

Introduction

1. CSW (Christian Solidarity Worldwide) and CSW-Nigeria are human rights organisations specialising in the right to freedom of religion or belief (FoRB).
2. This submission seeks to draw attention to human rights violations in Türkiye, including violations of the right to FoRB, in advance of the State's fourth Universal Periodic Review (UPR).

Legal framework

3. Article 2 of the constitution defines Türkiye as a secular state, yet the country remains caught between its secular and Islamic identities.
4. Article 24 of the Turkish Constitution upholds the right to freedom of religion or belief (FoRB), stating that 'everyone has the freedom of conscience, religious belief and conviction.' It prohibits discrimination on religious grounds, and states that 'No one shall be allowed to exploit or abuse religion or religious feelings, or things held sacred by religion, in any manner whatsoever, for the purpose of personal or political interest or influence,' as long as they do not violate the provisions of Article 14 which stipulates that 'none of the rights and freedoms embodied in the Constitution may be exercised with the aim of violating the indivisible integrity of the State with its territory and nation' or 'of endangering the existence of the Turkish State and Republic'. There is a risk that Article 14 could be deliberately misinterpreted by the government to undermine the rights enshrined in Article 24 and other Articles of the Constitution.
5. The Turkish Penal Code (TPC) came into effect on 1 June 2005 and purports to protect 'the religious values of a section of the public' from insult under Article 216. This essentially constitutes a blasphemy law, providing for a sentence of six months to a year for anyone found guilty of openly doing so. However, regarding the religious sector, the law is generally used to target only individuals deemed to have insulted Islam in some way, rather than other religions. It has also been used to punish critics of President Recep Tayyip Erdoğan and the ruling Justice and Development Party (Adalet ve Kalkınma Partisi, or AKP).
6. In addition, Article 219 of the TPC imposes limits on the freedom of expression of religious leaders, while Articles 299, 300 and 301 of the TPC are also used frequently to silence criticism of the government and the president.
7. In 2023, Erdogan was re-elected with 52% of the vote. The 2023 elections were highly criticised, with a joint mission from the OSCE Office for Democratic Institutions

and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE) finding that legislation introduced to ensure a smooth potential run-off was inadequate to address concerns around the integrity of second rounds.

8. Thus, despite constitutional protections and some positive steps taken by the government in recent years, against this backdrop religious minorities are increasingly vulnerable to hate speech, discrimination and intolerance, including in the media, in educational settings and in the registration of church buildings.

Hostility towards religious minorities

9. While CSW welcomed Türkiye's acceptance of recommendations to redouble efforts to guarantee freedom of religion or belief in law and practice during the last UPR, particularly in the media¹, we regret that little change has been observed and that other key recommendations were merely noted, including on combating discrimination against ethnic, religious and linguistic minorities.
10. The government's argument that 'only Turkish citizens belonging to non-Muslim minorities fall within the scope of the term 'minority'² leaves Alevi Muslims, Baha'is, Christians who convert from Islam, and Christians from overseas vulnerable to discrimination at the hands of both state and non-state actors.
11. The current government has increasingly conflated religious and national identities by publicly endorsing a move towards a Sunni Muslim identity for Türkiye, including by showing partiality towards Sunni Islam within the policy of the Diyanet (the Presidency/Directorate of Religious Affairs). The promotion of ultra-nationalism has contributed to a rise in discrimination and hate speech that encourages violence towards non-Sunni religious communities. Such incitement is visible in a variety of sectors ranging from education, the workplace and religious practice, to day-to-day administrative procedures.
12. Alevi Muslims, Bahai's and Christians, particularly those who have converted from Islam, face daily societal pressures. Hate speech and occasional hate crimes targeting religious minorities have continued, including attacks on places of worship and even murder in extreme cases, with perpetrators generally enjoying impunity.
13. There has been a surge in expressions of anti-Christian sentiments in pro-government media, and there are increasing reports of incidents of bullying and intimidation of Christian students in schools.

1 United Nations, 'Report of the Working Group of the Universal Periodic Review: Republic of Türkiye', A/HRC/44/14, (Recommendations by: Haiti, 45.143; Poland, 45.144; Iceland, 45.147), 24 March 2020, <https://documents.un.org/doc/undoc/gen/g20/072/45/pdf/g2007245.pdf>

2 Report of the Working Group on the Universal Periodic Review* Türkiye: Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, A/HRC/44/14/Add.1, 24 June 2020, <https://undocs.org/A/HRC/44/14/Add.1>

Educational books can fuel societal hostility against, and distrust of, religious minorities. For example, textbooks denigrate missionary activity and describe it as a means of dividing the nation.

14. Türkiye's Christian community is generally equated with the West, despite its ancient roots in the country and region. At the height of the COVID-19 pandemic government officials, Muslim clerics and pro-government media outlets engaged in spreading anti-Western sentiments and disinformation about the pandemic that impacted this community, including claims that Muslim Turks had superior genes and better personal hygiene than non-Muslims.
15. Some Christians believe their situation worsened in the aftermath of the arrest, imprisonment and eventual release of the American church leader, Andrew Brunson, who was accused of plotting to overthrow the government. Pastor Brunson returned to the US in October 2018; however, Christians, and particularly converts to Christianity, continued to be targeted with accusations of a variety of malpractices.³ In some cases, claims have explicitly sought to falsely associate Turkish Christians with Pastor Brunson.
16. In October 2019 billboards encouraging Muslims not to befriend Jews and Christians were erected in the conservative city of Konya, sparking outrage and condemnation from rights groups both inside and outside Türkiye.⁴
17. On Friday 22 November 2019 a church leader from South Korea was stabbed to death in southeast Türkiye. Pastor Jinwook Kim had been living in the country for five years, and had moved to Diyarbakir city in 2018, where he led a small congregation. A 16-year-old male was arrested in connection with Pastor Kim's murder. The motive for the killing was said to have been robbery, as the pastor's telephone was missing. However, several local sources suggested he was targeted because of his faith.
18. On 9 January 2020 Assyrian Christian priest, Father Sefer Bileçen (known as Father Aho), was arrested along with two other Assyrian Christians in Mardin province. Father Aho has been taking care of the 1500 year-old Mor Yakub Monastery in Mardin province for many years. He was reportedly arrested based on secret testimony by a member of People's Defence Forces (HPG), the military wing of the outlawed PKK, who accused him of providing food and water to HPG fighters when they come to the monastery.
19. Father Aho was released on bail on 14 January, and charged with joining a terrorist organisation on 16 January. His next hearing was scheduled to take place on 19 March but was postponed due to the outbreak of the Covid-19 pandemic. He was given a 25-month prison

sentence in 2021 which he appealed. To date, the case is still pending and could be re-opened any time.

20. On 11 January 2020, an elderly Assyrian Christian couple, Hurmuz and Şimoni Diril went missing from Mehre (Kovankaya) village in Beytüşşebap district in Şırnak province, southeast Türkiye. Their son, Father Remzi Diril, is the priest in the Chaldean Church in Istanbul. CSW's sources reported that the couple had received several threats in the past from Turkish and Kurdish residents, and it is widely believed that they were abducted in order to scare the remaining Christians in the area into leaving their ancestral lands. Mrs Diril's body was discovered near their village on 20 March 2020. To date, her husband remains missing and no perpetrators have been charged.
21. On 28 January two masked gunmen invaded Santa Maria Church in Büyükdere, Istanbul at around 11:40 am during mass. After initially firing into the air, they shot and killed Tuncer Cihan, who had visited the church regularly since December 2023. This time, the authorities responded swiftly, arresting two suspects who, according to the Interior Ministry, were Islamic State (IS) affiliates from Russia and Tajikistan, and expressing condolences to the Church. The attack was reportedly launched in response to a call from IS to target Jews and Christians.

Places of worship

22. While plans for new mosques are authorised by officials, religious minorities – particularly Alevis, Jehovah's Witnesses and Christians – continue to face restrictions on the construction of new houses of worship.
23. In 2016 the Transfer, Liquidation and Redistribution Committee of Mardin Governorate transferred numerous churches, monasteries, cemeteries and other assets belonging to the Syriac community in Mardin province to the Treasury. The churches, monasteries and cemeteries were subsequently transferred to the Diyanet.
24. The Orthodox Halki Seminary, which was forcibly closed by the government in 1971, remains shut, despite promises that it would be reopened. The reopening of the seminary faces strong opposition from Islamist and nationalist parties.
25. On 10 July 2020 President Erdoğan announced the government's decision to turn the Cathedral of Hagia Sophia in Istanbul into a mosque after the highest administrative court in Türkiye annulled the site's museum status.
26. The cathedral was built between AD 532 and AD 537 under the direction of the Byzantine emperor, Justinian

3 Christian Solidarity Worldwide (CSW), 'CSW concerned at ongoing expulsion of Christian foreign nationals', 25 February 2021, <https://www.csw.org.uk/2021/02/25/press/5008/article.htm>

4 Premier Christian News, 'Turkish posters telling Muslims not to make friends with Christians and Jews removed', 23 October 2019, <https://premierchristian.news/en/news/article/turkish-posters-telling-muslims-not-to-make-friends-with-christians-and-jews-removed>

I. For over a millennium, Hagia Sophia was the Cathedral of the Ecumenical Patriarchate of Constantinople and the coronation place for Byzantine emperors. It was converted into a mosque in 1453 when Constantinople was conquered by Ottoman armies. It was later granted museum status by the country's first president, Mustafa Kemal Atatürk, in 1934. The cathedral was subsequently designated a World Heritage site by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

27. In a letter⁵ to President Erdoğan, the Interim Secretary General of the World Council of Churches (WCC) said: 'By deciding to convert the Hagia Sophia back to a mosque you have reversed that positive sign of Türkiye's openness and changed it to a sign of exclusion and division.'
28. More recently, in February 2024 the government followed through on a similar effort to convert the Byzantine Chora Church - another UNESCO World Heritage Site in Istanbul - into a mosque, despite protests from Orthodox Christians.⁶

Ongoing expulsion of Christian foreign nationals

29. Recent years have also seen a concerning uptick in the forced expulsion of non-Turkish Christian workers and other individuals resident in the country after they received N-82 designations in their passports. Particularly concerning is the separation of families for no other reason than the religion of the couple and the foreign nationality of one spouse.
30. In 2019, 35 foreign Christian workers received deportation orders, and a further 16 were expelled in 2020. According to the Association of Protestant Churches in Türkiye, since 2019 around 250 individuals have been prevented from re-entering Türkiye, denied permission to stay or have been deported.⁷ CSW has also received reports this practice now occurs in Northern Cyprus, amid an increase in anti-Christian sentiment.
31. The cases involve nationals from Britain, Germany, South Africa, South Korea, and the United States, among others. Most of these foreign nationals appear to have been targeted for expulsion after attending two annual training seminars in late 2019 and early 2020, one on working with children and the other for church leadership, and both of which took place in Türkiye prior to the COVID-19 pandemic. Some of those targeted had resided in Türkiye for decades.
32. In several cases, foreign nationals were prevented from re-entering the country after having travelled abroad.

In others, visas that were still valid were withdrawn and cancelled, or not renewed, including at least one permanent work permit. Those stopped at the border, either when entering or leaving, were informed they had an N-82 code in their file which bars re-entry without prior permission. To date, none of the Protestant foreign nationals who received the N-82 code have been granted a visa.

33. The process of challenging the N-82 code application is problematic, and ultimately inconclusive. Targeted Christians and their lawyers were generally denied access to case files, as designations are based on secret dossiers from the National Intelligence Organisation (Millî İstihbarat Teşkilatı, or MIT) that contain allegations of activities that threaten national security. CSW's sources reported that in the sole dossier that was made available, the foreign national was accused of engaging in evangelistic activities, which are in fact permissible under the constitution.
34. Legal appeals have failed at every local level and on appeal. Moreover, according to CSW's sources, the Constitutional Court (Anayas Mahkemesi) appeared to take cursory reviews of cases involving the N-82 Code before rejecting them summarily. Although targeted foreign nationals were initially confident of redress through the Turkish constitution, they have been left with no alternative but to appeal to the European Court of Human Rights.
35. For example, on 5 June 2020, an American Christian received a letter from the Ministry of Interior informing her that her residency permit had been revoked. On 24 June, an American pastor was told he would not be allowed to return to Türkiye as he was about to fly from Istanbul airport with his family. The pastor subsequently cancelled his flight and filed an appeal.
36. In 2021 four expelled foreign Christians launched an appeal at the European Court of Human Rights (ECtHR). In a June 2024 decision, the Constitutional Court ruled that the government did not violate the rights of nine foreign Christians, who are reportedly also considering appealing to the ECtHR.

Restrictions on Freedom of Expression

37. Turkish human rights activists raised the alarm about a media bill— passed by parliament in October 2022—that introduces criminal liability for spreading 'false' or 'misleading information.' Observers widely believed the move will enable the government to further stifle the already decimated independent media and quash

5 World Council of Churches, 'Letter to President Erdogan to keep Hagia Sophia as the shared heritage of humanity, 11 July 2020, <https://www.oikoumene.org/news/wcc-letter-to-president-erdogan-to-keep-hagia-sophia-as-the-shared-heritage-of-humanity>

6 Ekathimerini, 'Turkey revives plan to convert another iconic Byzantine site into a mosque', 6 February 2024, <https://www.ekathimerini.com/news/1230965/turkey-revives-plan-to-convert-another-iconic-byzantine-site-into-a-mosque/>

7 PIME Asia News, 'Turkey, Constitutional Court: Expulsion of Protestant leaders does not violate freedom of faith', 10 June 2024, <https://www.asianews.it/news-en/Turkey%2C-Constitutional-Court%3A-Expulsion-of-Protestant-leaders-does-not-violate-freedom-of-faith-60914.html>

public criticism. In a sign that the government will not tolerate criticism originating from the religious sphere, the official Directorate of Religious Affairs (Diyanet) in October 2022 demoted a local imam to a position of a janitor after he penned and performed a song deemed critical of the government.⁸

38. In August 2022, pop singer Gülşen Çolakoglu was arrested at her İstanbul home after footage circulated on social media in which she joked during a concert that the ‘perversion’ of one of her musicians was due to his education in a religious school. The singer was charged with ‘inciting hatred and enmity’ in October 2022, jailed for five days, and later spent 15 days under house arrest even though she had apologised for any offense she may have caused to religious school graduates.
39. In July 2021, 28 imams were arrested for preaching in Kurdish. They were interrogated about praying in Kurdish and their failure to adhere to the government’s official sermons. This practice is consistent with a long-term policy of successive governments that aims to “Turkify” non-Turkish citizens by making it extremely difficult, or even illegal, for them to learn, teach or use their mother languages. The Kurdish community has been a primary target for decades, with the intention of cracking down on separatist aspirations. Although use of the Kurdish language is no longer illegal, it is still discouraged, and in a contravention of Article 27 of the ICCPR, the authorities insist Friday mosque services are conducted in Turkish.
40. In January 2021 authorities arrested two university students for allegedly ‘inciting hatred’ and ‘insulting religious values’ after they displayed a poster depicting a religious site alongside LGBT+ flags.

Situation of human rights defenders

41. In a report issued in 2024 following a fact-finding delegation visit to eight imprisoned lawyers in November 2023, The Law Society of England and Wales expressed alarm at the Turkish government’s use of the nation’s ‘overly broad anti-terror law’ to arbitrarily arrest and detain lawyers who take on human rights cases. It stated the eight lawyers were convicted and sentenced ‘after being deprived the right to due process and fair trial;’ suffered torture and mistreatment; were ‘often held in small group isolation with limited contact with other individuals or the outside world’, and were frequently subjected to ‘arbitrary disciplinary measures, preventing them from being eligible to apply for conditional early release.’

Situation of refugees and asylum seekers

42. The situation of Iranian Christian asylum seekers residing in Türkiye lacks clarity as their cases are handled directly by the Turkish authorities and not by

the Office of the United Nations High Commissioner for Refugees (UNHCR). As a result, refugees do not enjoy the full protection of the UNHCR, and are vulnerable to intimidation and exploitation by the police and employers. Many refugees work 16 hours per day for half the average earnings of a Turkish employee.

43. Iranian and Syrian refugees express desperation and frustration at their situation. Exploitation at workplaces and bullying at schools are common complaints, with many refugees reportedly obliged to hide their faith in order to keep their jobs, while others were sacked once their employers discovered they were Christians. In some cities, such as Konya, even Turkish Christians have been forced to leave due to the level of societal hostility towards them.

Recommendations to the government of Türkiye:

44. **Respect, protect and fulfil the provisions for freedom of belief, worship and the private expression of religious ideas articulated in the national constitution.**
45. **Reform Articles 216, 219, 299, 300 and 301 of the penal code to curb discrimination against minorities and violations of the right to freedom of expression, and to uphold Türkiye’s international legal obligations.**
46. **Amend the Media Bill, bringing it in line with international human rights standards.**
47. **Introduce measures to tackle hate speech and discrimination against religious minorities, including in the media, offer protection to targeted minorities and bring an end to impunity for hate crimes.**
48. **Remove educational material that fosters suspicion or hatred of religious minorities from the national curriculum, replacing it with material that encourages respect for all religious and belief communities.**
49. **Review changes to police powers and consider their revision to introduce appropriate checks and balances, avoid confusion and protect the public, and also provide human rights training to security personnel and police.**
50. **Return all property confiscated from religious minority communities.**
51. **Ensure that all refugees are afforded the full protection of the UNHCR, and take steps to end discrimination against refugees, especially non-Muslims, in employment, education and other settings.**
52. **End arbitrary detention and ensure due process for all current detainees, including those detained for peacefully exercising their fundamental rights to freedom of expression and freedom of religion or belief.**

⁸ Al-Monitor, ‘Turkish Imam loses his job over lyrics criticizing government’, October 2022, <https://www.al-monitor.com/originals/2022/10/turkish-imam-loses-his-job-over-lyrics-criticizing-government>.

53. *Amend anti-terrorism legislation, bringing it in line with international human rights standards; end the harassment of HRDs, and 'ensure that all lawyers ... can conduct their legitimate professional activities without fear of reprisals and free of undue interference.'*
54. *Respect the right of ethnic and linguistic minority communities to speak, receive education, and worship in their mother languages.*
55. *End the arbitrary expulsion of foreign nationals, including Christian workers, who are legally resident in the country.*

CSW everyone
free to believe

T +44 (0)20 8329 0010
@CSW_UK
/CSWUK
csw.org.uk

PO Box 99
New Malden
Surrey, KT3 3YF
United Kingdom

© Copyright CSW 2022. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, in any form or by any means, electronic, photocopying, mechanical, recording and/or otherwise without the prior written permission of CSW.