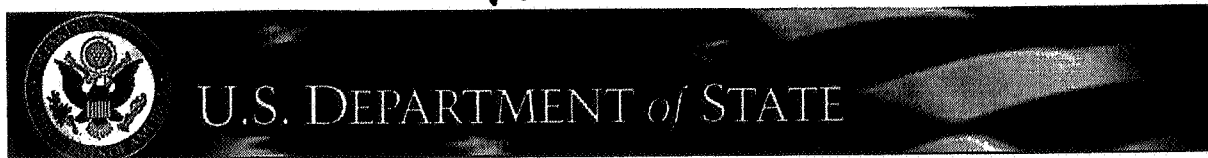


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The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, 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." An intense debate continues over a broad government 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 Islamist political parties were formed. The leader of one of these new parties, a former Istanbul mayor, is under investigation for allegedly "fomenting religious enmity" in public speeches made several years earlier.

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, and Baha'is face societal suspicion and mistrust.

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 65.6 million. Approximately 98 percent of the population is Muslim, the majority of whom are Sunni. The level of religious observance varies throughout the country, in part due to a strong adherence to secularism. In addition to the country's Sunni Muslim majority, there are an estimated 12 million Alevis, a heterodox Muslim sect. Turkish Alevi rituals include men and women worshipping together through speeches, poetry, and dance. Some Turkish Alevis maintain they 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 50,000 Armenian Orthodox Christians, 25,000 Jews, and from 3,000 to 5,000 Greek Orthodox adherents. These three groups are recognized by the Government as having special legal minority status under the 1923 Lausanne Treaty. There also are approximately 10,000 Baha'is, as well as an estimated 15,000 Syrian Orthodox (Syriac) Christians, 3,000 Protestants, and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, and Maronite Christians. The number of Syriac Christians in the southeast once was high; however, many Syriacs have migrated to Istanbul, Europe, or North America.

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 combating religious fundamentalism. 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 particularly 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). It regulates the operation of the country's 75,000 mosques, and employs local and provincial imams, who are civil servants. Some groups 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 Office of Foundations (Vakıflar Genel Müdürlüğü), regulates some activities of non-Muslim religious groups and their affiliated churches, monasteries, religious schools, and related property. There are 160 "minority foundations" recognized by the Vakıflar, including Greek Orthodox (approximately 70 sites), Armenian Orthodox (approximately 50), and Jewish (20), as well as Syrian Christian, Chaldean, Bulgarian Orthodox, Georgian, and Maroni foundations. The Vakıflar also regulates Muslim charitable religious foundations, including schools and hospitals.

In November 2001, there were press reports that a Syriac Christian church in Harput, Elazığ province, was reopened after 51 years; it is the second oldest church in the country.

Non-Muslim religious foundations legally may not acquire property for any purpose, although under certain circumstances foundation property may revert to the State. In November 2001, this legal status was reconfirmed, when the Supreme Court ruled that such foundations were established under the Ottoman sultanate and therefore could not be expanded under existing law. The Armenian Patriarchate publicly protested the Supreme Court's ruling on the grounds that this policy significantly would affect its and other faiths' ability to sustain themselves.

In May 2000, a Protestant community in Istanbul won the right to charter itself as a "Protestant cultural organization." This community owns a building outright, can arrange work visas for a few staff, and has set up a chapel with weekly services. Normally all "religious" foundations had to have been in existence since the early days of the republic in order to be deemed as such. Other Protestant groups are engaged in the lengthy process of applying for permission to form foundations. Some religious groups 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 Vakıflar 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.

Alevi freely practice their beliefs and build "Cem houses" (places of gathering). Many Alevi allege discrimination in the State's failure to include any of their doctrines or beliefs in religious instruction classes (which reflect Sunni Muslim doctrines) in public schools, and charge a bias in the Diyanet. No funds are allocated specifically from the Diyanet budget for Alevi activities or religious leadership. However, some Sunni Islamic political activists charge that the secular state favors and is under the influence of the Alevi.

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.

The Government, in particular the military, judiciary, and other members of the secular elite, continued to wage campaigns against proponents of Islamic fundamentalism. Fundamentalism, especially the advocacy of Shari'a law, is viewed by these groups as a threat to the democratic secular republic. The National Security Council (NSC)—a powerful military/civilian body established by the 1982 Constitution to advise senior leadership on national security matters—categorizes religious fundamentalism as a threat to public safety. Despite the NSC's activism on this issue, legislative measures have been taken in only 5 of an 18-point "anti-fundamentalist" plan introduced in 1997.

According to the human rights nongovernmental organization (NGO), "Mazlum Der," (Organization of Human Rights and Solidarity for Oppressed People), some government ministries have amended their internal regulations and dismissed civil servants suspected of anti-state (including Islamist) activities, one of the 1997 points. According to Mazlum Der and media accounts, the military regularly dismisses observant Muslims from the service. Allegedly such dismissals are based on behavior that the military believes identifies these individuals as Islamic fundamentalists, and their fear is that such individuals have less loyalty to a secular, democratic state.

In February 2002, an Administrative Court closed 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 ABKB is appealing of the decision.

Tarikats (religious orders and communities) and other mystical Sunni Islamic, quasi-religious, and social orders have been banned officially since the 1920's but largely are tolerated. 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 be associated with Tarikats or other Islamic communities.

Under the law, religious services may take place only in designated places of worship. Under municipal

codes, 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 in diplomatic property or private apartments. Police occasionally bar Christians from holding services in private apartments.

An August 2001 circular signed by the Ministry of Interior encouraged some governors to use existing laws (such as those which regulate meetings, religious building zoning, and education), while "bearing in mind" those provisions of the law which provide for freedom of religion, in order to regulate gatherings of "Protestants, Baha'is, Jehovah's Witnesses, Believers in Christ, etc ..." within their provinces. According to one Protestant group, as well as other observers and media reports, local authorities asked more than a dozen churches in Istanbul and elsewhere to close or they have been subject to increased police harassment since the publication of the circular.

Following the Constitutional Court's June 2001 closure of the Islamist Fazilet (Virtue) party for being a center of activities "contrary to the principle of the secular republic," two successor parties were formed—the Saadet (Contentment) Party and the AK (Justice and Development) Party. AK Party Chairman and former Istanbul Mayor Recep Tayyip Erdogan faced immediate legal challenges to his role as founding member of the party, based on 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 therefore could not be a founding member of the party, and gave the AK an October 2002 deadline to correct the situation. Erdogan also faces possible legal charges based on speeches he made in the early 1990's that allegedly contained anti-secularist statements, and for alleged financial misconduct.

In July 2001, the European Court of Human Rights upheld the Government's 1998 decision to close Fazilet's predecessor party, Refah. The court ruled that the closure "could reasonably be considered to meet a pressing social need for the protection of a democratic society" because, according to the ECHR's analysis, Refah had espoused the possibility of instituting Shari'a law in Turkey.

Following his indictment in August 2000, the Turkish courts continued to try a case in absentia against Fetullah Gulen, an Islamic philosopher and leader, who resides in the United States, for "attempting to change the characteristics of the Republic" by allegedly trying to establish a theocratic Islamic state. The prosecutor also charged that Gulen attempted to "infiltrate" the military. The Government is seeking a maximum 10-year sentence based on the Anti-Terror Law.

The authorities monitor the activities of Eastern Orthodox churches but do not interfere with their activities. While the Government does not recognize the ecumenical nature of the Greek Orthodox patriarch, it acknowledges him as head of the Turkish Greek Orthodox community and does not interfere with his travels or other ecumenical activities. The Ecumenical Patriarch 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, including a citizenship requirement, 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.

There is no law that 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 proselytizing by handing out literature. Police occasionally 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. 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.

The Government continued to enforce a long-term ban on the wearing of religious head coverings at universities or by civil servants in public buildings. Women who wear head coverings, and both men and women who actively show support for those who defy the ban, have been disciplined or lost their jobs in the public sector as nurses and teachers. Students who wear head coverings are not permitted to register for classes. In March 2002, deputies from Islamist parties in Parliament pressed for a motion of censure against the Minister of Education for allegedly "creating unrest at the ministry" and "escalating tensions" by enforcing strictly the headscarf ban, including at imam-hatip (religious) high schools. In June 2002, a special parliamentary committee concluded that the Minister should not face charges.

Some members of non-Muslim religious groups claim that they have limited career prospects in government or military service. 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 the 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 may exist. Students who complete 5 years of primary school may enroll in Diyanet Koran classes on weekends and during summer vacation.

State-sponsored Islamic religious and moral instruction in public 8-year primary schools is compulsory. Upon written verification of their non-Muslim background, minorities "recognized" by the Government under the 1923 Lausanne Treaty (Greek Orthodox, Armenian Orthodox, and Jewish) are exempted by law from Muslim religious instruction. These students may attend courses with parental consent. Other

non-Muslim minorities, such as Catholics, Protestants, and Syriac Christians, are not exempted legally; however, in practice may obtain exemptions. The courts have ruled that all universities are public institutions and, as such, have an obligation to protect the country's basic principles, such as 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. In the case of an Armenian church in Kirikhan, Hatay province, which may be expropriated since its community has decreased to fewer than 10 persons, the Armenian Patriarchate won a court case allowing them to retain control of the property. However, the prosecutor subsequently appealed the verdict. The case was before the High Administrative Court at the end of the period covered by this report.

The Baha'i community continues to fight a legal battle against the proposed expropriation of a sacred site near Edirne. The case has been at the High Administrative Court for nearly 1 year. The Ministry of Culture had granted cultural heritage status to the site in 1993; however, in January 2000, the Ministry of Education notified the Baha'i community that the property would be expropriated for future use by the adjacent school.

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 Syrian Orthodox and Armenian 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 from supporting 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, 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.

Following a hearing on October 30, 2001, two university professors at Sivas' Cumhuriyet University were not expelled based on charges of allegedly ignoring official duties due to Baha'i related activities.

Abuses of Religious Freedom

Mehmet Kutlular, leader of the Nur Cemaati religious community, was convicted and imprisoned from May 2001 until February 2002 for "inciting religious hatred" in a 1999 newspaper article. In February 2002, the Ankara State Security Court ruled that, following new legislative reforms to the Constitution and free speech laws, Kutlular should be released early from his 2-year sentence. In 1999 Kutlular had published an article in his newspaper alleging that an earthquake, which killed more than 17,000 persons was "divine retribution" for laws banning headscarves in state buildings and universities. On March 5, 2002, a senior columnist for the Islamist newspaper *Yeni Safak*, Fehmi Korum, was acquitted of charges of "inciting religious enmity" for a 1999 television broadcast in support of Kutlular.

In December 2001, a court acquitted and ordered the released of U.S. citizen and Sufi Muslim preacher Aydogan Fuat, who was arrested June 29, 2001, of charges in two separate courts of, respectively, causing religious enmity and wearing banned religious clothing. Fuat, who was arrested in June 2001, was held in custody for 5 months pending the outcome of his trial on "causing religious enmity" through speech. He was allowed regular consular visits. His trial for using religious dress also ended in acquittal in May 2002; however, the prosecutor appealed the acquittal. The appeal remained pending at the end of the period covered by this report.

In August 2001, the trial in Ankara of a group of Islamist politicians and business figures of the "National View Organization" ended when the court decided to apply the December 2000 Conditional Suspension of Sentences Law and dismissed the trial.

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.

The trial continued of seven Christians in Istanbul who were charged with holding illegal church and Bible study meetings in an apartment. This group alleges that the trial has been prolonged unnecessarily (it started in 2000) in order to prevent the group from legally re-forming and holding meetings. On June 27, 2002, a criminal court dismissed the charges against Turkish Christian Kemal Timur in Diyarbakir who was arrested in 2000 for "insulting Islam."

In April 2002, eight Ahmadi Muslims, members of a small religious community in Istanbul, were arrested and charged under Article 7 of the Anti-Terror Law (involvement with an organization "with terrorist aims"). Five subsequently were released on bail, while the remaining three (two Turkish citizens and one German citizen) continued to be held at the end of the period covered by this report.

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

Improvements and Positive Developments in Respect for Religious Freedom

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 those who have not memorized original Arabic prayers to make them in their native tongue; rule that men may not use the Koran as a premise for domestic violence; underline the necessity for civil marriages (rather than only religious marriages) in order to preserve women's rights; and state that social and legal advances for women were not against the spirit of the Koran. Women immediately began to participate in prayers, without incurring negative initial reactions.

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 iftaar 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 amicable relationship among religions in society contributed 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, citizens who convert from Islam may experience some form of social harassment or pressure from family and neighbors. Proselytizing socially is unacceptable. A variety of newspapers and television shows have published anti-Christian messages, including one fringe newspaper ("Aydinlik") that published in May 2002 a purported list of 40 churches in the city of Izmir that were "bribing" converts.

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.

In November 2001, an Istanbul NGO hosted an iftaar dinner attended by the head of the Diyanet, the Armenian and Greek Orthodox Patriarchs, the Chief Rabbi, and the heads of the Syrian Orthodox, Roman Catholic, Bulgarian, Anglican and other Protestant churches, with the theme of brotherhood and tolerance. Such interfaith efforts occur occasionally, particularly in Istanbul.

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 has urged the Government to re-open the Halki seminary on Heybeli Island. In December 2001, the Secretary of State met with high ranking government officials to discuss several issues, including freedom of religion. In April and May 2002, visiting representatives from the State Department's Bureau of Democracy, Human Rights, and Labor met with members of various religious groups to hear their concerns. The Ambassador and other Embassy officers also remain in close contact with local NGO's 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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