



Australian Government
Refugee Review Tribunal

Country Advice

Turkey

Turkey – TUR38492 – Practicing
Christianity – Discrimination – Corruption
28 March 2011

1. Was being non-Muslim illegal in Turkey circa 1987?

No information was found to suggest being non-Muslim in Turkey was illegal in 1987, or indeed that it has ever been illegal. While the majority of the population in Turkey is Muslim, several Christian communities such as Syriac Christians, Greek Orthodox, Armenians and Catholics have thrived in Turkey for hundreds of years. At the beginning of the First World War, Christians made up 20 per cent of the Turkish population. In 1915, the Ottoman military began mass deportation of Armenians to prevent any likelihood of them providing assistance to Russian invaders. The number of Christians currently in Turkey is an estimated 100,000, in a population of more than 70 million.¹

2. Are Christians able to practice their religion in Turkey?

According to the US Department of State (USDOS), the current Turkish constitution, ratified in 1982, “provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion; however, constitutional provisions regarding the integrity and existence of the secular state restrict these rights”.² The 1982 constitution established Turkey as a secular state, and allowed for the freedom of belief, worship, and the private dissemination of religious ideas, and prohibited discrimination on religious grounds.³ The status of minorities in Turkey was established by the 1923 *Treaty of Lausanne*, which defined minorities on the basis of religion. Although Lausanne grants minority status to all non-Muslims, in practice Turkey has restricted the scope of the Treaty to apply only to Armenian Orthodox Christians, Greek Orthodox Christians and Jews.⁴

According to ReligiousTolerance.org, however, serious restrictions are imposed on the ability of non-Muslims and Muslims outside state control to exercise freedom of religion or belief. Religious communities that existed in the Ottoman Empire operate legally under an “archaic system of imperial decrees and regulations that deny them full legal status as religious communities and restrict their freedom to function”.⁵ While registered mosques

¹ ‘Factbox: Christians in Turkey’ 2009, *Reuters*, 21 January <http://www.reuters.com/article/2009/01/22/us-religion-turkey-christians-factbox-idUSTRE50L08O20090122> – Accessed 21 March 2011 – Attachment 1

² US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November, Introduction – Attachment 2

³ US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November, Section II – Attachment 2

⁴ Minority Rights Group International (Undated), ‘World Directory of Minorities – Turkey Overview’ <http://www.minorityrights.org/?lid=4387> – Accessed 22 March 2011 – Attachment 3

⁵ ‘Religious intolerance and oppression in Turkey’ 2009, Religious Tolerance website, 27 November http://www.religioustolerance.org/rt_turkey.htm – Accessed 23 March 2011 – Attachment 4

are tax exempt, and the government employs and pays the salaries of their imams, no other faith is permitted to train its clergy in Turkey, and no religious community can own property, including places of worship, which must be owned by separate foundations not under direct control of the communities.⁶

In the past, the Christian Armenian and Greek communities and Alevi Muslim communities have been subject to violent attacks that have resulted in migration of these communities inside and outside of Turkey. In addition, individuals have been murdered for their beliefs, such as a Catholic priest in 2006, an Armenian journalist in 2007, two ethnic Turkish Protestants and a German in 2007, and a Catholic German engaged to an ethnic Turk in 2009. In August 2009, a Turkish Protestant was taken hostage at knifepoint by a man claiming that the ‘missionary dog’ was trying to divide the country. The hostage was rescued by police, and the attacker faced prosecution.⁷ According to Minority Rights Group International, Armenians have reported that Armenian schools, businessmen and religious institutions have received threats by email, letter and telephone.⁸

In 2009, the head of the Eastern Orthodox Church said that Christians were treated like second-class citizens in Turkey, and that Turkish leaders had been unresponsive to concerns about religious inequality in the country. Authorities had reportedly seized church properties, and closed Orthodox churches, monasteries and schools.⁹ In 2008, a Christian pastor claimed he was kidnapped by members of a conservative youth body who told him they wanted him to stop his missionary teachings. According to the pastor, “our church was stoned, they tried to kidnap my son, they did kidnap me, they put our pictures on YouTube, they spoke to all our friends, bosses and relatives of everyone who come [sic] to our church, so as to distance them from us”.¹⁰

According to USDOS, religious minorities reported difficulties opening, maintaining and operating houses of worship, as municipal codes mandated that only the government can designate a place of worship, and if a religion has no legal standing in the country, it cannot register a site.¹¹ While no law explicitly prohibited religious speech or conversions, USDOS reported that many prosecutors and police regard religious activism with suspicion. Christians engaged in religious advocacy have been occasionally threatened or pressured by government or state officials. In 2009, for example, Protestants distributing bibles at a book fair faced pressure from local politicians to withdraw from the fair and not return in the future.¹²

There were reports of societal abuses and discrimination based on religious affiliation, belief and practice, and several Protestant pastors, church legal advisors and churches

⁶ ‘Religious intolerance and oppression in Turkey’ 2009, Religious Tolerance website, 27 November http://www.religioustolerance.org/rt_turkey.htm – Accessed 23 March 2011 – Attachment 4

⁷ ‘Religious intolerance and oppression in Turkey’ 2009, Religious Tolerance website, 27 November http://www.religioustolerance.org/rt_turkey.htm – Accessed 23 March 2011 – Attachment 4

⁸ ‘Turkey: Armenians’ 2007, Minority Rights Group International <http://www.minorityrights.org/?lid=4404> – Accessed 13 May 2008 – Attachment 5

⁹ ‘Orthodox church head: Turkey treats Christians poorly’ 2009, *The Christian Post*, 23 December <http://www.christianpost.com/article/20091223/orthodox-church-head-turkey-treats-christians-poorly> – Accessed 24 December 2009 – Attachment 6

¹⁰ ‘Christian Turks fear discrimination’ 2008, *Aljazeera*, 10 March <http://english.aljazeera.net/NR/exeres/70E81759-0642-4E0A-B57D-2BCCAE9F633F.htm> – Accessed 18 March 2008 – Attachment 7

¹¹ US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November, Section II – Attachment 2

¹² US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November, Section II – Attachment 2

received increased police protection because of threats. In December 2009, in response to a Swiss referendum in favour of banning the construction of new minarets in Switzerland, three men reportedly confronted the priest of a Syriac Orthodox church and threatened to kill him if he did not destroy the church bell tower. The police apprehended the suspects, but the priest did not press charges against them.¹³

3. Do Christians face discrimination and harassment in employment in Turkey?

While no information could be found specifically relating to harassment of Christians in the workplace, Christians can be subject to discrimination and harassment in general. Please refer to [Question 2](#) for information on general harassment of Christians in Turkey.

According to ReligiousTolerance.org, it is “virtually impossible to find people from non-Muslim backgrounds in high level civil servant positions and impossible in senior ranks in the military”.¹⁴ There are often allegations by non-Muslims employed at lower levels that they experience discrimination and are prevented from taking high-ranking positions. For example, Syriac Orthodox Christians have reportedly complained that despite being fully qualified, their young members are never allowed the possibility of careers leading to senior positions in the military or civil service.¹⁵

A Council of Europe Parliamentary Assembly Committee on Legal Affairs and Human Rights paper published in 2009 found that Turkish authorities impose conditions regarding Turkish citizenship and employment in Turkey, which can discriminate against Christians. As religious education is under state control, and following the closure of the Halki seminary in 1971, Orthodox Christians have been presented with obstacles to training new members of the clergy. Although members of religious orders could be brought in from overseas to assist in training clergy, this could lead to issues associated with obtaining work permits. While Turkish authorities say that foreign clergy can obtain residence allowing them to carry out their functions in Turkey, the relevant legislation is reportedly unclear, thereby allowing administrative obstacles to be placed in the path of those attempting to obtain permits.¹⁶

In 2004 the Ecumenical Patriarch Bartholomew appointed six metropolitan bishops who were not Turkish citizens to the Holy Synod in Istanbul. In 2007, the Turkish Court of Cassation determined that the Patriarch was devoid of legal personality, and only people with Turkish nationality and who work in Turkey at the time of elections can participate and stand for religious elections within the Patriarchate, including the appointment of metropolitans. To wit, the non-Turkish nationals were therefore working illegally, and in view of the diminished size of the Greek Orthodox community in Turkey, the Patriarchate

¹³ US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November, Section III – Attachment 2

¹⁴ ‘Religious intolerance and oppression in Turkey’ 2009, Religious Tolerance website, 27 November http://www.religioustolerance.org/rt_turkey.htm – Accessed 23 March 2011 – Attachment 4

¹⁵ ‘Religious intolerance and oppression in Turkey’ 2009, Religious Tolerance website, 27 November http://www.religioustolerance.org/rt_turkey.htm – Accessed 23 March 2011 – Attachment 4

¹⁶ Council of Europe Parliamentary Assembly 2009, ‘Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)’, 21 April http://www.ecoi.net/file_upload/1504_1240323832_freedom-of-religion-and-other-human-rights-for-non-muslim-minorities-in-turkey-and-for-the-muslim-minority-in-thrace-eastern-greece.pdf, Section B.IV.i – Accessed 23 March 2011 – Attachment 8

was of the opinion that it could not operate effectively within the strict nationality condition.¹⁷

4. Are Christians targeted by authorities for organising conferences and meetings about religion?

Little information was found regarding Christians being targeted for organising conferences and meetings about religion. Non-Muslim religious services, particularly for groups that do not own property recognised by authorities, can take place on diplomatic property or in private apartments. Police have occasionally prohibited Christians from holding services in private apartments, and prosecutors have opened cases against Christians for holding unauthorised gatherings. While proselytising is not illegal, prosecutors and police have occasionally prevented Christians from handing out religious literature.¹⁸

In Samsun city, members of a house congregation claim a white minibus parked outside their church as they came to morning worship services, allegedly filming worshippers entering and leaving the premises. Church leaders checked the van's licence plate, and claimed it was registered to security police headquarters.¹⁹

In 2002, Turkish security police ordered a Protestant congregation to close and cease all activities, declaring the church had no legal basis and that its activities were harmful to society. The church had reportedly met at its then location for seven years without incident.²⁰ In 2000, police in Istanbul arrested six Turkish citizens and two foreigners who were meeting at a registered place of Christian worship, claiming they were attempting to establish a church in an office building without permission. All but one of the suspects were released the following day after charges were dismissed. One of the foreigners, the church leader, had been arrested the previous year while hosting a Christian book table sponsored by the church group at a local fair. The group leader claimed they had previously been told to keep their worship activities within their church building, but after the raid he believed it was clear the police considered any religious activities involving foreigners to be illegal.²¹

According to *Compass Direct News*, more than half of the Turkish population opposes members of non-Muslim religions holding meetings or publishing material to explain their faith. A Sabanci University survey reportedly found 59% of those surveyed said non-Muslims either 'should not' or 'absolutely should not' be allowed to hold open meetings

¹⁷ 'Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)' 2009, Council of Europe Parliamentary Assembly, 21 April http://www.ecoi.net/file_upload/1504_1240323832_freedom-of-religion-and-other-human-rights-for-non-muslim-minorities-in-turkey-and-for-the-muslim-minority-in-thrace-eastern-greece.pdf, Section B.IV.i – Accessed 23 March 2011 – Attachment 8

¹⁸ Minority Rights Group International (Undated), 'World Directory of Minorities – Turkey Overview' <http://www.minorityrights.org/?lid=4387> – Accessed 22 March 2011 – Attachment 3

¹⁹ 'Turkish authorities harass Protestant communities' (Undated), Canadian Christianity website <http://www.canadianchristianity.com/cgi-bin/bc.cgi?bc/bccn/1205/intturkish> – Accessed 24 March 2011 – Attachment 9

²⁰ 'Police Close Iskenderun Protestant Church' 2002, John Mark Ministries website, source: *Compass Direct*, 9 July <http://jmm.aaa.net.au/articles/402.htm> – Accessed 24 March 2011 – Attachment 10

²¹ 'Turkish police round up Christians at registered meeting place' 2000, Christian Persecution Info website, 26 May <http://www.christianpersecution.info/news/turkish-police-round-up-christians-at-registered-meeting-place/> – Accessed 24 March 2011 – Attachment 11

where they can discuss ideas, while 54% said non-Muslims either ‘should not’ or ‘absolutely should not’ be allowed to publish literature that describes their faith.²²

5. Is there any information to suggest that the close relatives of former Turkish politicians can wield influence over police and the courts?

No specific information was found suggesting that close relatives of former Turkish politicians can wield influence over the police and the courts.

In 2010, Turkish Constitutional Court President Haşim Kılıç commented on public concerns regarding judicial independence and neutrality, saying the judicial system should be “free from any political ideology to secure its full independence and impartiality”.²³ Kılıç further stated that those with legislative, executive or judicial power “should not follow any illegal way – even for the sake of saving the country, the democracy or the regime”.²⁴

²² ‘More than Half in Turkey Oppose Non-Muslim Religious Meetings’ 2009, *Compass Direct News*, 4 December <http://www.compassdirect.org/english/country/turkey/12322> – Accessed 23 March 2011 – Attachment 12

²³ ‘Constitutional Court head criticizes parties for creating political tension’ 2010, *Hurriyet Daily News*, 22 April <http://www.hurriyetdailynews.com/n.php?n=constitutional-court-president-criticizes-all-sides-for-judicial-problems-2010-04-22> – Accessed 24 March 2011 – Attachment 13

²⁴ ‘Constitutional Court head criticizes parties for creating political tension’ 2010, *Hurriyet Daily News*, 22 April <http://www.hurriyetdailynews.com/n.php?n=constitutional-court-president-criticizes-all-sides-for-judicial-problems-2010-04-22> – Accessed 24 March 2011 – Attachment 13

Attachments

1. 'Factbox: Christians in Turkey' 2009, *Reuters*, 21 January <http://www.reuters.com/article/2009/01/22/us-religion-turkey-christians-factbox-idUSTRE50L08O20090122> – Accessed 21 March 2011.
2. US Department of State 2010, *International Religious Freedom Report – Turkey*, 17 November.
3. Minority Rights Group International (Undated), 'World Directory of Minorities – Turkey Overview' <http://www.minorityrights.org/?lid=4387> – Accessed 22 March 2011.
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5. 'Turkey: Armenians' 2007, Minority Rights Group International <http://www.minorityrights.org/?lid=4404> – Accessed 13 May 2008. (CISNET Turkey CX199837)
6. 'Orthodox church head: Turkey treats Christians poorly' 2009, *The Christian Post*, 23 December <http://www.christianpost.com/article/20091223/orthodox-church-head-turkey-treats-christians-poorly> – Accessed 24 December 2009. (CISNET Turkey CX238134)
7. 'Christian Turks fear discrimination' 2008, *Aljazeera*, 10 March <http://english.aljazeera.net/NR/exeres/70E81759-0642-4E0A-B57D-2BCCAE9F633F.htm> – Accessed 18 March 2008. (CISNET Turkey CX195682)
8. Council of Europe Parliamentary Assembly 2009, 'Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)', 21 April http://www.ecoi.net/file_upload/1504_1240323832_freedom-of-religion-and-other-human-rights-for-non-muslim-minorities-in-turkey-and-for-the-muslim-minority-in-thrace-eastern-greece.pdf – Accessed 23 March 2011.
9. 'Turkish authorities harass Protestant communities' (Undated), Canadian Christianity website <http://www.canadianchristianity.com/cgi-bin/bc.cgi?bc/bccn/1205/intturkish> – Accessed 24 March 2011.
10. 'Police Close Iskenderun Protestant Church' 2002, John Mark Ministries website, source: *Compass Direct*, 9 July <http://jmm.aaa.net.au/articles/402.htm> – Accessed 24 March 2011.
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12. 'More than Half in Turkey Oppose Non-Muslim Religious Meetings' 2009, *Compass Direct News*, 4 December <http://www.compassdirect.org/english/country/turkey/12322> – Accessed 23 March 2011.
13. 'Constitutional Court head criticizes parties for creating political tension' 2010, *Hurriyet Daily News*, 22 April <http://www.hurriyetaidailynews.com/n.php?n=constitutional-court-president-criticizes-all-sides-for-judicial-problems-2010-04-22> – Accessed 24 March 2011.