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Key Findings

Turkey's constitution is based on the French model of *laïcité*, strict secularism, which requires the absence of religion in public life and in government. No religious community, including the Sunni Muslim majority, has full legal status and all are subject to state controls that limit their rights to own and maintain places of worship, train clergy, and offer religious education. Other concerns relate to the compulsory religious education classes in public primary and secondary schools, the listing of religious affiliation on national identity cards, anti-Semitism, threats against Turkey's small Protestant community, and denials of access to religious sites in the Turkish-occupied northern part of Cyprus. There were, however, several positive developments during the reporting period, relating to minority property returns and public minority religious celebrations. Nevertheless, based on limitations on religious freedom that continue to exist in the country, USCIRF again places Turkey on Tier 2 in 2016.

Background

Turkey's constitution, adopted in 1982, provides for freedom of belief, worship, and the private dissemination of religious ideas, and prohibits discrimination on religious grounds. Under the Turkish interpretation of secularism, however, the state has pervasive control over religion and denies full legal status to all religious communities. This limits religious freedom for all religious groups and has been particularly detrimental to the smallest minority faiths. Official control of Islam is through the Presidency of Religious Affairs, and of all other faiths is through the General Directorate for Foundations. Additionally, the 1923 Treaty of Lausanne, a peace treaty between Turkish military forces and several European powers, affords specific guarantees and protections for the Greek and Armenian Orthodox and Jewish communities, but they are not provided to other minority groups.

The Turkish government does not maintain population statistics based on religious identity, but an estimated 75 to 85 percent of the country's population is Sunni Muslim. Alevis comprise an estimated 15 to 25 percent. The Turkish government and many Alevis view the community as heterodox Muslims, but many Sunni Muslims consider them non-Muslims. Some Alevis identify as Shi'a Muslim, while others reject Islam and view themselves as a unique culture. Turkey's non-Muslim religious minority communities are small, estimated at between .1 and .3 percent of the total population, but they are diverse and are historically and culturally significant. The fewer than

150,000 Christians in Turkey include Armenian and Greek Orthodox, Syriac Christians, Jehovah's Witnesses, and Protestants, as well as small Georgian Orthodox, Bulgarian Orthodox, Maronite, Chaldean, Nestorian Assyrian, and Roman Catholic communities. The Jewish community comprises fewer than 20,000 persons. Other smaller communities exist in Turkey, including Baha'is.

In August 2014, Recep Tayyip Erdoğan was elected President of Turkey, after serving as the country's Prime Minister between 2003 and 2014. Turkey held two general parliamentary elections in 2015. After the June 2015 election, neither the Justice and Development Party (AKP) nor the Republican People's Party (CHP) secured a majority of seats, and efforts to build a coalition government failed. The AKP won a parliamentary majority in the November 2015 election, although the vote was marred by allegations of fraud and intimidation and incidents of election-related violence. Since 2011, the Turkish government has attempted to revise the constitution but these efforts have failed due to political disagreements unrelated to religious freedom. Nevertheless, despite the continuing constitutional impediments to full religious freedom protections, the Turkish government has shown that improvements for freedom of religion or belief are possible without a new constitution when sufficient political will is present. For example, over the past few years, the government has returned or paid compensation for expropriated religious minority properties and loosened restrictions on Islamic religious dress. That resolve, however, remains lacking on other issues, such as the long-promised reopening of the Greek Orthodox Halki Seminary.

The overall landscape for democracy and human rights in Turkey has deteriorated over the last several years. The government has increased restrictions on social media and cracked down on journalists and individuals or groups that criticize the government, especially President Erdoğan.

Religious Freedom Conditions 2015-2016

Interference in Internal Religious Affairs

The Turkish government continues to require that only Turkish citizens can be members of the Greek Orthodox Church's Holy Synod, which elects that community's Patriarch. Since 2010, 30 foreign Metropolitans have been approved for dual citizenship. The government also has interfered in the selection process of the Armenian Patriarchate's leadership. In addition, the government of Turkey denies religious minority communities the ability to train clergy in the country. The Greek Orthodox Theological School of Halki remains closed, as it has been since 1971. The Armenian Orthodox community also lacks a seminary, although there are 16 Armenian Orthodox parish schools.

Religious Minority Properties

Historically, the Turkish government expropriated religious minority properties. Beginning in 2003, and especially since a 2011 governmental decree, many properties have been returned or financial compensation paid when return was not possible. According to the Turkish government, more than 1,000 properties – valued at more than 2.5 billion Turkish Lira (1 billion U.S. Dollars) – had been returned or compensated for between 2003 and 2014. For example, in 2013, the government returned the deed for 244,000 square meters (over 60 acres) of land to the Syriac Foundation that maintains the historic Mor Gabriel Monastery. However, several cases connected to Mor Gabriel remain pending before the European Court of Human Rights, including a case regarding an additional 320,000 square meters (nearly 80 acres) claimed by the Syriac community.

In 2015, the Turkish government reports that out of 1,560 applications, it returned an additional 333 properties and paid compensation for 21 properties. For example, in October 2015, the government returned 439 acres of land to the Syriac Christian Mor Hananyo Monastery in Mardin.

The same month, following 175 days of protests by Armenians and various religious and ethnic communities, the government returned the deed of Camp Armen to the Armenian Protestant Church Foundation. Camp Armen, confiscated by the government in 1983, was once part of a boarding school and orphanage for Armenian children. The remaining applications are still under review.

Religious minority communities report that the government has rejected around 1,000 applications since 2011. The communities allege bias, delays, and insufficient compensation. The government states that denials are due to lack of proof of ownership, for example when different religious communities are claiming the same property.

Education

The constitution makes religious and moral instruction compulsory in public primary and secondary schools, with a curriculum established by the Ministry of National Education. Non-Muslim children can be exempted, but to do so parents and students must reveal their religious affiliation, which can lead to societal and teacher discrimination. Alevi, however, are not afforded the exemption option. In 2014, the European Court of Human Rights ruled that Turkey's compulsory religious education violated the right of Alevi parents and others to have their children educated consistent with their own convictions. The court ruled that Turkey should institute a system whereby pupils could be exempted from religion classes without parents having to disclose their religious or philosophical convictions. To date, the Turkish government has not done so, although Forum 18 reported that the government is reviewing the education system and plans to present an action plan to respond to the European Court decision.

Religious minority communities also have complained that the textbooks used in the compulsory class were written from a Muslim worldview and included generalized and derogatory language about other faiths. During USCIRF's 2014 visit to Turkey, the Ministry of Education reported to USCIRF that it was aware of the complaints by religious communities and that it had made an effort to revise the books. The ministry shared the revised textbooks with USCIRF. In late 2015, USCIRF released an analysis of the books, *Compulsory Religious Education in Turkey: A Survey and Assessment of Textbooks*. The report found that the textbooks included positive passages on religion and science, religion and rationality, good citizenship, religious freedom, and the origins of differences in Islamic thought. However, the study also found that the textbooks had superficial, limited, and misleading information about religions other than Islam, including Judaism, Christianity, Hinduism, and Buddhism, and linked atheism with the concept of Satanism.

National Identity Cards

In January 2015, responding to a 2010 European Court of Human Rights' ruling that the mandatory listing of religious affiliation on national identity cards violated the European Convention, the parliament passed a law removing the requirement on the cards. However, the new ID cards, expected to be distributed in 2016, will include a microchip where religious affiliation may be included, although it will not be required. This has led to the concern that individuals who fail to list "Muslim" will automatically be deemed part of a minority community, which may lead to bias. Additionally, it is not known what affiliations will be permitted to be listed on the microchips. In the past, some groups, such as Baha'is and atheists, were unable to state their affiliations on their identity cards because their faiths or belief systems were not on the official list of options.

Alevi

Alevi worship in "gathering places" (*cemevi*), which the Turkish government does not consider legal houses of worship and thus cannot receive the legal and financial benefits associated with

such status. In December 2014, the European Court of Human Rights ruled that Turkey discriminates against the Alevi community by failing to recognize *cemevis* as official places of worship. In November 2015, Prime Minister Ahmet Davutoğlu presented to the Turkish parliament a new plan to grant legal status to Alevi houses of worship. Under this plan, the Presidency of Religious Affairs would pay for *cemevis*' water and electricity bills and provide a salary for *Dedes* (Alevi religious leaders), as it does for Sunni mosques and imams. At the end of the reporting period, it was not clear if the Parliament had agreed to the Prime Minister's proposal.

Anti-Semitism

Generally, the small Jewish community in Turkey is able to worship freely; their community foundations operate schools, hospitals, and other entities; and their synagogues receive government protection when needed. Nevertheless, anti-Semitism in Turkish society and media remains a serious concern. Additionally, there continue to be reports that government officials have made anti-Semitic comments. A 2015 report by the Hrant Dink Foundation found 130 examples of hate speech in the Turkish print media that targeted the Jewish community in Turkey or the Jewish community more broadly between May and August 2014. In addition, in January 2016, unknown vandals sprayed "Terrorist Israel, there is Allah" on the outside wall of Istipol Synagogue in Istanbul's Balat neighborhood. On a positive note, during the reporting period, the Turkish government took steps to publicly support the Jewish community, as described below.

Protestants

In August 2015, 15 Protestant churches and 20 church leaders received cyber-threats including through SMS text messaging, email, and social media. The community and the Turkish government believe that the threats came from religious extremists in Turkey affiliated with or sympathetic to the Islamic State of Iraq and the Levant (ISIL). In one video released on Twitter, militants threatened to commit mass murder in churches affiliated with the Association of Protestant Churches. Reportedly, the Turkish government is investigating the cases.

Northern part of the Republic of Cyprus

Turkey has occupied nearly one-third of the northern part of Cyprus since 1974. In the past year, as in previous years, religious communities on occasion were denied access to houses of worship, cemeteries, and other historical and cultural sites.

Positive Developments Regarding Minority Religious Celebrations

In the last year, there were some notable developments concerning public minority religious celebrations. In March 2015, the third largest synagogue in Europe, the Great Synagogue of Edirne in Turkey's northwest region, was reopened and a service held for the first time in nearly 50 years. In December 2015, the first public celebration of Hanukah in the Republic's history was held in Istanbul's historic Ortakoy Square; the country's Chief Rabbi, Izak Haleva, lit a large menorah, the head of the Jewish Community's foundation delivered a speech, and government officials reportedly attended. In January 2015, the government also sponsored the first-ever Holocaust Remembrance Day ceremony, with the Parliamentary Speaker and Minister of Culture and Tourism participating. In May 2015, the Agios Konstantinos Greek Church, located in the western province of Izmir, reopened after extensive renovations; a mass was held for the first time in 93 years, with the Greek Orthodox Patriarch present. In July 2015, for the first time in 188 years, the Alevi community held a religious service in the Hacı Bektaş-ı Veli dervish convent, located in the province of Nevşehir. However, the community was required to get permission from the Turkish Culture and Tourism Ministry. In November 2015, for the first time in 60 years, a religious service was held in the Protestant Church in Artuklu, located in Mardin. It is unknown if these events were one-time occurrences or if they will be allowed in the future.

U.S. Policy

Turkey is an important strategic partner of the United States; it is a NATO ally and there is a U.S. airbase in Incirlik, Turkey. The U.S.-Turkey relationship includes many matters, most importantly regional stability and security due to Turkey's shared borders with Syria, Iraq, and Iran, and the emergence of ISIL. The United States continues to support Turkish accession to the European Union. In addition, in the past, the United States worked to criminalize the sources of material support for the Kurdish Workers' Party (PKK) by designating the PKK a Foreign Terrorist Organization and supported the Turkish military against the PKK in northern Iraq. However, since 2014, relations between Turkey and the United States have soured over a number of issues, including differences in their approaches to the war in Syria and the threat of ISIL and anti-democratic domestic actions by the government of Turkey.

Since President Jimmy Carter, every U.S. president has called consistently for Turkey to reopen the Greek Orthodox Theological School of Halki under the auspices of the Ecumenical Patriarchate and to take specific steps to address concerns of the ethnic Kurdish population and other minority communities. The U.S. government also cooperates with Turkey to assist in the advancement of freedom of expression, respect for individual human rights, civil society, and promotion of ethnic diversity. Like every country except Turkey, the United States does not officially recognize the "Turkish Republic of Northern Cyprus." However, the United States government does discuss religious freedom with Turkish Cypriot authorities and supports international efforts to reunify the island.

Recommendations

In its engagement with Turkey, the U.S. government, at the highest levels, should continue to raise religious freedom issues with the Turkish government. Specifically, USCIRF recommends that the U.S. government should urge the Turkish government to:

- Revive the multi-party constitutional drafting commission with the goal of drafting a new constitution consistent with international human rights standards on freedom of religion or belief;
- Interpret the 1923 Lausanne Treaty to provide equal rights to all religious minority communities;
- Comply with decisions made by the European Court of Human Rights, including by:
 - removing the space listing religious affiliation on official identification cards, both in print and on future microchipped versions;
 - recognizing Alevi *cemevis* as official places of worship; and
 - instituting a system whereby pupils can be exempted from religion classes without parents having to disclose their religious or philosophical convictions;
- Without conditions, fulfill private and public promises that the Greek Orthodox Halki Seminary be reopened, and permit other religious communities to open and operate their seminaries;
- Permit religious communities to select and appoint their leadership in accordance with their internal guidelines and beliefs;

- Publicly rebuke government officials who make anti-Semitic or derogatory statements about religious communities in Turkey; and
- Ensure that, with respect to the northern part of the Republic of Cyprus, Turkish military authorities and Turkish-controlled local authorities end all restrictions on the access, use, and restoration of places of worship and cemeteries for religious minorities.

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