Turkey

International Religious Freedom Report 2006
Released by the Bureau of Democracy, Human Rights, and Labor

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

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally tolerant relationship among religions in society contributed to religious freedom; however, a sharp debate continued over the country's definition of "secularism," the proper role of religion in society, and the potential influence of the country's small minority of Islamists. Some Muslims, Christians, and Baha'is faced a few restrictions and occasional harassment for alleged proselytizing or unauthorized meetings. The Government continued to oppose "Islamic fundamentalism." Authorities continued their broad ban on wearing Muslim religious dress in government offices, universities, and schools.

According to the general perception, Turkish identity is based on the Turkish language and the Islamic faith. Religious minorities said they were effectively blocked from careers in state institutions. Christians, Baha'is, and some Muslims faced societal suspicion and mistrust, and more radical Islamist elements continued to express anti-Semitic sentiments. Additionally, persons wishing to convert from Islam to another religion sometimes experienced social harassment and violence from relatives and neighbors.

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

Section I. Religious Demography

The country has a total area of 301,383 square miles and a population of approximately 69.6 million. According to the Government, approximately 99 percent of the population was Muslim, the majority of which was Sunni. According to the human rights nongovernmental organization (NGO) Mazlum-Der and representatives of various religious minority communities, the actual percentage of Muslims was slightly lower. The Government officially recognized only three minority religious communities-Greek Orthodox Christians, Armenian Orthodox Christians, and Jews-although other non-Muslim communities existed. 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 country's Sunni Muslim majority, there were an estimated fifteen to twenty million Alevis, followers of a belief system that incorporates aspects of both Shi'a and Sunni Islam and draws on the traditions of other religions found in Anatolia as well. Some Alevis practice rituals that include men and women worshipping together through oratory, poetry, and dance. The Government considered Alevis a heterodox Muslim sect; however, some Alevis and radical Sunnis maintained Alevis are not Muslims.

There were several other religious groups, mostly concentrated in Istanbul and other large cities. While exact membership figures were not available, these religious groups included approximately 65,000 Armenian Orthodox Christians; 23,000 Jews; and fewer than 2,500 Greek Orthodox Christians. The Government interpreted the 1923 Lausanne Treaty as granting special legal minority status exclusively to these three groups, although the treaty text references broadly to "non-Muslim minorities" without listing specific groups. However, this recognition did not extend to the religious leadership organs; for example, the Ecumenical and Armenian Patriarchates continued to seek recognition of their legal status.

There also were approximately 10,000 Baha'is; an estimated 15,000 Syrian Orthodox (Syriac) Christians; 5,000 Yazidis; 3,300 Jehovah's Witnesses; 3,000 Protestants; and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, Roman Catholic, and Maronite Christians. The number of Syriac Christians in the southeast was once high; however, under pressure from 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.
Christian organizations estimated there were approximately 1,100 Christian missionaries in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the Government imposes some restrictions on Muslim and other religious groups and on Muslim religious expression in government offices, state-run institutions, and universities, usually for the stated reason of preserving the “secular state.” The constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, other constitutional provisions regarding the integrity and existence of the secular state restrict these rights. 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 of defending traditional Turkish secularism throughout the history of the republic. In some cases, elements of the state have opposed policies of the elected Government on the grounds that they threatened the secular state.

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

A separate government agency, the General Directorate for Foundations (GDF), regulates some activities of non-Muslim religious groups and their affiliated churches, monasteries, synagogues, and related religious property. There are 161 “minority foundations” recognized by the GDF, including Greek Orthodox foundations with approximately 70 sites, Armenian Orthodox foundations with approximately 50 sites, and Jewish foundations with 20 sites, as well as Syrian, Chaldean, Bulgarian Orthodox, Georgian, and Maronite foundations. The GDF also regulates historic Muslim charitable religious foundations, including schools, hospitals, and orphanages.

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, which continued during the period covered by this report, under which the state has seized control of properties acquired after 1936. The law also allows the state to expropriate properties in areas where the local non-Muslim population drops significantly. 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.

The law allows the 161 religious minority foundations recognized by the GDF to acquire property, and the GDF has approved 364 applications by non-Muslim foundations to acquire legal ownership of properties. However, the legislation does not allow the communities to reclaim the hundreds of properties affiliated with foundations expropriated by the state over the years. Foundations have also been unable to acquire legal ownership of properties registered under names of third parties, including properties registered under the names of saints or archangels, during periods when foundations could not own property in their own name.

Government authorities do not interfere in 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 Government, interfering with that religion’s services, or debasing its property.

Alevis freely practiced their beliefs and have built “cem houses” (places of gathering), although cem houses have no legal status as places of worship. Representatives of Alevi organizations maintained that they often faced obstacles when attempting to establish cem houses. They said there were approximately one hundred cem houses in the country, a number that they claimed was insufficient to meet their needs.

Alevis in the Kartal district of Istanbul continued to fight a court battle against a decision by local authorities to deny them permission to build a cem house. In January 2005, Alevi in the Cankaya district of Ankara applied to acquire property to open a cem house. Municipal authorities consulted the Diyanet, which issued a letter stating that Alevis in Cankaya did not need a cem house because they could worship at a local mosque. Also in January 2005, the Diyanet issued a letter to authorities in the Sultanbeyli district of Istanbul stating that cem houses violate Islamic principles and Turkish law.

In May 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.
The Diyanet covers the utility costs of registered mosques, but not of cem houses and other places of worship that are not officially recognized. In May 2006, Diyanet President Ali Bardakoglu said the Diyanet could not provide such support to cem houses as it did not have funds for "supporting mystical worship."

Many Alevis alleged discrimination in the Government's failure to include any of their doctrines or beliefs in religious instruction classes in public schools. They also charged a bias in the Diyanet, which does not allocate specific funds for Alevi activities or religious leadership.

The constitution establishes compulsory religious and moral instruction in primary and secondary schools. Religious minorities are exempted. However, some religious minorities - such as Protestants - faced difficulty obtaining exemptions, particularly if their identification cards did not specifically list membership in a minority religion. The Government claims that the religion courses cover the range of world religions; however, religious minorities said the courses reflected Sunni Islamic doctrine, which, they maintained, explains why non-Muslims are exempt.

In January 2004, an Alevi parent filed suit in the European Court of Human Rights (ECHR), charging that the mandatory religion courses violate religious freedom; the case is ongoing. In a June 2004 report, the European Commission against Racism and Intolerance recommended that the Government either make the courses optional, or revise the content so that they genuinely and fairly cover all religions.

In April 2006, an Istanbul court announced its ruling in favor of an Alevi father who requested that his son be exempt from the religion courses at school; in May, however, a higher court overturned the ruling on appeal.

Officially recognized religious minorities may operate schools under the supervision of the Ministry of Education. Such schools are required to appoint a Muslim as deputy principal; reportedly, these deputies have more authority than their nominal supervisors. The curriculum of these schools includes Greek Orthodox, Armenian Orthodox, and Jewish instruction.

The Caferis, the country's principal Shi'a community, numbering between 500 thousand and 1 million (concentrated mostly in eastern Turkey and Istanbul), do not face restrictions on their religious freedoms. They build and operate their own mosques and appoint their own imams; however, as with the Alevis, their places of worship have no legal status and receive no support from the Diyanet.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion; however, state policy imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

Secularists in the military, judiciary, and other branches of the bureaucracy continued to wage campaigns against what they label as proponents of Islamic fundamentalism. These groups view religious fundamentalism as a threat to the secular state. The National Security Council (NSC) categorizes religious fundamentalism as a threat to public safety. President Sezer delivered a speech in April 2006 in which he listed separatism and religious fundamentalism as threats facing the country. The president said that the "fundamentalist threat has reached a dangerous level" and that "Turkey's best protection against this threat is its secular order."

According to Mazlum-Der and other groups, some government ministries have dismissed or barred from promotion civil servants suspected of anti-state or Islamist activities. Reports by Mazlum-Der, the media, and others indicated that the military sometimes dismisses religiously observant Muslims from military service. Such dismissals were based on behavior that military officials believed identified these individuals as Islamic fundamentalists; they were concerned that such behavior could indicate disloyalty to the secular state.

According to Mazlum-Der, the military charged soldiers with lack of discipline for activities that included performing Muslim prayers or being married to women who wore headscarves. According to the military, officers and noncommissioned officers were sometimes dismissed for maintaining ties to Islamic fundamentalist organizations, despite repeated warnings from superior officers.

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

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 bar Christians from holding services in private apartments, and prosecutors have opened cases against Christians for holding unauthorized gatherings.
In another February 2006 ruling, the Council of State upheld a decision by the Education Ministry to deny the application of
students who meet with Christian missionaries to their families or to university authorities.

By the end of the reporting period, there was no verdict in the trial proceedings in the case of three members of the
Nationalist Movement Party who severely beat Yakup Cindilli, a convert to Christianity, for distributing New Testaments 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. Students who wear head coverings are
officially not permitted to register for classes, although some faculty members permit students to wear head coverings in
class.

No law explicitly prohibits proselytizing or religious conversions; however, many prosecutors and police regard proselytizing
and religious activism with suspicion. Police occasionally bar Christians from handing out religious literature. Proselytizing
is often considered socially unacceptable; Christians performing missionary work are sometimes beaten and insulted. 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.

By the end of the reporting period, there was no verdict in the trial proceedings in the case of three members of the
Nationalist Movement Party who severely beat Yakup Cindilli, a convert to Christianity, for distributing New Testaments in
Bursa Province in 2003.

Authorities continued to enforce a long-term ban on the wearing of headscarves at universities and 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. Students who wear head coverings are
officially not permitted to register for classes, although some faculty members permit students to wear head coverings in
class.

Many secularists accuse Islamists of using advocacy for wearing the headscarf as a political tool and say they fear that
efforts to repeal the headscarf ban will lead to pressure against women who choose not to wear a head covering.

In February 2006, the Council of State ruled in favor of a decision by education authorities to revoke the promotion of an
Ankara teacher to a nursery school principal position on the grounds that the teacher regularly wore an Islamic headscarf
outside of school. Some journalists and religious rights advocates asserted that the court's decision effectively expanded
the headscarf ban into the private sphere. The court, however, maintained that the teacher had violated the principle of
secularism in education by wearing the headscarf while traveling to and from school.

In May 2006, attorney Alparslan Arslan opened fire in the Council of State court responsible for the February ruling, killing
Judge Mustafa Yucel Ozbilgin and wounding four other judges. Arslan, who was apprehended at the scene, reportedly said
he was motivated by anger over the ruling. Thousands of protestors attending Ankara funeral ceremonies for Ozbilgin
accused government leaders of inciting the attack by criticizing the headscarf ban and the Council of State ruling. There
were no similar protests in other cities.

In another February 2006 ruling, the Council of State upheld a decision by the Education Ministry to deny the application of
students who meet with Christian missionaries to their families or to university authorities.
Religion instructor Abdullah Yilmaz to be assigned to a position in Central Asia because Yilmaz's wife wears a headscarf.

A 1997 law made eight years of secular education compulsory. After completing the eight 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 grades if they apply for university programs outside their field of high school specialization. This reduction effectively bars 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.

In December 2005, the Education Ministry issued a regulation allowing imam hatip students to earn degrees from regular high schools by taking distance learning courses. However, the Higher Education Council objected to the regulation, and, in February 2006, the Council of State suspended the regulation pending a final ruling.

Only the Diyanet is authorized to provide religion courses outside of school, although clandestine private courses do exist. Students who complete five years of primary school may enroll in Diyanet Qur'an classes on weekends and during summer vacation. Many Qur'an courses function unofficially. Only children twelve and older may legally register for official Qur'an courses, and Mazlum-Der reported that law enforcement authorities often raided illegal courses for younger children.

Jehovah's Witnesses reported continuing official harassment of their worship services because they were not members of an officially recognized religion. Jehovah's Witnesses continued to engage in a legal battle over their efforts to form an association.

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

Religious affiliation is listed on national identity cards. Some religious groups, such as the Baha'i, are unable to state their religion on their cards because their religion is not included among the options; they have made their concerns known to the Government. In April 2006, Parliament adopted legislation allowing persons to leave the religion section of their identity cards blank or change the religious designation by written application. However, it appeared that the Government may restrict applicants' choice of religion; members of the Baha'i community said government officials had told them that, despite the new law, they would not be able to list their religion on the cards.

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.

In October 2004, the Government's Human Rights Consultation Board issued a report on minorities, which stated that non-Muslims were effectively barred from careers in state institutions, such as the armed forces, the Ministry of Foreign Affairs, the National Police, and the National Intelligence Agency. Professors Baskin Oran and Ibrahim Kaboglu faced criminal charges for their roles as principal authors of the report. An Ankara court acquitted them in May 2006. Members of minority religious communities confirmed the report's conclusions. They said non-Muslim citizens were viewed as foreigners and were therefore considered unqualified to represent the state.

In January 2006, the ECHR ruled against the country in a case involving conscientious objector Murat Ulke. The court determined that Ulke, who had been imprisoned for refusing to carry out his military service, had suffered ill-treatment.

At the end of the reporting period, court proceedings continued in the Istanbul trial of sixty-nine suspects charged in connection with the November 2003 terrorist bombings of two synagogues, the British consulate, and a bank.

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

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

In April 2006, Roman Catholic authorities reopened the Bebekli Church in Adana for Sunday services. Catholic leaders had closed the church in September 2005 because local authorities had failed to enforce zoning regulations requiring a ten-meter offset around the church building, and noise from an adjacent wedding hall had been interfering with church services. In April, local Catholic officials thanked municipal authorities for discontinuing the operating license of the
wedding hall.

In June 2006, officials in the Tasdelen municipality of Istanbul allocated land to an Alevi organization for the construction of a cem house. Members of the Alevi community said the decision marked the first time a cem house had been officially recognized as a place of worship, rather than as a cultural center.

Section III. Societal Abuses and Discrimination

The generally tolerant relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, Baha’is, and other religious communities faced societal suspicion and mistrust. 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 religions was socially unacceptable and sometimes dangerous. A variety of newspapers and television shows regularly published and broadcasted anti-Christian messages, and government officials asserted that missionary activity was a threat to the state and was not covered under the concept of religious freedom.

Religious pluralism was widely viewed as a threat to Islam and to "national unity." Nationalist sentiments sometimes contained anti-Christian or anti-Semitic overtones. Some in the Jewish community reported growing feelings of insecurity in the wake of the 2003 attacks in Istanbul, and certain media outlets promoted anti-Semitic propaganda, including allegations that the Jewish community aided and even orchestrated the Kurdish nationalist movement.

In January 2006, five assailants severely beat Protestant church leader Kamil Kiroglu in Adana. One attacker wielded a knife and threatened to kill Kiroglu unless he renounced Christianity.

In February 2006, an assailant shot and killed Catholic priest Andrea Santaro in a church in Trabzon. A witness said the gunman shouted "God is great" as he shot Santaro from behind. A sixteen-year-old was charged in the case; his trial was ongoing at the end of the reporting period. The suspect reportedly told police he was angry about the caricatures of the Prophet Muhammad that had been published in a Danish newspaper. Prime Minister Erdogan and other government officials condemned the killing.

Also in February, a group of young men beat and threatened to kill a Catholic friar in Izmir. The attackers shouted anti-Christian slogans and said they wanted to "clean Turkey of non-Muslims."

In March 2006, an assailant entered a Catholic church in Mersin, threatening church members with a knife and shouting anti-Christian statements. Police arrived at the scene and arrested the assailant.

In April 2006, a group of young men entered the Syriac compound in Diyarbakir and shouted threats at church members. Police refused to send patrols to the neighborhood of the church until a few days later, when the church's Easter ceremonies were held.

In May 2006, Greek Orthodox Christians held a mass at a historical church in Bergama. A group of nationalist and leftist protestors attempted to disrupt the mass with loud slogans and music. Ecumenical Patriarch Bartholomew I, who attended the mass, thanked local officials for authorizing the event.

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 fifty 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. One of the village's two Syriac churches was 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.

Trial proceedings continued in the appeal of Kerim Akbas, who was convicted in 2004 for television broadcasts inciting violence against Christians.

Members of the secular establishment fear the influence of Islamism and reject the involvement of even moderate Islam in politics.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom issues with the Government 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 November 2005, the U.S. charge d'affaires addressed an Istanbul conference on interfaith dialogue organized by the Appeal of Conscience Foundation. Speaking to an international audience representing diverse religions, she emphasized the importance of religious freedom and the need for leaders of all faiths to stand up against terrorism.

The mission collaborated with the Gaziantep American Corner, the Gaziantep Rotary Club, and the Anatolian Journalists Union in organizing a photo exhibit in June 2005 on religious diversity in the country that helped to engage attendees in dialogue about issues important to the country's continued democratic development.

The mission sponsored a series of presentations on religion in the United States by Wilfred McClay, professor of history at the University of Tennessee, in March 2006. McClay addressed audiences of students, faculty, theologians, opinion makers, and others in Istanbul, Bursa, and Ankara, including at the ambassador's residence. He explained the basic assumptions that underpin the U.S. Constitution as part of his discussion of secularism in the United States.

The ambassador discussed religious freedom regularly in private meetings with cabinet members. These discussions touched on both government policy regarding Islam and other religions, and specific cases of alleged religious discrimination. The ambassador met with Diyanet President Ali Bardakoglu. During introductory calls in Istanbul, he met with Ecumenical Patriarch Bartholomew I, Chief Rabbi Isak Haleva, and Armenian Orthodox Patriarch Mesrob II to show support for religious freedom and to discuss issues affecting their respective communities.

Other embassy officers held similar meetings with government officials. Diplomats from the embassy and consulates met regularly with representatives of the 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.

The mission utilizes the International Visitor Program to introduce professionals in various fields to the United States and American counterparts. Religious issues are included among these programs.

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