. DEPARTMENT of STATE

Turkey

International Religious Freedom Report 2008

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The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion, but constitutional provisions regarding the integrity and existence of the secular state restrict these rights.

The Government generally respected religious freedom in practice; however, the Government imposes limitations on Islamic and other religious groups and significant restrictions on Islamic religious expression in government offices and state-run institutions, including universities, for the stated reason of preserving the "secular state." There was no change in the status of respect for religious freedom by the Government during the period covered by this report. In February 2008 the Parliament passed constitutional amendments designed to lift the ban against wearing headscarves on university campuses. However, on June 5, 2008, the Constitutional Court ruled that amendments intended to permit the wearing of headscarves in universities violated the secular nature of the state and were therefore unconstitutional. Authorities continued their broad ban on wearing Islamic religious headscarves in government offices as well as public schools. The Government continued to oppose "Islamic extremism." Religious minorities said they were effectively blocked from careers in state institutions because of their faith. Minority religious groups also faced difficulties in worshipping, registering with the Government, and training their followers. Although religious speech and persuasion is legal, some Muslims, Christians, and Baha'is faced a few restrictions and occasional harassment for alleged proselytizing or holding unauthorized meetings.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Violent attacks and continued threats against non-Muslims during the reporting period created an atmosphere of pressure and diminished freedom for some non-Muslim communities. Many Christians, Baha'is, and Muslims faced societal suspicion and mistrust, and more-radical Islamist elements continued to express anti-Semitic sentiments. Additionally, persons wishing to convert from Islam sometimes experienced social harassment and violence from relatives and neighbors.

The U.S. Government discusses religious freedom with the Government and state institutions as part of its overall policy to promote human rights. Embassy and consular representatives met frequently with government officials and representatives of religious groups during the reporting period to discuss matters related to religious freedom, including legal reform aimed at lifting restrictions on religious minorities.

Section I. Religious Demography

The country has an area of 301,383 square miles and a population of 70.5 million. According to the Government, 99 percent of the population is Muslim, the majority of which is Hanafi Sunni. According to the human rights nongovernmental organization (NGO) Mazlum-Der and representatives of various religious minority communities, the actual percentage of Muslims is slightly lower. Following the 1923 Lausanne Treaty, the Government officially recognizes only three minority religious communities. These are Greek Orthodox Christians, Armenian Orthodox Christians, and Jews, although other non-Muslim communities exist. The level of religious observance varied throughout the country, in part due to the influence of secular traditions and official restrictions on religious expression in political and social life.

In addition to the Sunni Muslim majority, academics estimate that there are between 10 million and 20 million Alevi, followers of a belief system that incorporates aspects of both Shi'a and Sunni Islam and draws on the traditions of other religious groups indigenous to Anatolia as well. Some Alevi practice rituals that include men and women worshipping together through oratory, poetry, and dance. The Government considers Alevism a heterodox Muslim sect; some Alevi and Sunnis maintain that 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 religious groups include approximately 65,000 Armenian Orthodox Christians, 23,000 Jews, and up to 4,000 Greek Orthodox Christians. The Government interpreted the 1923 Lausanne Treaty as granting special legal minority status exclusively to these three recognized groups, although the treaty text refers broadly to "non-Muslim minorities" without listing specific groups. This recognition does not extend to the religious leadership organs. For example, the Ecumenical (Greek Orthodox) and Armenian Patriarchates continued to seek legal recognition of their status as patriarchates rather than foundations, the absence of which prevents them from having the right to own and transfer property and train religious clergy. Additionally, because the Government

requires all places of learning to be under the control of the Ministry of Education, the Greek Orthodox, Armenian Orthodox, and Jews choose not to train their ministry in the country. The Bulgarian Orthodox Church, through a 1945 bilateral agreement, is considered under the ecclesiastical authority of the Greek Orthodox Ecumenical Patriarchate in Istanbul (and Greece), but the Bulgarian Orthodox Church has its own foundation.

There also are approximately 500,000 Shiite Caferis; 10,000 Baha'is; 15,000 Syrian Orthodox (Syriac) Christians; 5,000 Yezidis; 3,300 Jehovah's Witnesses; 3,000 Protestants; and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, Roman Catholic, and Maronite Christians. Among these minority religious communities are a significant number of Iraqi refugees, including 3,000 Chaldean Christians. The number of Syriac Christians in the southeast was once higher; however, under pressure from government authorities and later under the impact of the war against the terrorist Kurdistan Workers' Party (PKK), many Syriacs migrated to Istanbul, Western Europe, or North and South America. Over the last several years, small numbers of Syriacs returned from overseas to the southeast, mostly from Western Europe. In most cases, older family members returned while younger ones remained abroad.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion, but constitutional provisions regarding the integrity and existence of the secular state restrict these rights. The 1982 Constitution establishes the country as a secular state and provides for freedom of belief, worship, and the private dissemination of religious ideas. The Constitution prohibits discrimination on religious grounds. Core institutions of the state, including the presidency, armed forces, judiciary, and state bureaucracy, have played the role, written into the Constitution, of defending the country's tradition of secularism throughout the history of the republic. In some cases, elements of the state have opposed activities of the elected Government on grounds that they threatened the secular state. For example, a closure case, pending before the Constitutional Court at the end of the reporting period, was brought against the ruling Justice and Development Party (AKP) in March 2008 charging AKP with serving as a center for antisecularist activities in violation of the Constitution.

The Government oversees Muslim religious facilities and courses through the Directorate of Religious Affairs (Diyanet), which is under the authority of the Prime Ministry. The Diyanet is responsible for regulating the operation of the more than 77,500 registered mosques and employing local and provincial imams, who are civil servants. Some groups, particularly Alevis, claimed that Diyanet policies reflected mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the Government asserted that the Diyanet treated equally all who requested services.

The Government observes Ramazan Bayram and Kurban Bayram as national holidays.

Government authorities do not interfere in matters of doctrine pertaining to non-Muslim religious groups, nor do they restrict the publication or use of religious literature among members of a religious group. Despite the legality of religious speech and persuasion, the police occasionally prevent Christians from handing out religious literature.

There are legal restrictions against insulting any religion recognized by the Government, interfering with such a religious group's services, or defacing its property.

Any organization has the opportunity to register as an association or a foundation. While both receive equal protection by law, associations must be nonprofit by definition and can receive money only in the form of donations. A foundation has greater fiscal freedom and can earn income through companies to support the foundation. The process for becoming a foundation is substantially lengthier than that for becoming an association, and for this reason some religious groups, including Protestants and Jehovah's Witnesses, choose to register as associations.

For religious groups becoming an association is much easier and more affordable, taking as few as 3 months to be created with no capital requirement, than becoming a foundation. A group may submit a registration application to the provincial governor's office to become an association and can immediately begin operating while waiting for approval from the association decision committee of the governor's office, but an association can also be closed by the provincial governor's office and has fewer legal protections on the local level.

Becoming a foundation is the only way that religious groups can hold real estate. The foundation registration process requires cabinet approval, which is often a lengthy process. A foundation can be closed only by a court judgment, which provides some protection for groups who register in this way. The foundation law also requires that a citizen be the administrative leader.

A separate government agency, the General Directorate for Foundations (GDF), regulates activities of all religious groups and their affiliated property. The GDF recognizes 161 "minority foundations," including Greek Orthodox foundations with approximately 61 sites, Armenian Orthodox foundations with an estimated 48 sites, and Jewish foundations with 12 sites, as well as Syriac Christian, Chaldean, Bulgarian Orthodox, Georgian, and Maronite

foundations. At the end of the reporting period, there were 364 applications from religious groups seeking foundation status. The GDF also regulates all charitable religious foundations, Muslim and non-Muslim. The GDF assesses whether the foundations are operating within the stated objectives of their organizational statute. The law on foundations prohibits the establishment of a foundation with the objective of promoting a religion. Associations can include the support of religion in their by-laws, but not the promotion of one.

In 1936 the Government required all foundations to declare their sources of income. In 1974 amid political tensions over Cyprus, the High Court of Appeals ruled that the minority foundations had no right to acquire properties beyond those listed in the 1936 declarations. The court's ruling launched a process under which the state seized control of properties acquired after 1936.

In February 2008 an amended law governing religious minority property rights became effective after Parliament passed it for a second time following then-President Sezer's December 2006 veto. Parliament passed a law on November 9, 2006, that permitted the return of expropriated minority properties not already sold to third parties and made it easier to form foundations. The President vetoed parts of the law and stated that nine provisions of the legislation were incompatible with the Constitution, the 1923 Lausanne Treaty, or current law. The 2008 amendments to the foundation law facilitate the return of minority foundation properties expropriated as a result of the 1974 ruling; however, it does not account for properties that have been sold to third parties or to those expropriated when the associated foundations have been taken under government control, which, due to the community's small population, applies to the majority of expropriated Greek Orthodox properties. The law also did not rescind the authority of the GDF to expropriate property. Officials claimed the amended foundations law should also make it easier for non-Muslim communities to manage and establish new foundations. The opposition Republican People's Party's (CHP) March 23, 2008 appeal of nine articles of the law to the Constitutional Court was pending at the end of the reporting period.

The amended law allowed the 161 religious minority foundations recognized by the GDF to acquire property, but the legislation does not allow the communities to reclaim the hundreds of properties affiliated with foundations expropriated by the state over the years. After the passage of the 2008 amendment, these foundations were permitted to apply for property ownership. The GDF reports that since the amendment, 121 foundations have submitted 1,263 applications for property ownership.

Non-Muslim minorities complained that the implementing regulations of the foundations law has led to interference in the elections of foundation boards, the treatment of charitable community foundations as business corporations for tax purposes, the freezing of revenue from real estate transactions, and a ban on transferring surplus income from one foundation to another. Groups are disallowed from using funds from foundation properties in one part of the country to support foundations in other areas.

The Government complies with European Court of Human Rights (ECHR) decisions. As a signatory to the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, the country is subject to the court's jurisdiction. Two relatively recent cases filed by the Association of Protestant Churches are *Zekai Tanyar and Others v. Turkey* and *Altinkaynak and Others v. Turkey*. *Tanyar* involves the inability to register churches and other places of worship as well as problems of lack of registration and legal status. *Altinkaynak* involves a complaint regarding the zoning of property as a place of worship. These cases were pending at the end of the reporting period.

The Constitution establishes compulsory religious and moral instruction in primary and secondary schools. Religious minorities are exempted; however, a few religious minorities--such as Protestants--faced difficulty obtaining exemptions, particularly if their identification cards did not list a religion other than Islam. The Government claims that the religion courses cover the range of world religions, but religious minorities asserted the courses reflect Hanafi Sunni Islamic doctrine.

Alevi children receive the same compulsory religious education as all Muslims, and many Alevis alleged discrimination in the Government's failure to include any of their doctrines or beliefs in religious instruction classes in public schools. During the reporting period, Alevis had more than 4,000 court cases against the Ministry of Education regarding this alleged discrimination. Materials for the proposed new religious course curriculum that includes instruction on Alevism are believed by many Alevis to be inadequate and, in some cases, false. Alevis also charged there was bias in the Diyanet, which does not allocate specific funds for Alevi activities or religious leadership. In effect, the Diyanet budget is reserved for the Sunni community, covering the salary of imams and other costs. It does not pay for the cost of utilities of "cem houses" (places of worship) or facilities not recognized by the Government as places of worship.

Officially recognized religious minorities may operate schools under the supervision of the Ministry of Education. The curriculum of these schools includes Greek Orthodox, Armenian Orthodox, and Jewish instruction. Additionally, regulations have made it somewhat difficult for non-Muslims to register and attend these schools. The Ministry of National Education reportedly checks to make sure that the child's father or mother is from that minority community before the child may enroll. Moreover, non-Muslim minorities that are not officially recognized do not have schools of their own.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice; however, the Government imposed limitations on Muslim and other religious groups and significant restrictions on Muslim religious expression in government offices and state-run institutions, including universities, for the stated reason of preserving the "secular state." There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

Secularists in the military, judiciary, and other branches of the bureaucracy continued to wage campaigns against what they label as Islamic fundamentalism. These groups view religious fundamentalism as a threat to the secular state. The National Security Council and Turkish General Staff categorize religious fundamentalism as a threat to public safety. In March 2008 the chief prosecutor filed a case against the AKP to close the party, claiming that it has become a "center of 'antiseccular' activities." According to Article 68 of the Constitution, "the activities of political parties shall not be in conflict with ... the principles of the democratic and secular republic." While the prosecutor acknowledged that the AKP's program and its written statutes were not unconstitutional, the indictment charged that AKP had "in actions and verbal statements acted against laws and the Constitution."

According to Mazlum-Der and other groups, a few government ministries have dismissed or barred from promotion civil servants suspected of antistate or Islamist activities. Reports by Mazlum-Der, the media, and others indicated that the military periodically dismissed religiously observant Muslims from military service. Such dismissals were based on behavior that military officials believed identified these individuals as Islamic fundamentalists, which they were concerned could indicate disloyalty to the secular state. There was also a report of non-Muslim religious leaders being identified and portrayed as threats to national security during military training.

According to Mazlum-Der, the military charged soldiers with lack of discipline for activities that included performing Islamic prayers or being married to women who wore headscarves. According to the military, officers and noncommissioned officers were dismissed periodically for ignoring repeated warnings from superior officers and for maintaining ties to what the military considered Islamic fundamentalist organizations. In November 2007 the Government reported 38 military dismissals, of which it claimed 7 were associated with religious extremism.

Mystical Sufi and other religious-social orders (tarikats) and lodges (cemaats) have been banned officially since the mid-1920s; however, tarikats and cemaats remained active and widespread. Some prominent political and social leaders continued to associate with tarikats, cemaats, and other Islamic organizations.

On July 31, 2007, the Jehovah's Witnesses received a letter of certification confirming its official registration as the "Association for the Support of Jehovah's Witnesses." However, due to their stance as conscientious objectors to military service, they continued to face difficulties. According to Jehovah's Witnesses officials, harassment of their members included arrests, court hearings, verbal and physical abuse, sleep deprivation, strip searches, and psychiatric evaluations. During the reporting period, there were three pending applications on the issue with the ECHR. Additionally, four Kingdom Halls continued to appeal court decisions restricting worship due to zoning laws.

Several Protestant groups have similarly been able to register as associations.

Religious minorities reported difficulties opening, maintaining, and operating houses of worship. Under the law, religious services may take place only in designated places of worship. Municipal codes mandate that only the Government 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 GDF, often take place on diplomatic property or in private apartments. Police occasionally barred Christians from holding services in private apartments, and prosecutors have opened cases against Christians for holding unauthorized gatherings.

Alevis freely practiced their beliefs and have built cem houses, although these have no legal status as places of worship and are often referred to as "cultural centers." Representatives of Alevi organizations maintained that they often faced obstacles when attempting to establish cem houses. They said there were approximately 100 cem houses in the country, a number that they claimed was insufficient to meet their needs.

In December 2007 a cem house in the Alevi Catalkaya district of Sivas was reportedly turned into a mosque. The 120 Alevi residents of Catalkaya submitted a petition to the Sivas Governor in protest. At the end of the reporting period, the building was no longer being used as a mosque, and the municipality had removed the imam.

In 2006 authorities in the Istanbul municipality of Sultanbeyli reportedly halted the construction of a cem house on the grounds that the Pir Sultan Abdal Association, an Alevi group, had not acquired the necessary construction permits. Association officials said the local mayor and his staff had attended the groundbreaking ceremony and had promised not to interfere with the project, but the municipality reportedly filed a case against the association after it proceeded with construction following the ordered cessation. The case continued at the end of the reporting period.

The authorities continued to monitor the activities of Eastern Orthodox churches but generally did not interfere with their religious activities; however, significant restrictions were placed on the administration of the churches. The Government does not recognize the ecumenical status of the Greek Orthodox Patriarch, acknowledging him only as the head of the country's Greek Orthodox community. High-level government leaders often asserted publicly that use of the term "ecumenical" in reference to the Patriarch violates the 1923 Lausanne Treaty. Nonetheless, government officials privately acknowledged that Lausanne does not address the issue.

The Caferis, the country's principal Shi'a community of Azeri-Iranian origin, concentrated mostly in the eastern part of the country and Istanbul, do not face restrictions on their religious freedoms. They build and operate their own mosques and appoint their own imams, but as with the Alevis, their places of worship have no legal status and receive no support from the Diyanet.

The Ecumenical Patriarchate in Istanbul continued to seek to reopen the Halki seminary on the island of Heybeli in the Sea of Marmara. The seminary was closed in 1971 after the Patriarchate chose not to comply with a state requirement to nationalize in order to avoid being administered by the state. The Government nationalized all other private institutions of higher learning in an attempt to control countrywide rioting. Despite positive public declarations, AKP officials have reportedly not responded to formal communications from the Greek Orthodox Church regarding the reopening of Halki Seminary or to resolution of other concerns affecting the Ecumenical Patriarchate.

The state provides training for Sunni Islamic clergy; religious communities outside the Sunni Islamic mainstream cannot legally train new clergy in the country for eventual leadership. Coreligionists from outside the country were permitted to assume leadership positions in some cases, but in general all religious community leaders, including patriarchs and chief rabbis, must be citizens.

A 1997 law makes 8 years of secular education compulsory. After completing the 8 years, students may pursue study at imam hatip (Islamic preacher) high schools, which cover both the standard high school curriculum and Islamic theology and practice. Imam hatip schools are classified as vocational, and graduates of vocational schools face an automatic reduction in their university entrance exam scores if they apply for university programs outside their field of high school specialization. This reduction effectively bars most imam hatip graduates from enrolling in university programs other than theology. Many pious citizens criticized the religious instruction provided in the regular schools as inadequate. Most families who enrolled their children in imam hatip schools did so to expose them to more extensive religious education, not to train them as imams.

Only the Diyanet is authorized to provide religion courses outside of school, although clandestine private courses exist. Students who complete the first 5 years of primary school and are over 12 years old may enroll in Diyanet Qur'an classes on weekends and during summer vacation, although many other Qur'an courses function unofficially. Mazlum-Der reported that law enforcement authorities often raided illegal courses for younger children.

In October 2007 the ECHR ruled in favor of an Alevi father who requested that his daughter be exempt from the religion courses at school; the Court argued that Alevism is distinct from the Sunni understanding of Islam and that the religious courses did not meet European Convention on Human Rights (Convention) criteria of objectivity and plurality. In January 2008 the Government incorporated ten pages of additional instruction on Alevi beliefs and practices in the final year of religious instruction in secondary school. By the end of the reporting period, the ECHR had yet to announce whether these changes aligned the country's religious curriculum with Convention principles.

In March 2007 the Council of State (Danistay) upheld an Istanbul lower court's 2006 ruling in favor of an Alevi father who requested his son be exempt from religious courses. The lower court's decision had been appealed by the Istanbul Governor's office.

The Government has also long maintained that only citizens of the country can be members of the Greek Orthodox Church's Holy Synod and participate in patriarchal elections, despite the Ecumenical Patriarch's appeal to allow non-Turkish prelates. However, the Government did not formally respond to Ecumenical Patriarch Bartholomew I's 2004 appointment of six noncitizen metropolitans to the Holy Synod, representing the first appointment of noncitizens to the body in the 80-year history of the country.

Members of the Greek Orthodox community said the legal restrictions particularly threatened the survival of the Ecumenical Patriarchate in Istanbul because, with no more than 4,000 Greek Orthodox remaining in the country, the community was becoming too small to provide enough citizen prelate candidates to maintain the institution.

Churches operating in the country generally faced administrative challenges when employing foreign church personnel, as do other entities when employing foreign personnel. These administrative challenges, plus restrictions on training religious leaders and difficulties getting visas, have led to decreases in the numbers of recognized Christian communities.

No law explicitly prohibits religious speech or religious conversions; nevertheless, many prosecutors and police regarded religious speech and religious activism with suspicion. Police occasionally prevented Christians from

handing out religious literature. Proselytizing is often considered socially unacceptable. Christians engaged in religious advocacy were occasionally beaten and insulted. If the advocates were foreigners, they might have been deported, but generally they were able to reenter the country. Police officers may report students who meet with Christian missionaries to their families or to university authorities.

Article 219 of the Penal Code prohibits imams, priests, rabbis, or other religious leaders from "reproaching or vilifying" the Government or the laws of the state while performing their duties. Violations are punishable by prison terms of 1 month to 1 year, or 3 months to 2 years if the crime involves inciting others to disobey the law.

In February 2008 the Government enacted constitutional amendments intended to lift the ban on the wearing of headscarves in universities. Opposition parties immediately appealed the amendments to the Constitutional Court, arguing that the amendments undermine the secular state. Conflicting interpretations of whether the amendments were binding led to universities independently determining whether or not to apply a ban. In the past, university students who wore head coverings at public universities were officially not permitted to register for classes, although some faculty members permitted students to wear head coverings in class. The Constitutional Court annulled the amendment on June 5, reinstating the ban on wearing headscarves in universities. The issue was seen as part of a separate case that seeks to disband the ruling AKP for antiseccular activities and ban 71 members, including the President and Prime Minister, from joining any political party for 5 years.

Many secularists accused Islamists of using advocacy for wearing the headscarf as a political tool and feared that efforts to repeal the headscarf ban would lead to pressure against women who choose not to wear a head covering. In 2005 the ECHR ruled that the Government has the right to ban the headscarf in an effort to protect the secular nature of the state.

Authorities continued to enforce the long-standing ban on the wearing of headscarves by civil servants in public buildings. Women who wear headscarves 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.

In October 2007 police reportedly detained 3 of 14 American tourists in Igdir overnight for distributing Turkish translations of the Bible along with a compact disc on Christianity.

Religious affiliation is listed on national identity cards, despite 1982 Constitutional Article 24 which provides that no one shall be compelled to reveal religious beliefs. A few religious groups, such as the Baha'i, are unable to state their religious affiliation on their cards because their religion is not included among the options. Despite a 2006 regulation allowing persons to leave the religion section of their identity cards blank or change the religious designation by written application, the Government continued to restrict applicants' choice of religion. Despite the regulation, applicants must choose Muslim, Christian, Jew, Hindu, Zoroastrian, Confucian, Taoist, Buddhist, Religionless, Other, or Unknown as their religious affiliation.

There were reports that local officials harassed some persons who converted from Islam to another religion when they sought to amend their cards. Some non-Muslims maintained that listing religious affiliation on the cards exposed them to discrimination and harassment.

After the April 18, 2007 killings in Malatya of three Christians, Turkish victim Ugur Yuksel was denied a Christian burial and given an Islamic/Alevitic burial instead. Turkish victim Necati Aydin was buried in a Protestant churchyard in Izmir. The Governor of Malatya was initially hesitant to permit the burial of the German victim in Malatya. He told the German victim's widow that no Christian should be buried in the country's soil. After negotiations between German government and Turkish government officials, the victim was buried in a private Armenian cemetery in Malatya. The suspects appeared in Malatya's Third Criminal Court in June 2008. None of the suspects accepted responsibility for the attacks and continued to blame others. Police denied accusations that they colluded with the suspects. Proceedings were scheduled to continue on July 4, 2008.

Restoration or construction may be carried out on 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 Syriac and Armenian Orthodox properties.

On November 27, 2007, the ECHR heard the claim of the 2005 Ecumenical Patriarchate's appeal with the ECHR concerning the GDF's expropriation of the Buyukada Orphanage on the Prince's Islands that had belonged to the Patriarchate. The ECHR had yet to announce a decision by the end of the reporting period.

Minority religious groups, particularly the Greek and Armenian Orthodox communities, have lost numerous properties to the state in the past and continued to fight ongoing efforts by the state to expropriate properties. In many cases, the Government has taken control of minority foundations and expropriated associated properties on the grounds that the foundations are not operating in accordance with their charters or that the non-Muslim communities they support have insufficient populations to sustain the foundations. Such expropriations are frequently appealed to the Danistay and, if

unsuccessful there, to the ECHR. In July 2007 the country fulfilled its obligation concerning a January 2007 ECHR ruling in favor of the Fener Greek Boys High School Foundation by paying the foundation \$1,390,000 (€890,000) in compensation for properties that had been expropriated and sold to third parties. Many religious minorities experienced problems operating places of worship due to laws governing foundations.

The ECHR continued proceedings related to the appeal by the Armenian Orthodox community of the 1999 expropriation of two foundation properties.

Abuses of Religious Freedom

There were no reports of religious prisoners or detainees in the country.

In November 2007 Ministry of Environment and Forestry officials damaged a building on the compound of a Greek Orthodox church on Heybeli Island while it was being restored. The officials claimed the restoration was illegal, but the local government halted the ministry officials' actions. An investigation conducted by island authorities later determined the ministry officials acted independently and without cause. The Buyukada Court of First Instance was reviewing the Greek Orthodox Church's complaint in this matter at the end of the reporting period. Authorities have given no permission to continue restoration.

The majority of Bardakci village's Syriac residents fled the Mardin province in the mid-1980s. Upon their return, they found that one of the village's two Syriac churches had been converted into a mosque without consulting the Syriac community. Some returning Syriacs claimed that government authorities reclassified properties while the Syriacs were out of the country in ways that caused them to lose some of their lands.

Court proceedings were scheduled to continue on November 4, 2008, for the 2006 case against two (Muslim) converts to Christianity being charged with "insulting Turkishness," inciting hatred against Islam, and secretly compiling data on private citizens for a Bible correspondence course. Police searched one man's home and both men's office and confiscated two computers, as well as books and papers.

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, or the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

On July 31, 2007, the Istanbul Governorship Associations Directorate confirmed that the charter for the Association for the Support of Jehovah's Witnesses was registered and granted legal recognition. Despite the new legal status, local government officials cited obscure laws or zoning regulations as a way to deny members permission to worship at a particular site, rendering the new legal recognition of limited use.

Section III. Societal Abuses and Discrimination

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Violent attacks and continued threats against non-Muslims during the reporting period created an atmosphere of pressure and diminished freedom for some non-Muslim communities. Religious pluralism was widely viewed as a threat to Islam and to "national unity." Muslims, Christians, Jews, Baha'is, and members of other religious communities faced societal suspicion and mistrust.

In June 2008 Malatya murder suspect Gunaydin continued to deny accusations made by the other suspects that he was the leader in the attacks. The four suspects who had been arrested with Gunaydin testified that they were unable to leave the operation because they feared his connections with the police and mafia figures. He allegedly threatened to inflict violence on them and their families if they did not carry out the plan. The trial of the five suspects involved in the April 2007 alleged torture and killing of three members of a Protestant church in Malatya, including a German citizen, continued at the close of the reporting period. The victims were reportedly tortured and killed in the office of a company that publishes books on Christianity. The suspects had notes on their persons claiming, "We did it for our religion. May this be a lesson to the enemies of religion." If convicted, the suspects face life imprisonment without possibility of parole. Four suspects were caught as they were trying to leave the building, while another jumped out of a window and was hospitalized. Some reports suggested the publishing house and the victims received death threats for 1 year before the killings, but the local police did not provide protection. The suspects reportedly had spent months gaining the trust of the victims under the guise of an interest in the Christian faith. There were also allegations that local political officers, members of the special military forces, and regional members of the country's nationalist political party were involved, which the authorities denied.

On May 6, 2008, three men, one of them armed with a gun and wearing gloves, threatened the Kurtulus Church and

its pastor Ihsan Ozbek in Ankara. The suspects fled in a car before police could be summoned. According to a church member, one of the assailants said they were going to get rid of the pastor. Other threats and incidents of attempted violence against Protestants continued to be documented.

On December 30, 2007, a murder attempt on the Muslim background Christian Pastor Ramazan Arkan, was prevented by police.

In December 2007 a 19-year-old assailant stabbed 65-year-old Italian priest Adiano Francini inside the St. Antoine Church in Izmir. Police soon captured Ramazan Bay outside a mosque where he had allegedly gone to confess the crime to an imam. Francini survived the attack and stated he did not intend to press charges against Bay, whom he described as a mentally disturbed youth acting on his own volition.

In November 2007 Syriac priest Edip Daniel Savci was kidnapped in Midyat and held for 3 days as his kidnappers demanded \$438,000 (€300,000) in ransom. One of the kidnappers, reportedly overcome by guilt, released him unharmed, and seven suspects were later arrested for the crime. The prosecutor was seeking prison terms of 15 to 30 years for the seven suspects. The case was postponed, and no new trial date had been set by the end of the reporting period.

In November 2007 security officials thwarted a planned attack on a pastor at St. Paul's Church in Antalya. The officials had been investigating a suspect for his ties to other crimes when they discovered a telephone conversation in which he declared his intent to kill the pastor. He remained under arrest at the close of the reporting period for his alleged involvement in five unrelated counts of arson, although there were no reports of charges related to the planned attack on the pastor.

In October 2007 the Court of Appeals Penal Department Number 1 approved the 18 years and 10 months' prison sentence for the suspect in the 2006 murder of Catholic Priest Santoro in Trabzon.

Throughout 2007 there were more than 15 attempted attacks and death threats against Radio Sherma, a Christian radio station in Ankara.

On April 14 and 15, 2008, unidentified youths stoned the building of a Protestant congregation in the Derince district of Kocaeli two nights in a row, breaking most of the windows. Security police were posted at the building after the incident, but there were no reports of associated arrests or investigations by the end of the reporting period.

On January 25, 2008, there were reports that five youths stoned the Izmit branch of the Istanbul Protestant Church Foundation, causing material damage.

In November 2007 two intoxicated suspects were arrested for breaking windows of the Greek Orthodox Holy Trinity Church in Istanbul's Kadikoy District.

In September 2007 a public prosecutor in Diyarbakir opened a public court case demanding up to 3 years in prison for Oktay Bicici, who was detained for a week in June after having been accused of encouraging a "deranged" person to set the Diyarbakir Protestant church on fire. The case was pending at the close of the reporting period.

On September 3, 2007, there was an arson attack on Istanbul Protestant Church Trust's Izmit Building.

On March 9, 2008, there were reports that life-threatening phone calls were made to members of the Protestant church in Gaziantep.

In February 2008 a 17-year-old was arrested and charged with threatening the leader of Agape Church in Samsun. The charges followed a previous arrest for similar threats in January 2007, when the suspect was released and reportedly continued to threaten the church.

In February 2008 one of the attorneys representing the families of the Malatya victims filed a complaint with the Ankara public prosecutor's office regarding threats he had received and suspicions that his e-mail and telephone calls were being monitored and used to manipulate information to discredit him.

Jews and Christians from most denominations freely practiced their religions and reported little discrimination in daily life; however, citizens who converted from Islam to another religion often experienced some form of social harassment or pressure from family and neighbors. Proselytizing on behalf of non-Muslim religious groups was socially unacceptable and sometimes dangerous. A variety of newspapers and television shows published and broadcast anti-Christian messages, and at least one municipality distributed antimissionary publications. Antimissionary and anti-Christian rhetoric appears to have continued among government officials and national media sources. In April 2008 Samsun Provincial Muftu Osman Sahin reportedly encouraged parents and society to do everything possible to

prevent children from being influenced by missionaries.

Additionally, nationalist sentiments sometimes contained anti-Christian or anti-Semitic overtones. Jewish community members reported a significant rise of anti-Semitic language in newspapers and websites that began in the summer of 2006 and continued through the reporting period. There were growing numbers of media stories about Israeli offenses against Palestinians and U.S. misdeeds in Iraq and pieces containing anti-Semitic stereotyping. Jewish leaders in the country believed the anti-Semitism is directly related to events in the Middle East, and Jewish community members reported that they are held responsible for these events.

On May 28, 2007, two Georgian priests touring the country were beaten in Artvin because they were believed to be missionaries. Three individuals were detained following the beating, but it was reported that the priests did not file a complaint, so the case was dropped.

There were instances of persons disrupting church services.

Death threats against Christian U.S. citizens continued to be a concern. For example, several Christian U.S. citizens living in the country received religion-based death threats via letters and voicemails stating that if they did not return to America they would be killed.

Members of the Syriac community said local villagers, particularly village guards, often occupied the homes of Syriacs who fled the country, refusing to leave when Syriacs attempted to return. The village guards are a civil defense force of approximately 57,000, mostly in the southeast. They were reputed to be the least disciplined of the security forces. According to the Syriac community, more than 50 unoccupied Syriac homes have been destroyed in the village of Bardakci, Mardin Province, since 2000. The majority of the village's Syriac residents fled the region in the mid-1980s.

On August 28, 2007, the Middle East Media Research Institute published excerpts from an interview given on July 1, 2007, by former Prime Minister Necmettin Erbakan. These interviews and more expansive speeches were rife with allusions to Zionists/Jews (deliberately conflated) as "**bacteria**" and "**disease**," conspiring to dominate the contemporary Islamic world. Erbakan stated that modern Jews/Zionists ultimately wished to establish a world which depended on them.

The appeal of Kerim Akbas, who was convicted in 2004 for television broadcasts inciting violence against Christians, continued during the reporting period.

Members of the secular establishment and other groups feared the influence of Islamism and rejected the involvement of Islam in politics.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government and state institutions as part of its overall policy to promote 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, enjoyed close relations with the Muslim majority and other religious groups. The U.S. Embassy continued to urge the Government to permit the reopening of the Halki seminary on Heybeli Island.

In September 2007 the U.S. Department of State's Under Secretary for Political Affairs discussed religious freedom with the Ecumenical Patriarch and government officials in Istanbul and Ankara.

The Ambassador discussed religious freedom regularly in private meetings with cabinet members. These discussions touched on both government policy regarding Islam and other religious groups and specific cases of religious discrimination. The Ambassador met with Diyanet President Ali Bardakoglu, who visited the United States in April 2008 pursuant to the Ambassador's invitation.

Other embassy and consulate officers held similar meetings with government officials. Diplomats from the Embassy and consulates met regularly with representatives of various religious groups. These meetings covered a range of topics, including problems faced by non-Muslim groups and the debate over the role of Islam in the country.

In separate cases, embassy officers encouraged the Government to provide increased security for a Protestant leader and one of the attorneys representing the Malatya victims' families after their personal requests had gone unanswered.

During the reporting period, a Muslim professor of theology participated in the "Religion and Community" Visitor Program in the United States.

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