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TURKEY: Dangerous consequences of intolerance of religious minorities

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The Turkish government has long failed to tackle deep-rooted discrimination against religious minorities – by refusing to guarantee their position in law or to crack down on intolerance from officials, the media and in school curricula. This has left religious minorities dangerously exposed, argues Otmar Oehring of the German Catholic charity Missio. For, as Dr Oehring observes in this personal commentary for Forum 18, hostility to religious minorities is stoked by widespread xenophobia. Following the brutal murder of three Protestants in Malatya in April, attacks on and threats against religious minorities have only increased. Official "protection" for religious minority leaders and places of worship seems designed as much to control as to protect them.

A shadow still hangs over Turkey's non-Muslim religious minorities, following the brutal murder in April of three Protestants in the eastern town of Malatya. The murders have not so far produced any serious effort by the state to tackle the underlying causes of the murders. No effort has been made to tackle the xenophobia and hostility to religious minorities, which Turkish Protestants are convinced is a major factor in the murders. This official Turkish indifference looks bad to the outside world, notably to the European Union (EU).

Indeed, the situation for religious minorities is getting worse. Threats by telephone and in writing against churches, religious minority (eg. Armenian Apostolic) schools and individuals are mounting. Ethnic minorities – especially the Kurds – are also seeing rising numbers of threats. Public discussion is increasing over who should have the right to live in Turkey. Should the country only be the home of ethnic Turks?

Whenever there is a bomb attack, journalists focus on the place of origin of the suspects. When Istanbul airport became a target for bombers, journalists eagerly pointed out that the suspects came from the Lazistan region close to the border with Georgia. The suggestion is that they were not real Turks.

A wider range of religious minority individuals and institutions – including Catholic and Protestant churches and their clergy - are now being directly threatened with physical attacks. In February 2006, Catholic priest Fr Andrea Santoro was murdered in his church in the Black Sea port of Trabzon (see F18News 9 February 2006 http://www.forum18.org/Archive.php?article_id=724).

Then in April this year came the murder of the three Protestants in Malatya – two Turkish Christians, Necati Aydin and Ugur Yuksel, as well as a German, Tilmann Geske. The publishing house, Zirve, where the three Protestants were found, had been the target of protests in 2005, demanding that it be closed down as its activities were "proselytism" of Muslims. But as Turkish Protestants have pointed out with appreciation to Forum 18, the Criminal Code has been changed to allow the sharing of beliefs if there are no demonstrable political motives.

However, as Ertugrul Ozkok, editorial writer for Turkey's largest newspaper, Hurriyet, wrote the day after the murders: "While only a handful of actual murderers is involved, there are many, many assistants." Ozkok described the many newspapers who publish intolerant articles about Christians and politicians making such statements as "agents of provocation".

These politicians include government ministers, such as Minister of State Mehmet Aydin - who controls the government's Presidency of Religious Affairs (Diyanet) (see F18News 12 October 2005 http://www.forum18.org/Archive.php?article_id=670). He claimed on 27 March 2007 that "the goal of missionary activity is to break up the historical, religious, national and cultural unity of the people of Turkey". Schools are also a source of what EU officials have privately described to Forum 18 as "massive nationalistic indoctrination" (see F18News 26 July 2006 http://www.forum18.org/Archive.php?article_id=817).

Politicians repeatedly speak of "missionaries" (usually Christian) as a threat to the country and a danger to its people. In a live programme on NTV in May 2006, Professor Ali Bardakoglu, who heads the Presidency of Religious Affairs, declared: "We are not only telling our people in Turkey that Islam is the right (only) religion, but we also inform them about missionaries' activities threatening our people." The state-approved mufti in the eastern town of Erzincan held a panel discussion on missionary activity, Satanism and "dangerous and destructive activity". In November 2006, one deputy Muharrem Kilic warned Parliament about

missionaries who have "attacked the Turkish people".

Even when reporting attacks on religious minorities, media coverage is often hostile to the victims and their communities. Such coverage could be seen as excusing the attacks – or at the very least sympathising with the motives behind them.

Most recently, two Georgian Orthodox priests from neighbouring Georgia were in late May visiting Borcka in the remote north-east, close to the border with Georgia, as part of a tourist group. Although in civilian clothes, they were wearing crosses. Recognised as priests, they were set upon by three local men in a brutal attack. Turkey's coastal area in the north-east is known for its fierce nationalism and xenophobia, routinely stoked by the local press. Journalists regularly stir up fears over Georgians seeking out fellow ethnic Georgians in local villages by asking if visiting Georgians have come on missionary trips.

In this region, any non-locals attract hostile questions about what they are doing. Questions are asked about whether they are ordinary missionaries with a hidden agenda. Minister of State Aydin, quoted above, made the often repeated claim that "a significant part of missionary activity is done in secret".

The local ethnic Georgian and Laz minorities have long been converted to Islam. Although they are now less wary of revealing their Georgian roots, no-one would dare to openly admit that their people were originally Christian. Turkish intellectuals and some media are prepared to accept that they are ethnic minorities, but almost no-one is prepared to accept that they can be anything other than Sunni Muslims.

Certain individuals and institutions have always been a target of attacks, most notably the Ecumenical Patriarchate in Istanbul, the residence of the most senior patriarch in the worldwide Orthodox Christian community. For years it has been threatened with attack and it could be highly dangerous for Patriarch Bartholomew or other senior bishops to walk the streets of the city. The Armenian Patriarch Mesrop – the leader of Turkey's largest Christian community – is also under threat and is not as well protected as the Ecumenical Patriarch.

Police officers assigned to protect religious minority leaders in the wake of the murder of Fr Santoro are often unarmed. When Patriarch Mesrop pointed out publicly in February 2007 the lack of security, the state authorities told him he should hire a guard from a private security company, which he has now done.

But religious minorities fear being "protected" by the police, an institution known as a hotbed of nationalism. Such minorities sometimes ask whether it is wise to be protected by their enemies.

Turkey's National Intelligence Organisation (MIT) secret police had a flat facing the Trabzon church where Fr Santoro was murdered. Presumably, MIT has similar observation points close to other minority places of worship. Are such observation points to protect the minorities or to control them, as religious minorities argue privately? MIT officers also frequently turn up at places of worship unannounced. When challenged, they do not deny they are from the security apparatus but insist they are there to observe and check up on security measures. Some minority places of worship have asked such MIT officers to leave.

Some MIT officers do believe in protecting religious minorities, but others are staunch nationalists and signed-up members of the "deep state", the nationalist circles in state bodies which regard themselves as the custodians of the Ataturkist legacy. Such nationalists are unlikely to offer genuine protection. Even with such MIT observation there is no full protection, as the murder of Fr Santoro demonstrated, so many doubt the value of such observation. Indeed, when a grenade was thrown into the Ecumenical Patriarchate in Istanbul in 2005 only police and security officials were present outside. Mosques – as well as Cem Houses where Alevi Muslim communities worship - do not have such MIT "protection".

Religious minorities need real protection because of growing nationalist hostility and growing threats. But for religious minorities, this is a dilemma as the "protection" the state offers is equally bound up with control.

The Turkish authorities have not taken effective steps to either protect non-Muslim minorities or address the mass media and education system's intolerance of them. As the example of Ertugrul Ozkok of Hurriyet shows, there are some Turkish voices from outside the minorities calling for the intolerance to be tackled.

One religious minority that does not appear to face increased pressure in the current intolerant climate is the Alevi Muslim community. The government continues to refuse to accept that they are a distinct Muslim community – it insists either that they are Sunni Muslims or, as senior officials of the Presidency of Religious Affairs assert, the question needs further study. Alevi Cem Houses are not considered places of worship but cultural centres (see F18News 26 July 2006 http://www.forum18.org/Archive.php?article_id=817). Indeed, the governing AKP Party views the Alevis as a source of votes in Turkey's forthcoming parliamentary and presidential elections.

But religious minorities Forum 18 has spoken to do not think that the elections will bring to power any political party willing to tackle the dangerous media intolerance of religious minorities, or to take the dramatic changes necessary to usher in genuine religious freedom (see F18News 28 June 2007 http://www.forum18.org/Archive.php?article_id=983).

No legal improvements are likely. The Foundations Law – which might have resolved property problems for the foundations at least partly allowed to some non-Muslim ethnic/religious communities - was vetoed in December 2006 by President Ahmet Necdet Sezer, a committed secularist but a staunch nationalist (see F18News 18 January 2007 http://www.forum18.org/Archive.php?article_id=901).

After the veto, the Law was reintroduced to parliament in the same form soon after. With the dissolution of Parliament the process has now come to a halt. Any progress will depend on the composition of the new Parliament to be elected on 22 July. Current signals do not look hopeful that the positive elements of the Law will survive.

Turkey's application to join the EU has stalled and the prospect of Turkey's entry seems as far away as ever. Tentative progress to improve human rights and religious freedom has ground to a halt. Even on minor issues to help religious minorities, where the Turkish authorities promised to make progress several years ago, nothing has happened.

Indeed, it is becoming increasingly clear that fundamental reform of the Turkish Constitution, not of individual laws or legal problems, is essential for genuine progress (see F18News 13 December 2005 http://www.forum18.org/Archive.php?article_id=704). So it is not surprising that minorities are increasingly turning to the European Court of Human Rights (ECtHR) in Strasbourg, not the Turkish authorities, to protect their fundamental right to freedom of thought, conscience and belief (see F18News 18 January 2007 http://www.forum18.org/Archive.php?article_id=901).

The Catholic Church was specifically promised that at least some of the problems it faces would be resolved, when members of the Bishops' Conference met Prime Minister Recep Tayyip Erdogan in 2005. During Pope Benedict's high-profile visit at the end of 2006 (see F18News 22 November 2006 http://www.forum18.org/Archive.php?article_id=875), Turkish officials agreed to establish joint working groups to resolve the difficulties over legal status and property. But nothing has happened, despite public prodding by the Vatican Secretary of State, Cardinal Tarcisio Bertone, in January.

No progress has been made on legal rights for other non-Muslim minorities. In a 1986 ruling, the Turkish Supreme Court in Ankara recognised that the Jehovah's Witnesses are a distinct religion. But the problem for the Jehovah's Witnesses – just like all the other religious communities - is that they have no legal status whatsoever. All the Supreme Court did was to recognise that Jehovah's Witnesses exist – but without recognising that they have any legal rights.

After the Jehovah's Witnesses sought to register a religious association in 2005 with the Istanbul Associations Directorate (Dernekler Mudurlugu), two cases against them were lodged in the courts. The Jehovah's Witnesses were accused of violating the Constitution, though no concrete violations were ever specified. The Jehovah's Witnesses won both cases, but in 2006 the Associations Directorate lodged challenges against these rulings in the Supreme Court.

This denial that Turkey's non-Muslim religious communities have any legal status has a very practical impact on the intolerance and physical attacks they experience. For example, two young men, Yunus Ercep and Feti Demirtas, are among the Jehovah's Witnesses who have been maltreated and repeatedly prosecuted in recent years for refusing compulsory military service on grounds of religious conscience. One captain told Demirtas: "Pray not to be assigned to my military base, since I will make you lead a dog's life. I will force you to perform military service." Another told him: "Leave Turkey if you do not want to be in the military." In 2003, Ercep was even incarcerated for 11 days in a psychiatric hospital for "religious paranoia".

In 2004, Ercep lodged his case over repeated sentencing for conscientious objection at the ECtHR in Strasbourg (Application No. 43965/04), while Demirtas lodged his case in January 2007 (Application No. 5260/07). Despite their insistence that their decision to go to Strasbourg is not political, taking their cases to an international body could lay Ercep and Demirtas open to accusations that they are traitors to their country. The Army General Staff called on the people in May 2007 to fight the enemy Kurds, so Jehovah's Witnesses who refuse military service are doubly seen as traitors.

The ECtHR issued a crucial judgment in January 2007 in favour of a Greek Orthodox community foundation (Fener Rum Erkek Lisesi Vakfi) running a High School in Istanbul's Fener area (No. 34478/97). In what is a common occurrence, the government had confiscated a building from it, but the Strasbourg court upheld the community foundation's rights and punished the Turkish government with a large fine (see F18News 18 January 2007 http://www.forum18.org/Archive.php?article_id=901).

As neither side appealed against the Strasbourg judgment, it became final on 9 April. This meant that the government had until 9 July to pay the fine.

In earlier cases the state has simply paid the fine and taken no action to change the legal situation to avoid similar violations from happening in other cases, or to make restitution to those whose rights have already been wronged. This signals to those who encourage intolerance that the rights of people who belong to Turkey's religious minorities do not really matter.

One test will come over the Yedikule Surp Pirgic Ermeni Hastanesi Vakfi, a foundation recognised in law as managing Armenian religious property. The ECtHR struck out the case on 26 June 2007 after a "friendly settlement" with the Turkish government (Nos.

50147/99 and 51207/99). The foundation complained that its title to certain properties had been declared void. It contended that Turkish legislation and its interpretation by the national courts deprived foundations belonging to religious minorities within the meaning of the 1923 Treaty of Lausanne of all capacity to acquire immovable property. This incapacity, in its view, amounted to discrimination in relation to other foundations.

Under the friendly settlement, the Turkish government has undertaken to return the relevant properties in their current state to the foundation and to pay it 15,000 Euros (26,435 Turkish Lira, 119,522 Norwegian Kroner or 20,490 US Dollars) for costs and expenses.

This settlement shows that the Turkish authorities have seen that they must reach agreements with religious communities over their minority foundations. However, the underlying restrictions on religious minorities' foundations seem likely to remain. Still less will such settlements help religious minorities achieve full rights to practise their faiths freely.

Intolerance of religious minorities is growing within Turkish society, and – just as with the legal protection of the right to freedom of thought, conscience and belief – Turkey's main political parties and state institutions show no interest in effectively dealing with the root causes of this. Indeed, some within the state are encouraging this intolerance. I fear that this will have increasingly dangerous consequences for Turkey's religious minorities, and for freedom of thought, conscience and belief for all Turkish citizens.

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For an analysis of what Ergenekon related criminal trials have - and have not - revealed about attacks on religious minorities, see F18News 22 April 2010 http://www.forum18.org/Archive.php?article_id=1434).

- Dr Otmar Oehring <http://www.otmaroehring.de/>, head of the human rights office of Missio, a Catholic charity based in Germany, contributed this comment to Forum 18. Commentaries are personal views and do not necessarily represent the views of F18News or Forum 18.

More analyses and commentaries on religious freedom in Turkey can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=68>

A printer-friendly map of Turkey is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=mideast&Rootmap=turkey>

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