

# UNIVERSAL PERIODIC REVIEW 2009

## TURKEY

NGO: European Centre for Law and Justice  
Strasbourg France

### RELIGIOUS FREEDOM IN THE REPUBLIC OF TURKEY

The treatment of recognized and unrecognized<sup>1</sup> religious minority groups has not improved and in many respects has deteriorated. Prejudice against such religious organizations and of proselytism in general by Christians is endemic in Turkish media, government and administrative agencies of the Turkish executive. Religious minorities report that they are blocked from employment with the state, face hurdles in registering with the government, worshipping, and training followers, and face serious restrictions and harassment if they engage in proselytism.<sup>2</sup> According to the United States Department of State, threats against minority religious communities have led to pressure and diminished freedom.<sup>3</sup> Furthermore, converts from Islam experience societal hostility, many times in the form of violence.<sup>4</sup> Danger to Christians and other minorities come not only from governmental and general social pressures, but also from a widespread nationalist movement deeply opposed to Christianity which has infiltrated Turkey's government.<sup>5</sup>

The Ecumenical Patriarchate of Constantinople is still facing tremendous legal and administrative difficulties and discriminations. The other traditional Christian Churches (such as Catholic and Armenian Churches) are also facing strong difficulties and discriminations.

#### SECTION 1: *Legal Framework*

##### I. Turkish Constitutional Provisions

Article 24 of the Constitution of Turkey provides for “the right to freedom of conscience, religious belief and conviction.”<sup>6</sup> However, this right is severely limited by article 14, which prohibits any rights within the Constitution from being “exercised with the aim of violating the indivisible integrity of the state with its territory and nation, and endangering the existence of the democratic and secular order of the Turkish Republic based upon human rights.”<sup>7</sup> Article 24 also provides for the

---

<sup>1</sup> Those not recognized by the 1923 Treaty of Lausanne, and defined by a Ministry of Internal Affairs document in 2001 as “Protestants, Bahais, Jehovah’s Witnesses, Believers in Christ, etc,” Ministry of Internal Affairs document no. B.05.1.EGM.0.12.05.05, signed by Undersecretary Muzaffer Ecemis.

<sup>2</sup> U.S. Dep’t of State, Bureau of Democracy, Human Rights and Labor, *Int’l Religious Freedom Report 2009 Turkey* (Oct. 26, 2008) [hereinafter *2009 Religious Freedom Report*], available at <http://www.state.gov/g/drl/rls/irf/2009/130299.htm>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Otmar Oehring, *TURKEY: Hopes for 2009 disappointed*, Oct. 22, 2009, [http://www.forum18.org/Archive.php?article\\_id=1365](http://www.forum18.org/Archive.php?article_id=1365) (See article excerpt in Appendix, 1).

<sup>6</sup> “Everyone has the right to freedom of conscience, religious belief and conviction.” CONSTITUTION OF THE REPUBLIC OF TURKEY art. 24, available at [http://www.anayasa.gov.tr/images/loaded/pdf\\_dosyalari/THE\\_CONSTITUTION\\_OF\\_THE\\_REPUBLIC\\_OF\\_TURKEY.pdf](http://www.anayasa.gov.tr/images/loaded/pdf_dosyalari/THE_CONSTITUTION_OF_THE_REPUBLIC_OF_TURKEY.pdf).

<sup>7</sup> CONSTITUTION OF THE REPUBLIC OF TURKEY art. 14.

freedom of worship and practice, but under the same restrictions of Article 14.<sup>8</sup> In conjunction with provisions of Turkey's Penal Code, as evidenced by recent cases, unpopular expression, particularly Christian religious exercise, can be construed in Turkey's social climate as a violation of law, as described below. Article 24 further limits religious exercise by requiring that all religious instruction be conducted "under state supervision and control."<sup>9</sup> Finally, Article 10 entitles individuals to equal protection under the law despite, *inter alia*, religious belief; however, it is also subject to Article 14 restrictions.<sup>10</sup>

## II. Legislation

### A. *Turkish Penal Code*

Turkey adopted a new Penal Code in 2005.<sup>11</sup> Articles 300-302 of Turkey's new Penal Code replaced similar provisions of the 1926 Penal Code.<sup>12</sup> Article 301 outlawed even speech that, for example, could be construed as "insulting Turkishness."<sup>13</sup> Currently, two Muslim converts to Christianity who were arrested and charged in 2006 under Article 301 are on trial.<sup>14</sup> They have been accused of "insulting Turkishness," inciting hatred against Islam, and secretly compiling data on private citizens for a Bible correspondence course.<sup>15</sup> Evidence presented by the prosecution has yet to reveal any incriminating information. In fact, some witnesses called to testify against defendants have denied that they ever saw or conversed with the defendants, leading the case to be called a "scandal."<sup>16</sup> Moreover, religious leaders are also restricted from "reproaching or vilifying" the Government or the laws of the state under Article 219 of the Penal Code.<sup>17</sup> Violators face stiff imprisonment penalties.<sup>18</sup>

---

<sup>8</sup> "Acts of worship, religious services, and ceremonies shall be conducted freely, provided that they do not violate the provisions of Article 14." CONSTITUTION OF THE REPUBLIC OF TURKEY art. 24.

<sup>9</sup> "Education and instruction in religion and ethics shall be conducted under state supervision and control." CONSTITUTION OF THE REPUBLIC OF TURKEY art. 24.

<sup>10</sup> CONSTITUTION OF THE REPUBLIC OF TURKEY arts. 10, 14.

<sup>11</sup> Jonny Dymond, *Turkey adopts penal code reforms*, BBC NEWS, May 27, 2005, <http://news.bbc.co.uk/2/hi/europe/4587675.stm>.

<sup>12</sup> CAMILLE OVERON HENSLER & MARK MOLLER, FREEDOM OF EXPRESSION AND OF ASSOCIATION IN TURKEY 47 (2005); Turkish law—including the new [Turkish Penal Code]—still contains numerous provisions that may be used to restrict the right to freedom of expression in a way that is in breach of the European Convention on Human Rights. Article 159 of the previous TPC which criminalises "insults" against various state institutions and which has been used to prosecute and imprison those that have made peaceful criticisms has been carried over into the new TPC as Article 301. This provision has already gained notoriety as it has been used to open a trial against the writer Orhan Pamuk for "insulting Turkishness". Many other less high-profile trials have been opened against those that have articulated peaceful, albeit controversial, views. The existence of such unnecessarily restrictive provisions offers ample pretexts to prosecutors to initiate legal proceedings that violate Turkey's responsibilities under international law. Turkey's legal provisions for the right to freedom of expression must therefore be strengthened further—most obviously by abolishing Article 301—and made compatible with international law.

House of Commons Foreign Affairs Comm., Human Rights Ann. Rep. 2005, 2005-6, H.C. 574, at Ev 19, para. 152.

<sup>13</sup> *Id.*

<sup>14</sup> 2009 Religious Freedom Report, *supra* note 2, § II; See also 'Insulting Turkishness' Case Proceeds under Revised Law, COMPASS DIRECT NEWS, March 20, 2009, <http://www.compassdirect.org/english/country/turkey/2584/>

<sup>15</sup> 2009 Religious Freedom Report, *supra* note 2, § II.

<sup>16</sup> *Lawyer Calls Turkish Christians' Trial a 'Scandal'*, COMPASS DIRECT NEWS, Oct. 16, 2009, <http://www.compassdirect.org/english/country/turkey/10625/> (See full text of article in Appendix, 14).

<sup>17</sup> 2009 Religious Freedom Report, *supra* note 2, § II.

<sup>18</sup> *Id.*

### **B. Restrictions on Religious Minorities**

Minority churches face difficulty operating due to restrictions, prejudice, and an inability to register with the government.<sup>19</sup> Pressure from the European Union led Turkey to amend its Public Works Statute 3194, governing construction of religious facilities, to allow for “places of worship,” not just mosques, to be built and recognized.<sup>20</sup> Local authorities still deny applications from Christian groups seeking to have their properties rezoned as places of worship.<sup>21</sup> Registration is the only way they can legally collect donations.<sup>22</sup> In 2009, two Christians were fined for “illegal collection of funds,” as they were unable to register as a church.<sup>23</sup> One unrecognized church faced not only societal threats and vandalism, but also threats of legal action from the authorities, the Provincial Directorate of Associations.<sup>24</sup> The Church simply displayed Christian symbols and verses on the walls of the facility they met in.<sup>25</sup> Authorities told them that the meeting rooms looked too much like a church.<sup>26</sup>

Several orthodox branches of Christianity continue to face property confiscation by the Turkish government. The Ecumenical Patriarch, Bartholomaios I, is appealing to the European Court of Human Rights in Strasbourg regarding the confiscation of lands and buildings and other injuries to the Orthodox community in Turkey.<sup>27</sup> Additionally, the Syrian Orthodox Monastery Mor Gabriel, founded in 397 A.D., is accused by the local village population of occupying their lands and proselytizing children.<sup>28</sup> Further, a June 2009 court decision confiscated 136 acres of the monastery’s lands.<sup>29</sup> Turkey’s Forestry Department is now in control of those lands on behalf of the Turkish government.<sup>30</sup>

Another issue of concern is the permanent refusal to grant asylum to the seeking protection from religious persecution because they converted to Christianity in Iran or Syria<sup>31</sup>.

### **III. Ergenekon & Government Corruption**

Several current and former political and military leaders, forming the so called *Ergenekon*,

---

<sup>19</sup> *Id.*

<sup>20</sup> *Regulations Hobble Turkey’s Protestant Churches*, COMPASS DIRECT NEWS, Dec/ 15, 2008, available at <http://www.rightsidenews.com/200812153001/culture-wars/regulations-hobble-turkeys-protestant-churches.html> (See full text of article in Appendix, 5).

<sup>21</sup> *Id.*

<sup>22</sup> *2009 Religious Freedom Report*, supra note 2, § II; See *Regulations Hobble Turkey’s Protestant Churches*, COMPASS DIRECT NEWS, Dec/ 15, 2008, available at <http://www.rightsidenews.com/200812153001/culture-wars/regulations-hobble-turkeys-protestant-churches.html> (See full text of article in Appendix, 5).

<sup>23</sup> *Christians May Appeal Fine for ‘Illegal’ Funds*, COMPASS DIRECT NEWS, March 26, 2009, <http://www.compassdirect.org/english/country/turkey/2820/> (See full text of article in Appendix, 6).

<sup>24</sup> *Regulations Hobble Turkey’s Protestant Churches*, COMPASS DIRECT NEWS, Dec/ 15, 2008, available at <http://www.rightsidenews.com/200812153001/culture-wars/regulations-hobble-turkeys-protestant-churches.html> (See full text of article in Appendix, 5).

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> Nat da Polis, *Bartholomew I appeals to the European Court in Strasbourg against Ankara*, ASIANEWS.IT, May 13, 2009, <http://www.asianews.it/index.php?l=en&art=15229&theme=8&size=A> (See full text of article in Appendix, 7); See also *The Supreme Court in Strasburg allows Patriarchs’ appeal for Buyukada orphanage*, ASIANEWS.IT, Nov. 11, 2007, <http://www.asianews.it/index.php?l=en&art=10919&size=A> (See full text of article in Appendix, 8).

<sup>28</sup> *Ancient Monastery Threatened*, COMPASS DIRECT NEWS, Jan. 22, 2009, <http://www.compassdirect.org/english/country/turkey/1796/> (See full text of article in Appendix, 9).

<sup>29</sup> Nuri Kino, *Turkish Court Rules Against Assyrian Monastery*, PERSECUTION.ORG, June 24, 2009, <http://www.persecution.org/suffering/newsdetail.php?newscode=10357> (See full text of article in Appendix, 10).

<sup>30</sup> *Id.*

<sup>31</sup> See ECHR *M.B and others v. Turkey* Appl No: 36009/08.

conspired to create a strategy to destabilize the Turkish government.<sup>32</sup> The *Ergenekon* is believed to be the group responsible for the gruesome torture and slaying of three Christians in Malatya in 2007, the murder of an Armenian Christian editor three months prior, and the murder of an Italian Catholic priest in February of 2006.<sup>33</sup> The *Ergenekon* has also reportedly added Ecumenical Patriarch Bartholomaios I to a list for assassination as part of their plan.<sup>34</sup>

Regarding the Malatya 2007 murders, the high profile trial continues.<sup>35</sup> Government officials involved have been implicated for not only destroying evidence after the crime, but for their collusion in the murders.<sup>36</sup> Specifically, the head of a local police intelligence department, Razaman Akyurek, was removed on October 16, 2009, accused of failing to prevent the gruesome killings of three Christians in Malatya, withholding evidence in those cases, and improperly investigating the murder of a Catholic priest in 2006.<sup>37</sup> Prosecutors have requested that the case be attached to the *Ergenekon* indictment.<sup>38</sup>

## **SECTION 2: Selected Incidents of Religious Persecution and Discrimination**

### **A. Proselytizing/ Blasphemy/Anti-Conversion**

Those converting from Islam continue to experience harassment and other forms of negative social pressure as a result of their alleged “apostasy.”<sup>39</sup> Proselytism by any non-Muslim group is prohibited and dangerous.<sup>40</sup> For example, and as discussed above, two Muslim converts are currently on trial for charges in 2006 pertaining to “insulting Turkishness.” More recently, in 2008, a couple who converted was attacked in their home by undercover security personnel; they were beaten and tortured, their heads shaved, and the pregnant wife sexually assaulted and raped.<sup>41</sup> In December of 2008, several South African Christians were arrested on charges of conducting missionary activities.<sup>42</sup> There have been no reported incidents of forced conversion.<sup>43</sup>

### **B. Societal Abuses**

1. September 2009: Several houses of Christians were marked with paint, as just one symptom of the rising harassment of Christians in Istanbul.<sup>44</sup>
2. August 2009: A man held a Christian acquaintance at knifepoint, threatening to slit his throat because, according to the perpetrator, in Turkey you cannot just “hand out gospels.”<sup>45</sup>

---

<sup>32</sup> *Turkish ‘Deep State’ Suspected of Silencing Witnesses*, COMPASS DIRECT NEWS, July 21, 2009, <http://www.compassdirect.org/english/country/turkey/4448/> (See full text of article in Appendix, 11).

<sup>33</sup> *Id.*

<sup>34</sup> *For Good or Else? Ch[r]istian Houses in Turkey marked*, EUROPE NEWS, Sept. 02, 2009, <http://europenews.dk/en/node/25923> (See full text of article in Appendix, 12).

<sup>35</sup> *2009 Religious Freedom Report*, *supra* note 2, § III.

<sup>36</sup> *Id.*

<sup>37</sup> *Turkish Police Official Axed amid Allegations in Murders*, COMPASS DIRECT NEWS, Oct. 22, 2009, <http://www.compassdirect.org/english/country/turkey/10914/> (See full text of article in Appendix, 13).

<sup>38</sup> *2009 Religious Freedom Report*, *supra* note 2, § III.

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Christian Iranian couple tortured and sexually assaulted*, FCNN, July 23, 2008, [http://www.fcnn.com/index.php?option=com\\_content&task=view&id=1308&Itemid=63](http://www.fcnn.com/index.php?option=com_content&task=view&id=1308&Itemid=63) (See full text of article in Appendix, 15).

<sup>42</sup> *2009 Religious Freedom Report*, *supra* note 2, § II.

<sup>43</sup> *Id.*

<sup>44</sup> *For Good or Else? Christian Houses in Turkey marked*, EUROPE NEWS, Sept. 02, 2009, <http://europenews.dk/en/node/25923> (See article in Appendix (“App.”), at 12).

3. July 2009: A man was stabbed to death in the street for being a Christian after he left a Catholic Church.<sup>46</sup>
4. May 2009: An Iranian Christian refugee was badly beaten after a coworker discovered he was a Christian.<sup>47</sup>
5. February 2009: A Christian bookstore was vandalized.<sup>48</sup>
6. 2008-2009: Greek Orthodox cemeteries in three cities were vandalized, some severely damaged.<sup>49</sup>
7. 2008-2009: A Christian church was broken into.<sup>50</sup>
8. 2008-2009: Police protection had to be extended to several Christian churches and pastors, and their legal advisors, in response to threats against them.<sup>51</sup>
9. December 2008: Christians in Yalova were targeted by a nationalist youth organization in an ad campaign for a conference held in a public facility; the organization depicted them as snakes wearing crosses.<sup>52</sup>
10. 2008: Church members in Samsun faced threats from their community for operating, and also faced legal action from government authorities for displaying Christian symbols.<sup>53</sup>
11. April 2007: Two Turkish Christians and one German Christian were gruesomely tortured and murdered in a Christian publishing establishment.<sup>54</sup>
12. 2007: A village guard and three others kidnapped a Syriac priest.<sup>55</sup>

### C. Anti-Semitism

1. December 2008—January 2009: Jewish businesses were boycotted during the Israeli Operation Cast Lead in December of 2008 and January of 2009.<sup>56</sup>
2. December 2008—January 2009: Businesses in Eskisehir, Turkey, posted notices to prevent entrance of “Jews, Armenians, and dogs.”<sup>57</sup>

---

<sup>45</sup> *Turkish Christian Held Hostage at Knife Point*, COMPASS DIRECT NEWS, Aug. 6, 2009, <http://www.compassdirect.org/english/country/turkey/4249/> (See full text of article in App., 16).

<sup>46</sup> *Christian Murdered on Busy Street in Istanbul, Turkey*, COMPASS DIRECT NEWS, July 28, 2009, <http://www.compassdirect.org/english/country/turkey/4468/> (See full text of article in App., 17).

<sup>47</sup> *Iranian Refugee in Turkey Beaten for His Faith*, COMPASS DIRECT NEWS, June 15, 2009, <http://www.compassdirect.org/english/country/turkey/4590/> (See full text of article in App., 18).

<sup>48</sup> *Christian Bookshop in Adana Vandalized*, COMPASS DIRECT NEWS, Feb. 17, 2009, <http://www.compassdirect.org/english/country/turkey/8985/> (See full text of article in App., 19).

<sup>49</sup> *2009 Religious Freedom Report*, *supra* note 2, § III.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Regulations Hobble Turkey's Protestant Churches*, COMPASS DIRECT NEWS, Dec/ 15, 2008, *available at* <http://www.rightsidenews.com/200812153001/culture-wars/regulations-hobble-turkeys-protestant-churches.html> (See full text of article in App., 5).

<sup>54</sup> *Turkish 'Deep State' Suspected of Silencing Witnesses*, COMPASS DIRECT NEWS, July 21, 2009, <http://www.compassdirect.org/english/country/turkey/4448/> (update on 2007 murders; see App., at 11).

<sup>55</sup> *2009 Religious Freedom Report*, *supra* note 2, § II; *See also Kidnapped priest released in southeast Turkey*, CHRISTIAN TODAY, Dec. 2, 2007,

<http://www.christiantoday.com/article/kidnapped.priest.released.in.southeast.turkey/15104.htm>

<sup>56</sup> *2009 Religious Freedom Report* § II, *supra* note 2.

<sup>57</sup> *Id.*

# UNIVERSAL PERIODIC REVIEW 2009

## *THE REPUBLIC OF TURKEY*

NGO: European Centre for Law and Justice  
Strasbourg France

### RELIGIOUS FREEDOM IN THE REPUBLIC OF TURKEY

#### APPENDIX

1. Otmar Oehring, *TURKEY: Hopes for 2009 disappointed*, FORUM 18, Oct. 22, 2009, [http://www.forum18.org/Archive.php?article\\_id=1365](http://www.forum18.org/Archive.php?article_id=1365) (excerpt).

...

Equally unresolved are property problems faced by religious communities as diverse as Alevi Muslims, Catholics, the Ecumenical Patriarchate, the Greek Orthodox, Protestants, and the Syrian Orthodox Church (see F18News 27 October 2009 [http://www.forum18.org/Archive.php?article\\_id=1368](http://www.forum18.org/Archive.php?article_id=1368)).

Other systemic restrictions on freedom of religion or belief remained untouched in 2009, including: the need for fair teaching about religions and beliefs in schools; the need for the right to train clergy; and the non-recognition of conscientious objection to military service.

Dialogue without action

Despite high-profile meetings of some religious communities with the Justice and Development Party (AKP) government, no concrete actions have yet resulted from this. This has caused frustration among those religious communities involved. Alevi Muslims – perhaps the biggest single religious minority, with some 20 to 30 per cent of the population – even broke off formal talks with the government at the beginning of 2009 because of this frustration – for example the lack of progress on the right to train their own clergy. However, workshops continue involving the state, civil society, academics and Alevi groups. Other Muslim movements have seen no such recognition, and it remains doubtful whether the "deep state" - military, security and elite representatives who remain wedded to Mustafa Kemal Ataturk's rigorous secular ideal – would allow such movements greater freedom (see F18News 21 October 2008.

[http://www.forum18.org/Archive.php?article\\_id=1206](http://www.forum18.org/Archive.php?article_id=1206)).

Progress on freedom of religion or belief may depend on a change of attitude by the military, as was seen in the case of the Kurds when both the current and former Chiefs of Staff signalled a change in attitudes. However, such a change seems unlikely in the case of freedom of religion or belief – not least as changes are needed in many spheres, in legislation, and in the approach of public administrators and the public in general.

Some have seen as a positive development the inclusion at a lunch hosted by Prime Minister Recep Tayyip Erdogan on 15 August of five religious minority leaders – four Christian and one Jewish. However, a lunch for more than 150 guests was hardly a venue where serious discussions of the issues that concerned them could take place. One of the five who were there, Ecumenical Patriarch

Bartholomew, was sitting close to the Prime Minister and was able to declare afterwards that it was good to meet and talk. It is important to note also that some leaders were not invited, including the Chief Rabbi, while several of those who were received their invitations only a day or two before.

Accompanied not only by his own entourage but by Patriarch Bartholomew, Prime Minister Erdogan afterwards visited the Buyukada orphanage, which a European Court of Human Rights (ECHR) judgment had ruled should be returned to the Orthodox Patriarchate (see F18News 21 October 2008 [http://www.forum18.org/Archive.php?article\\_id=1206](http://www.forum18.org/Archive.php?article_id=1206)). They also visited the Aiya Yorgi pilgrimage site on the island. But there have been no moves from the state side to initiate a dialogue leading to results, for example on the reopening of the Halki Seminary, despite repeated invitations from the Patriarchate (see F18News 27 October 2009 [http://www.forum18.org/Archive.php?article\\_id=1368](http://www.forum18.org/Archive.php?article_id=1368)).

While high level engagement with certain minority religious communities may be encouraging, one should note that the format of the dialogues perpetuates the long held position of Turkey that only the ethnic/religious minority groups which it considers were recognised by the 1923 Treaty of Lausanne – notably the Greek Orthodox, Armenian Apostolic and Jews – are recognised. The Treaty spoke vaguely of religious minority rights without naming the minorities, but the Turkish authorities interpret this to exclude communities such as the Roman Catholics, Syriac Orthodox and Lutherans, even though these communities have found ways to function. Because they did not exist or were not recognised in Turkey in 1923, other groups - such as the Baha'is, many (but not all) Protestants, Jehovah's Witnesses, and other even smaller groups such as atheists - still languish with no recognition at all. A more holistic and all-embracing approach, to develop and implement policies that safeguard freedom of religion or belief for all, is essential if the state wishes to overcome the precarious legal position of the various religions or beliefs that exist in today's Turkey.

#### Social intolerance continues

The trial of key alleged participants in the secretive underground ultra-nationalist organisation Ergenekon, which began in October 2008, has dragged on, with more and more revelations becoming public (see F18News 21 October 2008 [http://www.forum18.org/Archive.php?article\\_id=1206](http://www.forum18.org/Archive.php?article_id=1206)). The case has revealed the deep cultural war between nationalists and non-nationalists in society. The people can see that a "deep state" really exists and is not merely an invention of the AKP government. The revelations during the trial about how the "deep state" targeted not only political opponents but religious minorities too have made liberals in society more sympathetic to religious and other minorities.

However, the liberal sector of the population remains small, while nationalists remain dominant and influential. This great mass of the population has little sympathy for religious minority communities and the Ergenekon trial has not changed that (see F18News 15 April 2008 [http://www.forum18.org/Archive.php?article\\_id=1115](http://www.forum18.org/Archive.php?article_id=1115)).

The Syrian Orthodox Mor Gabriel Monastery is struggling to legally defend its property (see F18News 27 October 2009 [http://www.forum18.org/Archive.php?article\\_id=1368](http://www.forum18.org/Archive.php?article_id=1368)). It also faces – as Forum 18 has observed in person - constant threats from local people. But despite appeals from the abbot, the police have so far refused any special protection. Even the Turkish Parliamentary Foreign Affairs Committee has joined such appeals for protection – in vain.

In an alarming new sign of intolerance, signs were placed in August 2009 on homes in the Kurtulus district of Istanbul, where many non-Muslim Turks live. The signs were red on the homes of the few surviving Armenians, and green for the Greeks. Some of them received letters warning them to leave, causing widespread fear and reminding them of the pogroms against Christians in the city in 1955. Even in a big city like Istanbul, everyone knows where members of religious minorities live. The latest threats mirror similar threats several years ago in Istanbul's Bakirkoy district.

The trial in the south-eastern city of Malatya of the five men accused of murdering three Protestant Christians in 2007 has drifted on since its start in November 2007 (see F18News 29 November 2007 [http://www.forum18.org/Archive.php?article\\_id=1053](http://www.forum18.org/Archive.php?article_id=1053)). In 2009, police have avoided bringing witnesses to court on various occasions, and no verdict appears imminent. Local Protestants had hoped that impunity for those who attack Christians would be over, but they remain disappointed.

Another trial that is drifting on with no sign of a verdict is of two Turkish Protestants, Hakan Tastan and Turan Topal. They are being tried on charges of "insulting Turkishness" and defamation of Islam, following their involvement in a Bible correspondence course in October 2006. The lawyer who filed the original complaint against the two was arrested as part of the Ergenekon case (see F18News 21 October 2008 [http://www.forum18.org/Archive.php?article\\_id=1206](http://www.forum18.org/Archive.php?article_id=1206)).

The Turkish media has extensively discussed links between the perpetrators and the "deep state", including the Jandarma (Gendarmerie). Documents produced in the course of the Ergenekon trials showed that the Jandarma actively followed missionary activities in Malatya region through informers, both before and after the murders. It also seems that the Jandarma knew of the intention to murder the Protestants, but did not prevent it. The MIT secret police – which also keeps minority religious communities under observation - is known to have been watching the church in Trabzon where Catholic priest Fr Andrea Santoro was murdered in February 2006 (see F18News 10 July 2007 [http://www.forum18.org/Archive.php?article\\_id=990](http://www.forum18.org/Archive.php?article_id=990)).

Intolerance lessens in mainstream media but continues in other media

Defamatory coverage of religious minorities by the mainstream media has dramatically reduced since the 2007 Malatya murders. For example, one widely viewed national TV channel, ATV, has stopped broadcasting news about "illegal" churches, or the conversion of Turks to Christianity.

However, intolerant and stigmatising reporting and commentary continue in local and ultra-nationalist newspapers, as well as on websites and blogs. For example, on 22 October 2009 the news website habername.com began a series of articles entitled, "New Trap for Young People: House Churches". According to the writer, "thousands of young people" have started losing their faith under the influence of "missionaries". A local news website, Ilgazetesi featured an article on 17 June 2009, entitled "Local Missionaries", stating that "The primary goal of missionary activity is to break the resistance of the people to imperialism and abuse! Making them Jewish or Christian is the second goal."

Another news website, haberler.com, reported on 21 October 2009 a warning to local Muslim clergy by the Mufti in Mugla that "missionaries are in town!"

Such coverage reflects the mentality that equates legitimate acts of freedom of religion or belief – such



as the right to assembly for worship, printing and distribution of religious books and materials, newspaper advertisements that advocate for a religion or belief, and charitable activities by religious/belief communities - with "missionary activity" and thus something to be rejected (see F18News 29 November 2007 [http://www.forum18.org/Archive.php?article\\_id=1053](http://www.forum18.org/Archive.php?article_id=1053)). Such a general negative perception is actively nurtured by some parts of the education system (see F18News 10 July 2007 [http://www.forum18.org/Archive.php?article\\_id=990](http://www.forum18.org/Archive.php?article_id=990)).

#### Violent attacks continue

The intolerant mentality nurtured by the education system and some mass media is reflected in numerous attacks. In July 2009 a man followed a German out of a prominently-located Catholic church in central Istanbul and stabbed him to death on the street. "I wanted to kill a Christian that day and was visiting churches for this reason," he told prosecutors, according to the Hurriyet Daily News.

Exactly two weeks later, a young Turk visited a former army comrade (who had become a Christian) at a Protestant church in Istanbul, then dragged him out on the street and threatened to kill him, holding a knife to his throat. "Do you see this missionary dog?" he was quoted by Christian news service Compass Direct as yelling at the crowd. "He is handing out gospels and he is breaking up the country!" Police managed to persuade the man to put down the knife.

On 7 and 12 February 2009, the Word Bookshop (Soz Kitapevi) in Adana, which sells publications related to Christianity, had its windows broken. The attacker was identified by security cameras and apprehended by the police. In 2006 the same person was involved in a stoning attack on this bookshop, after which he left a drawing showing Jesus and his mother Mary in an incestuous relationship. The attacker received a 15 month prison sentence in the resulting court judgment. However, since no prior convictions were found, his prison sentence was postponed and he was released from custody.

#### Restrictions become tighter for foreign pilgrims

Perhaps seen as less important, but nevertheless annoying for those involved, foreign Christian clergy visiting Turkey are again being required to remove their church vestments before entering the country, in line with the strict ban on religious garb in public places (only patriarchs and other religious leaders are exempt). Repeated demands have been made to Georgian, Greek and Russian Orthodox clergy at various borders in 2009, though in earlier years such requirements were sometimes not enforced (see F18News 10 July 2007 [http://www.forum18.org/Archive.php?article\\_id=990](http://www.forum18.org/Archive.php?article_id=990)).

To the anger of many of the participants, this happened at Trabzon airport to four Russian Orthodox priests leading a Russian pilgrimage group in August 2009 to the Sumela Monastery in Trabzon Province, long a centre of Orthodox pilgrimage as well as a noted tourist site. The priests refused to comply with demands that they also take off their crosses. Also unlike in previous years, the celebration at the monastery site was hedged with restrictions.

#### Wasted opportunities

Despite intermittent optimism during 2009 of concrete steps to improve freedom of religion or belief in Turkey – such as to see those who attacked and murdered members of religious minorities be convicted in a fair trial – such hopes have again been disappointed.

Turkey's Constitution acknowledges that all citizens are equal, but in practice this remains far from true. But for this to be effective, it would require a fundamental change in the attitudes not only of society but also of government. Politicians would have to demonstrate the will to change laws and practices which institutionalise discrimination and support intolerance. (END)

**2. Mahir Zeynalov, *Turkey drops 20 ranks in Press Freedom Index*, TODAY'S ZAMAN, Oct. 22, 2009, <http://www.todayszaman.com/tz-web/news-190680-101-turkey-drops-20-ranks-in-press-freedom-index.html> (excerpt).**

Reporters Without Borders said judges, soldiers and police have all made use of Article 301 of the criminal code, which prohibits insulting the “Turkish identity,” with prison sentences of up to three years, to put journalists under enormous pressure. “Amendments [regarding Article 301] adopted by Parliament in April 2008 have not produced any noticeable improvement,” the report said. Speaking to Today's Zaman, Ahmet Abakay, head of the Contemporary Journalists' Association (ÇGD), said adjustments to Article 301, had, in fact, alleviated the situation of freedom of speech. According to the new Article 301 of the Turkish Penal Code (TCK), people accused of breaching this article will only be prosecuted after the approval of the Turkish president.

**3. Camille Overon Hensler & Mark Moller, *Freedom of Expression and of Association in Turkey 47* (2005) (excerpt).**

Turkish law—including the new [Turkish Penal Code]—still contains numerous provisions that may be used to restrict the right to freedom of expression in a way that is in breach of the European Convention on Human Rights. Article 159 of the previous TPC which criminalises “insults” against various state institutions and which has been used to prosecute and imprison those that have made peaceful criticisms has been carried over into the new TPC as Article 301. This provision has already gained notoriety as it has been used to open a trial against the writer Orhan Pamuk for “insulting Turkishness”. Many other less high-profile trials have been opened against those that have articulated peaceful, albeit controversial, views. The existence of such unnecessarily restrictive provisions offers ample pretexts to prosecutors to initiate legal proceedings that violate Turkey’s responsibilities under international law. Turkey’s legal provisions for the right to freedom of expression must therefore be strengthened further—most obviously by abolishing Article 301—and made compatible with international law.

**4. ‘*Insulting Turkishness*’ Case Proceeds under Revised Law, COMPASS DIRECT NEWS, March 20, 2009, <http://www.compassdirect.org/english/country/turkey/2584/>.**

Ministry of Justice decision suggests spreading Christianity may be unlawful in Turkey. ISTANBUL, March 20 (CDN) — Turkey’s decision last month to try two Christians under a revised version of a controversial law for “insulting Turkishness” because they spoke about their faith came as a blow to the country’s record of freedom of speech and religion.

A Silivri court on Feb. 24 received the go-ahead from the Ministry of Justice to try Christians Turan Topal and Hakan Tastan under the revised Article 301 – a law that has sparked outrage among proponents of free speech as journalists, writers, activists and lawyers have been tried under it. The

court had sent the case to the Ministry of Justice after the government on May 8, 2008 put into effect a series of changes – which critics have called “cosmetic” – to the law.

The justice ministry decision came as a surprise to Topal and Tastan and their lawyer, as missionary activities are not illegal in Turkey. Defense lawyer Haydar Polat said no concrete evidence of insulting Turkey or Islam has emerged since the case first opened two years ago.

“The trial will continue from where it left off – to be honest, we thought they wouldn’t give permission [for the case to continue],” said Polat, “because there was no persuasive evidence of ‘degrading Turkishness and Islam’ in the case file.”

A Ministry of Justice statement claimed that approval to try the case came in response to the original statement by three young men – Fatih Kose, Alper Eksi and Oguz Yilmaz – that Topal and Tastan were conducting missionary activities in an effort to show that Islam was a primitive and fictitious religion that results in terrorism, and to portray Turks as a “cursed people.”

Prosecutors have yet to produce any evidence indicating the defendants described Islam in these terms, and Polat said Turkey’s constitution grants all citizens freedom to choose, be educated in and communicate their religion, making missionary activities legal.

“This is the point that really needs to be understood,” said Polat. “In Turkey, constitutionally speaking it is not a crime to be a Christian or to disseminate the Christian faith. However, in reality there have been problems.”

The lawyer contended that prosecuting lawyers have given political dimensions to the case by rendering baseless accusations in a nationalistic light.

“From their point of view, missionary activity carried out by missionaries of imperialistic countries is harmful for Turkish culture and the country overall,” Polat said.

Tastan said that although he has always been confident that he and Topal will be acquitted, the decision of the Ministry of Justice to try them under Article 301 left him deeply disappointed in his own country.

“After this last hearing, I realized that I didn’t feel as comfortable as I had been in the past,” Tastan told Compass. “I believed that surely the Ministry of Justice would never make the decision they did.”

Tastan said he was uneasy that his country would deem his Christian faith as insulting to the very Turkishness in which he takes pride.

“This is the source of my uneasiness: I love this country so much, this country’s people, that as a loving Turk who is a Christian to be tried for insulting Turkey has really cut me up,” said Tastan. “Because I love this nation, I’ve never said anything against it. That I’m a Christian, yes, I say that and I will continue to do so. But I think they are trying to paint the image that we insult, dislike and hate Turks. This really makes me sad and heartsick.”

If nothing else, Tastan said, the trial has provided an opportunity for Turkish Christians to show God’s

love and also make themselves known to their compatriots. He called the ministerial decision duplicitous.

“A government that talks the European Union talk, claims to respect freedom, democracy, and accept everyone, yet rejects me even though I’m a Turkish citizen who is officially a Christian on his ID card, has made me sad,” he said. “That’s why I’m disappointed.”

### **No-Shows**

At the time of their arrests, Topal and Tastan were volunteers with The Bible Research Center, which last week acquired official association status and is now called “The Society for Propagating Knowledge of the Bible.” In the last court hearing, prosecutors demanded that further inquiries be conducted into the nature of the association since the defendants used their contact lists to reach people interested in Christianity.

“Because they think like this, they believe that the Bible center is an important unit to the missionary activities,” said Polat. “And they allege that those working at this center are also guilty.”

The court has yet to decide whether police can investigate the Christian association.

Polat and the defendants said they believe that as no evidence has been presented, the case should come to a conclusion at the next hearing on May 28.

“From a legal standpoint, we hope that they will acquit us, that it will be obvious that there is no proof,” said Tastan. “There have only been allegations ... none of the witnesses have accused us in court. I’m not a legal expert, but I believe that if there is no proof and no evidence of ‘insulting,’ then we should be set free.”

The initial charges prepared by the Silivri state prosecutor against Tastan and Topal were based on “a warning telephone call to the gendarme” claiming that Christian missionaries were trying to form illegal groups in local schools and insulting Turkishness, the military and Islam.

Despite a court summons sent to the Silivri and Istanbul gendarme headquarters requesting six gendarme soldiers to testify as prosecution witnesses, none have stepped forward to do so. At a June 24, 2008 hearing, two witnesses for the prosecution declared they did not know the defendants and had never seen them before facing them in the courtroom. Several witnesses – including one of the original complainants, Kose – have failed to show up on various trial dates.

“We believe the case has arrived to a concluding stage, because all evidence has been collected and the witnesses have been heard,” Polat said. “We believe the accused will be dismissed. The inverse would surprise us.”

Polat underlined that while the case shows that human rights violations in Turkey are still a “serious problem,” it is also true that Turkey’s desire to join the European Union has brought sincere efforts to improve democratic processes. He attested, however, that establishing a true democracy can be a long process that requires sacrifices.

“It is my conviction that there is no other way for people to believe in and establish democracy than through struggle,” he said.

Tastan added that he sees hope that the notion that being “Turkish” means being Muslim is breaking. Due to exposure to media coverage of the murder trial of the April 18, 2007 slaughter of three Christians in Malatya, he said, Turks are becoming aware that there are fellow citizens who are Christians and are even dying for their Lord.

“This makes me happy, because it means freedom for the Turkish Christians that come after us,” said Tastan. “At least they won’t experience these injustices. I believe we will accomplish this.”

For the time being, though, the Ministry of Justice’s decision that Tastan and Topal can be tried under the revised Article 301 law appears to contribute to the belief that to promulgate a non-Islamic faith in Turkey is tantamount to treason. As Turkish online human rights magazine Bianet headlined its coverage of the decision, “Ministerial Edict: You Can Be a Christian But Do Not Tell Anyone!”

**5. *Regulations Hobble Turkey’s Protestant Churches*, COMPASS DIRECT NEWS, Dec/ 15, 2008, available at <http://www.rightsidenews.com/200812153001/culture-wars/regulations-hobble-turkeys-protestant-churches.html>.**

ISTANBUL, (Compass Direct News) - In the city of Samsun on the north coast of Turkey, the beleaguered congregation of the Agape Church Association struggles against local Islamic hostility toward its presence.

In the last three years Agape church members have endured false allegations and verbal abuse from Muslim and nationalist locals. Their pastor has received death threats, and their building has been vandalized, all in an attempt to stop the 30 or so Christians from meeting.

Local authorities have also had their part in opposition to the church, threatening it with legal action based on spurious charges. Despite being an "association," an official status that provides some legal protections and that the government encourages Christian congregations to obtain, the church was threatened with a lawsuit because members had hung verses of Scripture and a cross on the walls. The Provincial Directorate of Associations inspected the building and told them to remove the offending articles because their rented rooms looked too much like a church.

"We didn't change the decorations, because having a cross or verses in a building is not a crime," said Orhan Picaklar, pastor of the church. "If it were, then Muslim associations would have to take down their decorations: verses from the Quran, prayers of blessings and images of the Kaaba in Mecca. We didn't change a thing."

It was this sort of harassment that led the Alliance of Protestant Churches of Turkey (TEK) to write its latest report, published last month. TEK, established in 1989, represents 34 churches throughout Turkey and acts as a support and advocacy group.

The report focuses on the unfounded obstacles and challenges facing Christian congregations wishing to construct or reclassify church buildings. Authors of the report told Compass that congregations in

principle should not have to meet under the pretext of an association, since the law in theory provides for the establishment of "places of worship." They said the push on the side of authorities to form associations is in essence discriminatory.

"A place of worship for religious groups is crucially important; they need places of worship in order to survive and develop," said a member of the TEK's legal committee. "The process of becoming a place of worship, although legally possible, is in practice almost impossible. Because of that, we feel the need to put this issue on the agenda. We wanted to bring this issue to the attention of local and international bodies."

In 2003 Public Works Statute 3194, which regulates the construction of religious buildings, was amended in response to pressure from the European Union. The revised regulation now uses the phrase "places of worship" rather than "mosques." This has prompted Christians to apply for legal status changes for the "offices," "residences" and "warehouses" in which they had been meeting.

This change in the law paved the way for Christian meeting places to be "rezoned" and legally registered as churches; applications for status change thus far, however, have been rejected by local municipalities on various grounds.

The Besiktas Protestant Church is awaiting a decision on its application to have its premises rezoned. No church has ever succeeded in such a quest.

"All the documents have been there for the last two years; it's just been kept from coming," said a member of the Besiktas church. "They don't want to make a decision. That a group can take a non-church building and get it rezoned is not a precedent that they really want to see."

Another step towards obtaining credence came from a change of law in 2005 that removed previous restrictions on forming associations. At least nine churches have submitted applications to their local authorities to register as such.

"The government is recommending that - they want churches to become associations," said the Besiktas church member. "We may well do that."

Although this is a major step forward in Turkish churches' struggle to gain legitimacy, registering as associations has not always kept them from harassment and maltreatment.

"Being organized as an association does not rezone your building," said the Besiktas church member. Only gaining legal status as a "place of worship" would make holding church services legal. "You're holding church services in a place that's set aside for that."

Along with the Besiktas church, the TEK report cites the cases of four other congregations that are facing closure based on charges of violating zoning laws. It is this sort of harassment that congregations hope to prevent by changing the classification of their buildings.

Four further congregations have had requests to build "places of worship" rejected; in each case, authorities told them that no suitable location was available.

## Objections

The report outlines three main problems facing congregations wishing to build their own premises.

The first is the size requirement for any new building site. The allocation criteria stipulate that a plot cannot be fewer than 2,500 square meters, an excessive and overly expensive amount of land for a congregation of 30-40, the average Turkish Protestant congregation.

The Samsun church is a case in point. It has met in rented apartments since its inception and been forced to move on numerous occasions.

"The place we use now is a rental, and if the owner wants to kick us out, we'll be forced to change our church's location," said Picaklar. "They [authorities] stipulate that the land be 2,500 square meters. This is impossible for us, because to buy that big of a plot we would need 700,000 to 800,000 U.S. dollars."

The second issue the report cites is the vagueness of the permission criteria by which civil administration is to award or reject applications. The report suggests that "there is much room for arbitrary discretionary decisions."

Thirdly, the report berates the unfairness of application denials based on lack of resident Christian population in areas for proposed worship buildings.

The report points out that it is unlikely that the Turkish Protestant community, with a ratio of one member per 20,000 people, would ever have the requisite presence in a single locale to justify the construction of a church building.

## Proposed Solutions

The TEK report concludes with suggested solutions to the challenges that have dogged its member congregations. It first urges that the national government do a better job of educating and overseeing local authorities.

"The ministries of the Interior and of Justice should not only inform their local offices of the rights of non-Muslim groups but should also adequately train their civil servants and make every effort to prevent rights violations," the report states.

The report also urges that regulations governing plot and building size be relaxed.

"Communities should be given the chance to buy and build places of worship according to their own needs and resources," it states. "Christians should be allowed to have small places of worship just like the Muslim masjid [privately owned mosque]."

**6. *Christians May Appeal Fine for 'Illegal' Funds*, COMPASS DIRECT NEWS, March 26, 2009, <http://www.compassdirect.org/english/country/turkey/2820/>.**

ISTANBUL, March 26 (CDN) — Fearing that a court-ordered fine of two Turkish Christians here for “illegal collection of funds” would set a precedent crippling to churches, their lawyer plans to take the case to a European court.

Hakan Tastan and Turan Topal each paid the fine of 600 Turkish lira (US\$360) to a civil court in the Beyoglu district of Istanbul yesterday. The verdict cannot be appealed within the Turkish legal system, but their lawyer said he is considering taking the case to the European Court of Human Rights.

The ruling refers to the men receiving church offerings without official permission from local civil authorities. Nearly all Protestant fellowships in Turkey are registered as associations, with very few having status as a recognized religious body, and a strict application of the law would limit the scope of churches collecting funds.

Although the punishment is a relatively small fine, their lawyer told Compass there is now a precedent that authorities could use to harass any church for collecting tithes and offerings.

“For now, this court decision is an individual decision, but we fear in the future this could be carried out against all churches,” said defense attorney Haydar Polat.

Umut Sahin, spokesman for the Alliance of Protestant Churches of Turkey, concurred that the case was worrisome for the country’s small Protestant community and could set a disturbing precedent to be used against other congregations.

When originally charged, the two men were summoned to police headquarters just before church services by three plainclothes policemen waiting for Tastan at his church. Tastan and Topal were given a “penalty” sheet from security police that ordered each to pay the fine for breaking a civil law.

The court decision to fine them, enacted on Nov. 11, 2008 but not delivered until March 13, denied their request to drop the penalty. The two men claimed they were only collecting money from their co-religionists.

Judge Hakim Tastan ruled at the First Magistrate Court that the two men were guilty of violating section 29 of Civil Administrative Code 2860, which forbids the collection of money without official permission from local district authorities.

In light of the charge of “insulting Turkishness,” the two men believe the smaller accusation of collecting money illegally is merely part of a wider effort by the state to harass and discredit Turkish Christians.

“They are doing this to bother and intimidate us, possibly to pressure us to leave the country,” Tastan told Compass. “They have the intention to hinder church establishment and the spread of the gospel.”

Tastan has spoken publicly over his strong sense of pride in his Turkish identity and frustration with state institutions biased against religious minorities.

“This case is proof that Turkey’s legal system regarding human rights isn’t acting in a just and suitable way,” he said.



### **Difficult Circumstances**

The civil court case was the second set of longstanding charges against the two men. The first involves Turkey's notorious Article 301, a loosely-defined law that criminalizes insulting "the Turkish nation."

On Feb. 24 a Silivri court received the go-ahead from the Ministry of Justice to try the men under Article 301. The crux of the first case – originally leveled against them in 2007 by ultranationalist lawyer Kemal Kerincsiz, now indicted in a national conspiracy to overthrow the government – focused on the two men's missionary efforts as defaming Islam.

Due to lack of proof and no-shows by the prosecution team's witnesses, the converts from Islam believe they will be acquitted in their next hearing on May 28.

Turkey has come under recent criticism over its handling of religious minority rights by a Council of Europe report, accusing the country of "wrong interpretation" of the Lausanne Treaty as a pretext for refusing to implement minority rights, according to the Hurriyet Daily News.

The 1923 treaty, penned between Turkey and European powers following the collapse of the Ottoman Empire, only recognizes Greeks, Jews and Armenians as minority populations in Turkey.

More troublesome, Turkey's basis of rights for its non-Muslim minorities is built upon reciprocity with Greece's treatment of its Muslim minorities. This basis pushes both nations to a "lowest-common denominator" understanding of minority rights, rather than a concept of universal freedoms, the report said.

**7. Nat da Polis, Bartholomew I appeals to the European Court in Strasbourg against Ankara, ASIANEWS.IT, May 13, 2009, <http://www.asianews.it/index.php?l=en&art=15229&theme=8&size=A>.**

Many parishes and communities have been requisitioned by the Direction for Religious Foundations and used for private purposes (even as gaming halls). The Synod of the Patriarchate has made the decision to appeal to the courts in Turkey and should that fail to Strasbourg.

Istanbul (AsiaNews) – Ecumenical Patriarch Bartholomew I has announced his intention to appeal to the European Court for Human Rights in Strasbourg over violations against the Orthodox community and its foundations, unjustly expropriated of lands and buildings by Ankara's Direction for Religious Foundations.

Speaking to faithful in St Georges' Parish, close to the Byzantine walls of Istanbul, the Patriarch affirmed that the decision to go to the Strasbourg court was made by the Synod.

"We have and you have come here - he said - to celebrate this religious ceremony in a parish that is facing many difficulties. Unfortunately it is not alone. The problem is that this parish and its community, as is the case with many other s of the Church of Constantinople, have been abusively declared *mazbut* (occupied) by the Direction for Religious Foundations. This means that we cannot claim any rights to the management of the properties of this community, nor proceed with the election of its administrative board. As a result of this we have no right to manage that which was left to us by

our forefathers. The only thing we are allowed to carry out in these places are religious functions. Unfortunately this is fate of this parish and many other parishes of the Church of Constantinople”.

“In the court yard of this parish – the Patriarch continued – the building which housed the community’s school still exists. It unfortunately has been transformed into a gaming hall and its management has been ceded by the authorities to a private individual, who in turn compensated them with rent”.

“In an attempt to put an end to these injustices which we are being subjected to –added Bartholomew I – the Synod has reached a decision; to appeal firstly to the State Judiciary of Turkey, then, if all else should fail to the European Court in Strasbourg, following the example of the orphanage on Prince Buyukada Island, in the hopes that in this case too, justice will be done”. (ref. AsiaNews.it, 29/11/2007 *The Supreme Court in Strasburg allows Patriarchs’ appeal for Buyukada orphanage*, [ <http://www.asianews.it/index.php?l=en&art=10919&size=A>]).

“We do not want – he concluded – special treatment, but neither can we allow our rights to be trampled on or our identity and the cultural heritage entrusted us by our forefathers be erased”.

**8. *The Supreme Court in Strasburg allows Patriarchs’ appeal for Buyukada orphanage*, ASIANEWS.IT, Nov. 11, 2007, <http://www.asianews.it/index.php?l=en&art=10919&size=A>.**

Istanbul (AsiaNews) – The European Supreme Court for Human Rights in Strasbourg has allowed recourse to appeal for the Ecumenical Patriarchate against the Turkish States illegal occupation of the Orphanage on the prince Buyukada islands, in Marmara Sea, claiming ownership.

It is the world’s largest wooden structure and though it has lain completely abandoned since 1962, its majesty still dominates the panorama of the Island. It was built in 1898 by a French company and was destined for the use of a luxury hotel and casino, but the then Sultan Abdulhamid II did not grant the licence. It was then bought over by the Turkish banker of Greek origins Zafiris, who donated it to the Ecumenical Patriarchate to transform it into an Orthodox orphanage and school. The donation received the Sultan’s blessing who sanctioned the move by living formal ownership to the Patriarchate in a donation act of 150 gold liras for charity.

The orphanage was used as such from 1903 to 1964, when the last student completed his final studies.

The lack of Turkish orthodox orphans has been exploited by the Turkish authorities, who tank to art. 1 of law 2762 of the Religious Foundations directive, took away the administration of the building from the island’s minority Orthodox in 1964 when the last student graduated, claiming that the primary purpose of its use had become invalid and therefore they also took over ownership.

The appeal currently going through the Strasbourg Supreme Court, the first of its kind, denounces the subtraction of the building by the Turkish authorities. A previous appeal which went through the Turkish Circuit Courts in 1997 failed. This is why the Supreme Court in Strasbourg has agreed to hear the Patriarchates appeal.

Now there is great interest ahead of the Strasbourg Court sentence, which, if positive, could have highly beneficial results on the juridical status of the Ecumenical Patriarchate in Turkey and other religious minorities, given that a juridical status has only been recently recognised for the Council of Rabbis in Turkey.

The sentence may also help the Turkish government accelerate reforms countering the ultranationalists, who are pitted against any change or opening, linked to the now outdated concept of reciprocity. (NT)

**9. *Ancient Monastery Threatened*, COMPASS DIRECT NEWS, Jan. 22, 2009, <http://www.compassdirect.org/english/country/turkey/1796/>.**

ISTANBUL, January 22 (CDN) — Syriac Christians in southeastern Turkey say a land dispute over the historic Mor Gabriel Monastery is part of a larger system of discrimination against the religious minority in this overwhelmingly Islamic country.

Muslim residents of southeastern Turkey dispute the boundary lines of an ancient Christian monastery dating to the fourth century as being unnecessarily large for the needs of a religious community. Islamic village leaders from Yayvantepe, Eglence and Candarli are attempting to confiscate one-third of the monastery's property, claiming it was wrongfully appropriated and that they need it for their livestock.

Area Muslims also say the land in question is forest and thereby registered as land belonging to the State Treasury.

“Our land is being occupied by the monastery,” said Ismail Erlal, village leader of Yayvantepe, according to Cihan News Agency. “We make use of the forest there and pasture our animals; we won't give up our rights.”

Among the most contentious issues are the monastery walls built around its perimeter, rebuilt 15 years ago. Village leaders complain in a lawsuit to obtain the land that the monastery has gone beyond its rightful bounds. In August the land survey office of Midyat said it had determined that 270 hectares of the monastery's 760 hectares were government property, including land inside and outside the monastery's walls.

A court in Mardin originally scheduled a hearing for Friday (Jan. 16) to determine the legal status of the monastery walls, but it was rescheduled to Feb. 11 to allow the court more time to examine the case. At the February hearing the court will determine if the 270 hectares of land belong to the government or the monastery.

Metropolitan Timotheos Samuel Aktas, leader of the monastery, answered in a report that the monastery has the right to leave its land uncultivated and has paid taxes on the property since 1937.

The state originally charged the monastery with being founded illegally, but it dropped those charges by canceling a hearing originally schedule for Dec. 24. Rudi Sumer, the attorney representing the monastery, said that the claim was groundless since the monastery has foundation status dating back to modern Turkey's origins, not to mention centuries of existence beforehand.

The mayors of Yayvantepe, Eglence and Candarli also charged the monastery with attempting to proselytize young children (illegal in Turkey) and carrying out “anti-Turkish” activity.

Metropolitan Aktas said in a report that these claims were groundless and of the same provocative nature that has historically sparked violence against Turkey’s Christians.

“All the allegations are frivolous and vexatious, devoid of any logic or evidence, solely aimed with the malicious intent of rousing anti-Christian sentiments by the surrounding Muslim villages,” he said.

### **Europe Watching**

Mor Gabriel Monastery, founded in 397, is the most revered monastery for Syrian Orthodox Christians. It is inhabited by 15 nuns and two monks and is the seat of Metropolitan Bishop of Tur Abdin Diocese.

In recent decades the monastery has turned into a religious and social center for the country’s remaining Syriacs by offering schooling to children and teaching their ancient language of Syriac, a variant of the language spoken by Jesus.

“The monastery is everything for us,” said a Syrian Orthodox Christian who grew up in Turkey’s southeast. He added that many families in the area had named their children after Mor Gabriel. “Syriacs would give up everything for the monastery.”

An international outcry from the European Parliament and numerous Assyrian organizations throughout Europe arose in response to the charges, according to the Assyrian International News Agency. A member of the German consulate said his country would monitor the case closely, as Turkey is attempting to join the European Union and its human rights record has come under close scrutiny.

Many Syrian Orthodox Christians have left southeast Turkey in the last 30 years as violence escalated between the military and Kurdish terrorists. In the last five years, however, some Syriacs have begun returning home – only to find their property occupied by others.

Residents who fled Mardin province in the mid-1980s returned to find two of their village’s Syriac churches converted into mosques. And the demographic shift from Syriacs to Kurds has increased pressure on the monastery.

“Turkey must protect its Assyrian community,” said Swedish parliamentarian Yilmaz Kerim to the Hurriyet Daily News. He visited the monastery as part of a delegation in December. “There are only 3,000 left in Midyat.”

The lawsuit has the support of a local parliamentarian who claims Christians relished their opportunity to leave Turkey. Süleyman Çelebi, member of the ruling Justice and Development Party (AKP), said Syrian Orthodox Christians had never come under pressure, despite their claim that they were exploited, and even emigrated away from Turkey “with joy” in previous decades.

The three villages that brought the lawsuit against the monastery overwhelmingly supported the Islamic-rooted AKP in last year’s national elections. Çelebi claims that the official boundaries of the monastery were established in Ottoman times but not properly observed by the Syriac Christians.

According to the 1923 Lausanne Treaty, Turkey grants full protection to churches, synagogues and other religious establishments to freely practice their own religions. But this treaty only designated Greek and Armenian Orthodox Christians and Jews, creating complications for groups such as the Syrian Orthodox and Protestants to open schools and churches.

Syriac Christians claim to be one of the first people to accept Christianity in the Middle East. Their historic homeland stretches through southeastern Turkey, but their numbers have dwindled to 15,000 following decades of government pressure and fallout from war against the Kurdistan Workers' Party.

**10. Nuri Kino, *Turkish Court Rules Against Assyrian Monastery*, PERSECUTION.ORG, June 24, 2009, <http://www.persecution.org/suffering/newsdetail.php?newscode=10357>.**

Midyat, Turkey (AINA) -- The Turkish court issued two decisions today in the case of the embattled Assyrian monastery St. Gabriel and postponed until September 30 another decision. The dispute is over the so-called forest, land that lies within the monastery grounds and which is comprised of half grown bush.

According to today's court decision this land is now owned by the Forestry Department (a Turkish authority). The monastery lost some 34 hectares of land (136 acres). The court decided that the Forestry Department, on behalf of the Turkish State Government, now owns the land and can do whatever it wants with it. Despite the fact that the protective wall that shields the monastery staff and its guests lies on that land. The great surprise for the most of the international representatives was that the Turkish state involved itself in such a "minor" matter that is vital for a religious community and affects a historic monument.

The case against the director of the monastery foundation, Mr Kuryakos Ergün, was held in another court room; he was charged with intentionally violating the law by building the protective wall that surrounds the grounds of the monastery. This case has been postponed to 30th September.

The Turkish State Treasury Authority lost its other case against the monastery. Twelve parcels of land both inside and outside the wall of the monastery, amounting to some 24 hectares of land (96 acres) remain in the possession of the monastery, though the board of the monastery believes this decision will be appealed.

The Monastery of St. Gabriel was founded in 397 A.D. and is a great and historically important Christian symbol in the middle of Turkey; it is for the Syriac-orthodox faith what St. Peter's in Rome is for the Catholics.

The Turkish state and three village leaders are trying to expropriate land that is legally are owned by the monastery.

International interest in the case is so great that the local court authorities had to refurbish the court rooms. As in the previous trials politicians, diplomats and NGO:s were present from the entire European Union. The local and national press of Turkey were also there in force.

Rudi Sümer, one of the monastery's lawyers, said "we will appeal to Ankara and if we wont win there we will go to the European Court."

**11. *Turkish 'Deep State' Suspected of Silencing Witnesses*, COMPASS DIRECT NEWS, July 21, 2009, <http://www.compassdirect.org/english/country/turkey/4448/> (excerpt).**

MALATYA, Turkey, July 21 (Compass Direct News) – Under the pretext of recovering from medical treatment he received earlier this month, a key suspect in the murders of three Christians in southeast Turkey dodged court for the second time, further stalling the legal process, prosecuting attorneys said. Journalist Varol Bulent Aral, one of the suspected “middlemen” who allegedly incited five young men to brutally murder Turkish Christians Necati Aydin and Ugur Yuksel and German Christian Tilmann Geske at the Zirve Publishing Co. in Malatya two years ago, again failed to show at a hearing on Friday (July 17). Aral was admitted for mental health treatment a few days after the last hearing in June and was released from the Adiyaman penitentiary hospital on July 8. “Last time [in June] they said they couldn’t bring him because of insufficient funds,” said prosecuting lawyer Erdal Dogan. “This is unacceptable... now in the same way they make excuses, saying they took him to the hospital. It seems they are mocking us, especially since previous health reports said that he was in good health.”

**12. *For Good or Else? Chistian Houses in Turkey marked*, EUROPE NEWS, Sept. 02, 2009, <http://europenews.dk/en/node/25923>.**

### **Strangers “marking” Christian buildings in Istanbul**

**Buildings inhabited by Christians have been marked with insignias in several districts of Istanbul. The labeling of the buildings are clearly done in concert with increasing harassment of the Christian inhabitants.**

Some buildings in the traditionally Christian districts of Feriköy and Kurtulus have recently been labeled with green and red signs. Apparently they were affixed to point to buildings inhabited by Armenians and Greeks. The labels appear to be in conjunction with complaints from Christians about increasing harassment, according to Sehabat Tuncel, a member of parliament asked in a parliamentary questioning.

Besir Atalay, minister of interior, is now forced to answer these allegations. “Who affixed these markings?” is only one of the questions cited by the press. The ministry must also make clear whether the police received orders to take action and investigate.

### **Patriarch on a death list**

Residing in the Phanar in Istanbul, ecumenical patriarch Bartholomaios I has apparently been added to a death list kept by the nationalist-laicist secret society “Ergenekon”, which is accused of trying to push Turkey into chaos with its assassination attempts.

The EU Commission has repeatedly requested Turkey’s cooperation on effective measures to improve the precarious situation of the non-Muslim population.

### **Remembering the 1955 pogrom on Christians**

The marking on Christian buildings in Istanbul is a reminder of pogrom against Christian minorities in September 1955. Back then Christian buildings and shops had been marked by nationalist activists. The bloody riots with dozens of dead in Istanbul and Izmir were ostensibly triggered by the Cyprus conflict; however, the true reason was the search for scapegoats at a time of economic recession for Turkey.

A mob of fanatics burned down seventy-two Orthodox churches and more than thirty schools in Istanbul, defaced Christian cemeteries, and destroyed around 3,500 homes and more than 4,000 shops. The police watched the plundering and raping, not lifting a finger. Nobel prize winner Orhan Pamuk, who also writes about the Armenian genocide of 1915, describes the blind destruction in his memoirs.

**13. *Turkish Police Official Axed amid Allegations in Murders*, COMPASS DIRECT NEWS, Oct. 22, 2009, <http://www.compassdirect.org/english/country/turkey/10914/>.**

MALATYA, Turkey, October 22 (CDN) — The head of Turkey’s police intelligence department was removed on Friday (Oct. 16) amid allegations that he failed to prevent the murder of the Christian editor of an Armenian weekly and the slayings of three Christians in this city in southeastern Turkey.

Ramazan Akyurek is also accused of withholding evidence in those cases and improperly investigating the murder of a Catholic priest in 2006.

After a Malatya trial hearing on Friday, prosecution lawyers in the case commended the removal of Akyurek for negligence but said it came too late. Akyurek has been placed in a different position within police headquarters in Ankara.

Prior to the January 2007 murder of Hrant Dink, editor of the Armenian weekly *Agos*, Akyurek allegedly received a report about the orchestrated plan to kill him. That clearly implied that Akyurek was one of the masterminds behind the murder, according to Erdal Dogan, one of the prosecuting attorneys in the Malatya case.

While heading the investigation of the Dink murder, Akyurek reportedly not only withheld intelligence but also tried to affect the outcome of the trial, claiming in his investigation report that a group of “friends” planned to kill Dink because he offended Turkey.

“This is a disaster,” Dogan said. “The same happened with the Malatya massacre. “We know he had information on all the developments of the massacre, but he didn’t act on it. He tried to cover it up. We know that they were following the movements of the killers.”

Turkish Christians Necati Aydin and Ugur Yuksel and German Christian Tilmann Geske were bound hand and foot, tortured and then slain with knives at the Zirve Publishing Co. in April 2007. Dogan said that had Zirve staff members not suspected that something was wrong and called police, the five young men who were caught at the scene of the crime most likely would not have been apprehended.

“It’s difficult to know to what extent this character affected the investigations during that time,” Dogan said. “This is why the fact that they took him from his position was important, but they removed him late; they removed him very late.”

Akyurek was head of police in the city of Trabzon in 2006 when Catholic priest Andrea Santoro was

killed. It was under his auspices that a young man was arrested and imprisoned for the murders without investigation into who was behind the murder, according to Dogan.

In the same year, Akyurek was promoted to head Turkey's police intelligence unit. "Even though Akyurek was incompetent as a police head and covered up crimes, he became the head of intelligence with access to all of Turkey's intelligence," Dogan said.

### **More Evidence Sees Light**

Akyurek was fired about a week after Turkish press received leaked documents showing payments the Malatya gendarmerie made in exchange for intelligence on missionary activities between March 2007 and November 2008. The amounts totaled nearly 10,000 Turkish lira (US\$6,840).

At Friday's hearing the Malatya court heard the testimony of Murat Gokturk, a former petty officer in the Malatya intelligence department at the time of the murders. Gokturk had made contact with Huseyin Yelki, a Christian volunteer at Zirve who is one of the suspects in the murders because of his heavy involvement with gendarmerie in the months leading up to and directly after the slayings.

Gokturk testified that he contacted Yelki and requested a New Testament in Arabic so he could learn the language better, as he has an Arabic heritage. He claimed that when he contacted Yelki from his gendarmerie office, he and the intelligence department were not following missionary activities.

"Missionary activities are legal," said Gokturk. "This is a religious and conscience right. It's not a crime."

Prosecuting lawyers asked that the judges record Gokturk's statement that missionary activities are legal. They later explained that since all other evidence shows that officials did spy on missionaries in Malatya, such a statement showed they were aware that they were doing so in violation of their legal jurisdiction.

"We questioned the witness [Gokturk], but he tried to hide the truth either by saying, 'I don't remember,' or by lying," said Dogan. "But evidence shows that he and Huseyin Yelki had a very close relationship and information exchange, and it's obvious that this was not a simple information exchange. They met many, many times."

The European Union Commission report on Turkey's progress in 2009 was also published last week. Under the section on democracy and the rule of law, the report noted that high-profile cases such as the Malatya and Dink trials, which are connected to the alleged criminal network Ergenekon, raised concerns about the quality of investigations. The report noted a need "to improve the working relationship between the police and the gendarmerie on the one hand and the judiciary on the other."

Concerning freedom of religion, the report noted that missionaries are widely perceived as a threat to the integrity of Turkey and Islam. It also pointed out that the Ministry of Justice allowed judicial proceedings under Article 301 of the Criminal Code – which criminalizes "insulting Turkishness" – in the case of Turkish Christians Hakan Tastan and Turan Topal for sharing their faith with others.



This last case has also been linked to the Ergenekon cabal believed to have masterminded the Santoro, Dink and Malatya murders. It has continued for three years with no resolution.

“It’s finally clear that there is a connection between Santoro, Dink and Malatya and everyone is talking that way,” said Dogan, noting how the prosecuting lawyers in the cases as well as the media perceive the link. “It is now obvious that these three crimes came from the same center.”

The Malatya court is still waiting for an answer from the Ergenekon judges about whether the murder of the three Christians will be joined into the the latter case, under which more than 100 former military, political figures, journalists and others have been arrested. Dogan, however, said that whether the Malatya case is connected with the Ergenekon case is now secondary, and that it is probably better for the Malatya trial to stay separate to determine what really happened.

“It’s enough for me that this picture is clear,” said Dogan of the link between the cases and Ergenekon. “There is no doubt for me. If they connect them or not it doesn’t matter. Because when the court case goes there, Ergenekon is so complicated that the Malatya case could get lost in it.”

The next hearing of the Malatya trial is set for Nov. 13.

**14. *Lawyer Calls Turkish Christians’ Trial a ‘Scandal’*, COMPASS DIRECT NEWS, Oct. 16, 2009, <http://www.compassdirect.org/english/country/turkey/10625/>.**

SILIVRI, Turkey, October 16 (CDN) — After three prosecution witnesses testified yesterday that they didn’t even know two Christians on trial for “insulting Turkishness and Islam,” a defense lawyer called the trial a “scandal.”

Speaking after yesterday’s hearing in the drawn-out trial, defense attorney Haydar Polat said the case’s initial acceptance by a state prosecutor in northwestern Turkey was based only on a written accusation from the local gendarmerie headquarters unaccompanied by any documentation.

“It’s a scandal,” Polat said. “It was a plot, a planned one, but a very unsuccessful plot, as there is no evidence.”

Turkish Christians Hakan Tastan and Turan Topal were arrested in October 2006; after a two-day investigation they were charged with allegedly slandering Turkishness and Islam while talking about their faith with three young men in Silivri, an hour’s drive west of Istanbul.

Even the three prosecution witnesses who appeared to testify at Thursday’s (Oct. 15) hearing failed to produce any evidence whatsoever against Tastan and Topal, who could be jailed for up to two years if convicted on three separate charges.

Yesterday’s three witnesses, all employed as office personnel for various court departments in Istanbul, testified that they had never met or heard of the two Christians on trial. The two court employees who had requested New Testaments testified that they had initiated the request themselves.

The first witness, a bailiff in a Petty Offenses Court in Istanbul for the past 28 years, declared he did not know the defendants or anyone else in the courtroom.

But he admitted that he had responded to a newspaper ad about 10 years ago to request a free New Testament. After telephoning the number to give his address, he said, the book arrived in the mail and is still in his home.

He also said he had never heard of the church mentioned in the indictment, although he had once gone to a wedding in a church in Istanbul's Balıkpazarı district, where a large Armenian Orthodox church is located.

"This is the extent of what I know about this subject," he concluded.

Fidgeting nervously, a second witness stated, "I am not at all acquainted with the defendants, nor do I know any of these participants. I was not a witness to any one of the matters in the indictment. I just go back and forth to my work at the Istanbul State Prosecutors' office."

The third person to testify reiterated that he also had no acquaintance with the defendants or anyone in the courtroom. But he stated under questioning that he had entered a website on the Internet some five or six years ago that offered a free New Testament.

"I don't know or remember the website's name or contents," the witness said, "but after checking the box I was asked for some of my identity details, birth date, job, cell phone – I don't remember exactly what."

Noting that many shops and markets asked for the same kind of information, the witness said, "I don't see any harm in that," adding that he would not be an open person if he tried to hide all his personal details.

For the next hearing set for Jan. 28, 2010, the court has repeated its summons to three more prosecution witnesses who failed to appear yesterday: a woman employed in Istanbul's security police headquarters and two armed forces personnel whose whereabouts had not yet been confirmed by the population bureau.

### **Case 'Demands Acquittal'**

Polat said after the hearing that even though the Justice Ministry gave permission in February for the case to continue under Turkey's controversial Article 301, a loosely-defined law that criminalizes insulting the Turkish nation, "in my opinion the documents gathered in the file demand an acquittal."

"There is no information, no document, no details, nothing," Polat said. "There is just a video, showing the named people together, but what they are saying cannot be heard. It was shot in an open area, not a secret place, and there is no indication it was under any pressure."

But prosecution lawyer Murat Inan told Compass, "Of course there is evidence. That's why the Justice Ministry continued the case. This is a large '*orgut*' [a term connoting an illegal and armed organization], and they need to be stopped from doing this propaganda here."

At the close of the hearing, Inan told the court that there were missing issues concerning the judicial legality and activities of the “Bible research center” linked with the defendants that needed to be examined and exposed.

Turkish press were conspicuously absent at yesterday’s hearing, and except for one representative of the Turkish Protestant churches, there were no observers present.

The first seven hearings in the trial had been mobbed by dozens of TV and print journalists, focused on ultranationalist lawyer Kemal Kerincsiz, who led a seven-member legal team for the prosecution.

But since the January 2008 jailing of Kerincsiz and Sevgi Erenerol, who had accompanied him to all the Silivri trials, Turkish media interest in the case has dwindled. The two are alleged co-conspirators in the massive *Ergenekon* cabal accused of planning to overthrow the Turkish government.

This week the European Commission’s new “Turkey 2009 Progress Report” spelled out concerns about the problems of Turkey’s non-Muslim communities.

“Missionaries are widely perceived as a threat to the integrity of the country and to the Muslim religion,” the Oct. 14 report stated. “Further efforts are needed to create an environment conducive to full respect of freedom of religion in particular.”

In specific reference to Tastan and Topal’s case, the report noted: “A court case against two missionaries in Silivri continued; it was also expanded after the Ministry of Justice allowed judicial proceedings under Article 301 of the Criminal Code.”

The Turkish constitution guarantees freedom of religion to all its citizens, and the nation’s legal codes specifically protect missionary activities.

“I trust our laws on this. But psychologically, our judges and prosecutors are not ready to implement this yet,” Polat said. “They look at Christian missionaries from their own viewpoint; they aren’t able to look at them in a balanced way.”

**15. *Christian Iranian couple tortured and sexually assaulted*, FCNN, July 23, 2008, [http://www.fcnn.com/index.php?option=com\\_content&task=view&id=1308&Itemid=63](http://www.fcnn.com/index.php?option=com_content&task=view&id=1308&Itemid=63).**

An Christian Iranian couple who, because of their families’ pressures and persecution, had been living in hiding in a remote part of Turkey were located and attacked at their own home by local undercover security officers and were assaulted physically and sexually. This happened while the wife of this young couple was newly pregnant with their first child!

According to FCNN and reports received from Istanbul, from the outset of the marriage of this Persian and Turkish couple severe opposition and persecution were directed to toward them.

## **The Beginning**

This young sister (name withheld) who is an Iranian and was active in witnessing to the Turkish and Iranian communities of Istanbul, after meeting her husband (nicknamed K.O), who himself was from a wealthy, well known, and yet very religious family in Istanbul, lead him to Christ in a secret way.

The religious family of K.O. who could not imagine that their son would marry a Christian girl from the very beginning of their marriage began opposing their new together. They were terrified that their son may have become a Christian due to the influence of his wife. Thus they began to monitor the young couple and their social contacts and movements to the point that they would prevent certain people, out of the fear of being Christians, to visit them.

They would even search their home while they were out of their house in an attempt to find any trace of Christian Literature or evidence that they were living a Christian life.

This young sister was repeatedly insulted by her husband's family because she was considered a heretic and unclean. Repeatedly she was enticed to turn back to Islam and they would ensure a more comfortable and prosperous life which included a new house and cars. They would even try to introduce other women to her husband in an attempt to make him leave her and marry a Muslim woman.

K.O. father even kicked his own son out of his own prosperous business and created great financial hardship for the young couple. In doing so, he was hoping to convince his son to renounce his faith and leave his wife.

But, because K.O. was a growing Christian and loved his wife, these events brought them even closer to each other.

### **The Crisis**

According to FCNN, despite all the pressures and insults, this young couple was withstanding them all prayerfully and K.O was continuing his theological and discipleship training in one of the Turkish speaking churches of Istanbul.

One day, while K.O was visiting his family, he accidentally left a notebook, with the church letterhead, which contained notes and information about the church in his father house. His father who was suspecting that K.O was also a Christian find the evidence he was looking for and is convinced that K.O has also joined the Christians. He called his son and began yelling and screaming at him that he had become a heretic and had to return home and make his final decision about his religious affiliation. After this incident, the young couple decided to disconnect their phones and move to a remote village in order to allow K.O's father to cool off.

### **The Incident**

FCNN reports that a few days after this decision to move away from Istanbul, on July 10th, 2008, at 11 pm the door of their house was knocked, but since they were not expecting anyone at such time of the night, they did not open the door. 10 minutes later, and suddenly, 4 undercover security men kick the door of the house open and began beating the young couple and K.O's wife was sexually assaulted and

raped. The terrified couple began to call for help, but after a few minutes when they realized who these men were, they remained quiet and endured the humiliating episode.

K.O. kneeled in front of these men and begged them not to touch or hurt his wife. He was willing to anything to protect his wife especially that she was one month pregnant with their first child. One of the security men who was beating them mercilessly screamed, “Now, ask your Jesus to come and save you! ... or return back to Islam otherwise it will become even worse than this”. Then they shaved their heads and left them alone.

**16. *Turkish Christian Held Hostage at Knife Point*, COMPASS DIRECT NEWS, Aug. 6, 2009, <http://www.compassdirect.org/english/country/turkey/4249/>.**

ISTANBUL, August 6 (CDN) — In a bizarre show of Turkish nationalism, a young Muslim here took a Christian Turk at knife point, draped his head with the national flag and threatened to slit the throat of the “missionary dog” in broad daylight earlier this week.

Yasin Karasu, 24, held İsmail Aydın, 35, hostage for less than half an hour on Monday (Aug. 3) in a busy district on the Asian side of Istanbul in front of passersby and police who promptly came to the scene.

“This is Turkey, and you can’t hand out gospels,” he yelled, according to the daily newspaper *Haberturk*. “These godless ones without the true book are doing missionary work.”

About 99 percent of Turkey’s population is at least nominally Muslim, and in the popular mindset the religion is strongly connected with being Turkish.

Karasu threatened to slit Aydın’s throat if anyone came near him and commanded those watching to give him a Turkish flag. Within minutes, Aydın told Compass, bystanders produced two flags. Karasu, who has known Aydın for a year, wrapped the larger of the two flags around Aydın’s head, making it difficult for him to breathe in heat that reached the low 30s Celsius (90s F) this week.

“Do you see this missionary dog?” he yelled at the crowd. “He is handing out gospels and he is breaking up the country!”

Karasu placed the smaller flag in Aydın’s hand and commanded him to wave it.

“Both flags came at the same time,” Aydın told Compass. “The big one he put very tightly over my head, and in the heat I couldn’t breathe.”

The whole time Karasu held a large knife to Aydın’s throat.

“You missionary dogs, do you see this flag?” he said, commanding Aydın to wave the flag. “This is a holy flag washed in the blood of our fathers.”

Aydın said he told Karasu, “Yasin, in any case this flag is mine as well! I’m a Turk too, but I’m a Christian.”

Karasu insisted that Aydin was not a Turk because he had betrayed the Turkish flag and country by his evangelism, according to Aydin.

Aydin said he told Karasu, “No, Yasin, I’m a Turk and I’m waving this flag with love. This is my flag. I’m a Turk.” He said Karasu replied, “No, you can’t be – you are breaking up the country, and I won’t allow it.”

Police managed to convince Karasu to put down the knife and release Aydin, telling him that if he killed the convert Turkey would be ridiculed around the world, and that as a last resort they were authorized to shoot to kill him.

“If you love this country, leave the man,” they told him.

A member of the Turkish Protestant Alliance’s legal team said Karasu was evidently trying to get attention.

“He was the type of person who would commit a crime,” said Umut Sahin. “He had just gotten out of the army, he probably didn’t have a job ... Anyway he achieved his goal of putting on a show.”

Sahin added that Karasu had previously gotten into trouble for selling pirated CDs.

### **Religious Conversations**

Aydin, who escaped with a slight cut on his throat, said that he never would have believed that Karasu would do such a thing.

The two men have known each other for about a year. While in the army, Karasu showed interest in learning more about Christianity and would call Aydin, a convert from Islam, to ask questions and talk, saying he was interested in other religions.

“He would call me often, because while in the army he was really depressed and he would often call me to tell me,” said Aydin. “He wanted relief and to talk to someone, but at the same time he was researching about religions.”

After his release from compulsory army duty, Karasu called Aydin and the two planned to meet at a Protestant church in the district of Kadikoy. Karasu came with a friend identified as Baris, who preferred to stay outside while the two of them had tea alone in the church basement.

Aydin said they spoke for nearly 20 minutes about Karasu’s life in his hometown of Erzurum and his financial and family difficulties, as well as some spiritual matters, but since his friend was outside they made it short. Karasu was smiling, in good spirits and not at all the way Aydin remembered him from their meeting nearly a year earlier when he was depressed, he said.

“He looked so healthy, and he was smiling, he was dressed well, he was talking comfortably, he looked so cheerful,” recalled Aydin with disbelief. “He was not at all depressed! I was so surprised!”

Karasu thanked Aydin for the conversation, and the two got up from the table to go up the stairs. Aydin

led the way, walking ahead of Karasu about a meter. Just as Aydin reached the stairway, he felt an arm grab him around the neck.

“At the first step he violently grabbed me, putting his arm around my neck, and gripped me tightly,” recalled Aydin. “I was surprised and thought someone had come up from behind me to tease me, but then I remembered it was just the two of us downstairs. ‘Yasin,’ I said, ‘Is that you? Are you playing a joke on me?’”

“What joke!” he said, pulling out a knife, according to Aydin. “You’re a missionary dog, and I’ve come to cut your throat.”

Karasu told Aydin that he planned to make an example of him in the eyes of the nation by killing him in public. Two members of the church tried and failed to stop Karasu. The two church members and Karasu’s friend followed them to a busy street down the road.

“He took me down to the busy street by the sea, threatening to kill me,” Aydin said. “The funny thing about it is that I had the impression that we were playing a part in a film. Not a single person on the way down tried to stop him or told him to stop. They just all looked on with consternation.”

Within one or two minutes, he said, police and a television crew arrived.

“Within a minute, both police and cameras showed up – how quick was that?” he said. “I was surprised.”

### **Suspicion of ‘Terrorism’**

Although Aydin said he believes the act was an isolated incident, other Christian Turks as well as police suspect it may have been an act of propaganda to frighten Turkey’s small Protestant community, most of whom are converts from Islam.

“I don’t think it was planned,” said Aydin, “but it is possible that it was.”

The police section on terrorism combat is researching the possibility that the attack was planned by a wider group. Aydin has decided not to press charges, telling Turkish media that he forgave Karasu.

“I think it was an isolated case, but I have to see the police report,” said Sahin of the Turkish Protestant Alliance. “If this was a provocation he would have killed him. He just wanted to show off ... with the Turkish flag.” He added with a chuckle, “As if we don’t like waving it.”

According to Article 24 of the Turkish Constitution, people of all faiths have the right to spread information about their faith.

Aydin, who was convinced he was going to lose his life, said he feels the experience instilled new life into him.

“On Aug. 3 I died and was reborn,” said Aydin. “That was my date of death and birth. I was sure I was going to die. It’s like a new opportunity, a new life. I really think the Lord gave me a second chance,

because if you think of it, after other events, like Hrant Dink or the Malatya killings, those brothers weren't so fortunate, right?"

Police found two knives on Karasu's person, along with two cell phones and the two flags he got from his audience. He is still in police custody with his friend.

In February 2006 an Italian Catholic priest was killed in the Black Sea coastal town of Trabzon, and Armenian Christian editor Hrant Dink was shot in front of the weekly *Agos* three months before three Christians – two Turks and a German – were killed in Malatya in April 2007.

Last month a German businessman was also murdered for being a Christian on a busy Istanbul street (see [www.compassdirect.org](http://www.compassdirect.org), "Christian Murdered on Busy Street in Istanbul," July 28).

All murders were committed by Turkish men in their twenties.

**17. *Christian Murdered on Busy Street in Istanbul, Turkey*, COMPASS DIRECT NEWS, July 28, 2009, <http://www.compassdirect.org/english/country/turkey/4468/>.**

ISTANBUL, July 28 (CDN) — On a crowded street here last week a German businessman died after a Turk with a history of mental problems stabbed him for being a Christian.

Witnesses saw İbrahim Akyol, 26, stab Gregor Kerkeling in the chest on July 20 at 10:50 a.m. after following him out of St. Anthony Catholic Church in Istanbul's central district of Beyoglu. Church security cameras captured the attack on Kerkeling, who regularly visited the church when he was in town for business.

Kerkeling, in his early forties, had just visited the church to pray that morning. Akyol, a Muslim who reportedly had been visiting area churches scouting around for a Christian victim, followed Kerkeling out of the church building and asked him for a Turkish lira. When Kerkeling refused and gestured him away, Akyol repeatedly stabbed him in the heart and chest area before passersby intervened. According to various news reports, an ambulance did not arrive in time to save Kerkeling's life.

In a statement to the prosecutor, Akyol reportedly confessed that he woke up that morning and decided he would kill a Christian. He took a kitchen knife with him and went to Istiklal Street, a long pedestrian and commercial road where some of the main traditional churches are located, looking for a victim.

"I wanted to kill a Christian that day and was visiting churches for this reason," he told prosecutors, according to the *Hurriet Daily News*. "I saw the person and killed him."

Akyol, according to various Turkish papers, was addicted to paint thinner. They also reported he had received treatment at a well-known mental hospital in Istanbul but did not give details of his state of mind.

Earlier that morning at St. Anthony church, one of Turkey's best known and visible churches, at around 9:30 a.m. Akyol tried to pick a fight with a door guard by refusing to take off his cap, saying he couldn't remove it because he was a Muslim.



In his confession to the prosecutor, Akyol said he looked into the eyes of the door guard and tried to decide whether to kill him, reported the daily *Sabah*. The guard had asked him to come out of the church with him, and Akyol followed him to the front steps where he attempted to open a debate about Islam and Christianity.

In the end, he reportedly said he decided not to kill the guard because “there was no light in his eyes.”

After his conversation with the guard, Akyol took his knife to a knife store and had it sharpened, according to police.

A member of St. Anthony church said that the community was upset.

“The community was a little bit shaken by what happened,” said the church member. “We realize that we are vulnerable, and that we must rely on God for our security. It is easy to be affected by fear when the motives and circumstances for this event are completely unclear.”

The church has hundreds and often thousands of visitors daily, and it is the first church that many Turks curious about Christianity visit.

Since 2006, five Christian men have been killed in Turkey because of their beliefs. The murders have been committed by men in their early twenties who said they were motivated by religious and nationalistic beliefs allegedly fanned by official elements and other influential figures said to be plotting to destabilize Turkey.

Media reported that according to police, Akyol carried a photo of the founder of the modern nation, Kemal Atatürk. On the back of the photo he had written: “I love my homeland. Those who disagree with my thoughts or don’t like them can get out of my country.”

Although last week’s murder does not seem to be related to the previous ones, St. Anthony’s community members are aware that their visibility could make them an easy target to those wanting to attack Christians or foreigners.

“St. Anthony’s would be an easy target for someone who would want to lash out at Christians, or even at foreigners, because often people view the church as a foreign institution,” said a member of the parish on the condition of anonymity.

The St. Anthony member asked for prayer that the community will “not be controlled by a spirit of fear, but continue to live out our very simple testimony with His incredible joy.”

### **Man of Prayer**

In an interview with the daily *Vatan*, Kerkeling’s fiancée, Hatice Isik, said he was quite “religious” and prayed every day.

“First thing every morning, he would go to St. Anthony church in Taksim and pray,” she said, according to *Vatan*. “Sometimes we went together.”

Kerkeling was on his way to meet Isik at an area café after his prayers when he was stabbed. She and Kerkeling were planning on getting married in a few months.

Kerkeling's body was sent to Germany on Friday (July 24).

**18. *Iranian Refugee in Turkey Beaten for His Faith*, COMPASS DIRECT NEWS, June 15, 2009, <http://www.compassdirect.org/english/country/turkey/4590/>.**

ISTANBUL, June 15 (CDN) — Since Iranian native Nasser Ghorbani fled to Turkey seven years ago, he has been unable to keep a job for more than a year – eventually his co-workers would ask why he didn't come to the mosque on Fridays, and one way or another they'd learn that he was a convert to Christianity.

Soon thereafter he would be gone.

Never had anyone gotten violent with him, however, until three weeks ago, when someone at his workplace in Istanbul hit him on the temple so hard he knocked him out. When he came back to his senses, Ghorbani was covered in dirt, and his left eye was swollen shut. It hurt to breathe.

His whole body was in pain. He had no idea what had happened.

"I've always had problems at work in Turkey because I'm a Christian, but never anything like this," Ghorbani told Compass.

A carpenter by trade, Ghorbani started working at an Istanbul furniture maker in November 2008. From the beginning, he said, the Turks he worked with noticed that he didn't go to the mosque on Friday. Nor did he behave like everyone else.

"If someone swore, I would say, 'Don't swear,' or if someone lied, I said, 'That's not honest,'" he said. "You know Turks are very curious, and they try to understand everything."

Although he tried to conceal his faith from his co-workers, inevitably it became obvious.

Soon after he started his new job, Ghorbani and his family found a new apartment. On the planned move-in day, New Year's Day, his boss sent the company truck along with a truck driver to help; members of the Christian group that often meets in his home also came.

"When the [truck driver] saw all these people at our house, he was surprised," said Ghorbani's wife, Leila, explaining that he seemed especially surprised to find foreigners among the group. "It was big news back at the factory."

Ghorbani said that in the following months the questions persisted, as well as pressure to attend the mosque. He avoided these as best as he could, but he admitted that two mistakes confirmed their suspicions. Someone from work learned that he had a broken personal computer for sale and bought it, only to find Christian documents and photos on the hard drive. Secondly, a mutual friend later admitted to a co-worker that he went to the same church as Ghorbani.

“The attitude in the entire factory changed toward me,” said Ghorbani, chuckling. “It was like they had agreed to marginalize me. Even our cook started only serving me potatoes, even though she had cooked meat as well. I didn’t say anything.”

In May the truck driver who had helped the Ghorbanis move finally confronted him.

“Your country is a Muslim country,” he told him, “and you may have become a Christian, but you are coming to Friday prayers today.”

On May 22 during lunch, his co-workers told him they were taking him to the mosque that day. “You are going to do your prayers,” one said.

Ghorbani brushed it off and, to appease them, said he would come after lunch. But as they were about to leave for the mosque, he asked them why they only pray once a week – and told them that as a Christian he couldn’t accept it and wouldn’t join them.

After the day’s last delivery and pick-up, the truck driver returned to work. As everyone was getting ready to leave, from the corner of his eye Ghorbani saw the truck driver walking up to him, and felt the blow of his fist on his temple. When he regained consciousness, some co-workers were washing his face in the bathroom.

They told him a little about how he was beaten, put him in a cab with one of their colleagues and sent him home. That evening, his fellowship group was meeting at his home. They had just sat down for dinner when Ghorbani arrived later than usual.

“He walked in, and he was limping because his right side hurt,” said an Iranian friend who was at the meeting. “There was dirt all over his clothes, and there was blood in his left eye. When I saw him I got scared. I thought that maybe a car had hit him.”

Wanting to avoid a hospital visit and questions from police, Ghorbani went to a private doctor a few days later. The doctor instructed him to stay home for three weeks to recover from the injuries: badly bruised ribs, shoulder, shins and eye, and internal stomach bleeding.

When he took the medical report to his workplace the following day, co-workers told him that his boss had fired the truck driver, and that even though management was very happy with his work, it would be safer for him to look for employment elsewhere. They said the truck driver blamed Ghorbani for losing his job and had threatened to kill him if he ever saw him.

“I have a family and home and nothing to lose,” the truck driver said, according to co-workers. “If I kill him, the worst thing that could happen to me is that I do some jail time.”

Ghorbani’s friend said that even if other Iranian converts to Christianity don’t suffer violence as Nasser has, life for them is full of pressure and uncertainty at work.

“Maybe for Christians by birth there are no pressures or problems, but people like us who want to [leave Islam to] follow Jesus are fired,” said the friend.

He explained that following their faith means living righteously and not stealing or cheating their bosses out of time and wages.

“That’s when the marginalization starts, when you resist doing wrong,” he said. “But if you live the way they do, lying and stealing, they don’t notice you’re a Christian.”

The Iranian friend said that even before he converted to Christianity in Turkey, his colleagues would pressure him to come to the mosque for Friday prayers because he was a foreigner.

“After becoming a Christian, the pressure gets worse,” he said. “The way they look at you changes ... and, honestly, they try to convince you, [saying] that you haven’t researched your decision well enough.”

Now running his business out of his own home, the friend said no one can disrupt his work because of his faith, but he is a rarity among Iranian refugees in Turkey.

Ghorbani’s wife said the New Testament is clear on how to respond to attacks.

“The Bible says don’t be surprised when things happen against you, but love more, because you suffer for Christ,” she said.

### **Hope for a Future**

The Ghorbanis said they are thankful for their time in Turkey, though their future is unclear.

The family first fled to Turkey in 2002 after realizing that their families were becoming aware of Nasser’s newfound faith. Ghorbani had worked in the Iranian Armed Forces for 10 years before he was fired in 1995 because, as a secular Muslim, he refused to attend Quran classes, which were necessary for keeping his job or being promoted.

For the following eight years, the government kept close tabs on the couple, questioning them every six months. Ghorbani could not travel outside of Iran during this period.

In 2001 he became a Christian under the influence of a customer who ordered furniture from his shop. As soon as Ghorbani’s passport was issued, he fled to Turkey; his family followed a few months later. Soon his family also espoused Christianity after his wife had a dream of Jesus saving her from sinking sand.

“We have learned the truth, and it has set us free,” Leila Ghorbani said.

The family is in the process of applying to the United Nations High Commissioner for Refugees to re-open their case; their first application was denied three years ago.

According to the UNHCR’s most recent Global Report, in Turkey there were 2,100 Iranian refugees and 2,300 asylum-seekers from Iran in 2008. Although there is no data on how many Christian Iranians are living in Turkey, it is estimated that there is an Iranian house church in each of 30 “satellite cities” where the government appoints refugees and asylum seekers to live.

The Ghorbanis have three daughters, ages 20, 17 and 2. Ghorbani said he and his family would be in danger if they were returned to Iran.

“As a Christian I can’t return to Iran, or I risk losing my life,” Ghorbani said. “If they catch me, because I was a lieutenant they will directly hang me.”

**19. *Christian Bookshop in Adana Vandalized*, COMPASS DIRECT NEWS, Feb. 17, 2009, <http://www.compassdirect.org/english/country/turkey/8985/>.**

ISTANBUL, February 17 (CDN) — Following threats from Muslim nationalists, a Turkish Bible Society bookshop in the southern city of Adana was vandalized for the second time in a week on Thursday (Feb. 12).

Security camera footage shows two youths attacking the storefront of the Soz Kitapevi bookshop, kicking and smashing glass in both the window and the door. The door frame was also damaged.

Bookshop employee Dogan Simsek discovered the damage when he arrived to open the shop. He described security footage of the attack, which took place at 8:19 a.m., to Compass.

“They came at it like a target,” he said. “They attacked in a very cold-blooded manner, and then they walked away as if nothing had happened.”

The security camera did not clearly capture the faces of either youth, and police are still attempting to identify the perpetrators.

During the first attack on Feb. 7, the glass of the front door was smashed and the security camera mangled. Both have since been repaired.

Simsek told the Turkish national daily *Milliyet* that these are the first such incidents he has witnessed in the 10 years he has worked there.

“We sit and drink tea with our neighbors and those around us; there are no problems in that regard,” said Simsek, though he did acknowledge that local opinion is not all favorable. “This is a Muslim neighborhood, and many have told us not to sell these books.”

The bookshop has received threats from both Muslim hardliners and nationalists. Last November, a man entered the shop and began making accusations that the Soz Kitapevi bookshop was in league with the CIA, saying, “You work with them killing people in Muslim countries, harming Muslim countries.”

### **Systemic Prejudice**

The attacks are another example of the animosity that Turkish Christians have faced recently, especially the small Protestant community. The Alliance of Protestant Churches of Turkey released its annual Rights Violations Summary last month, detailing some of the abuses faced by Protestant congregations in 2008.

The report makes it clear that violent attacks, threats and accusations are symptoms arising from an anti-Christian milieu of distrust and misinformation that the Turkish state allows to exist. The report cites both negative portrayal in the media and state bodies or officials that “have created a ‘crime’ entitled ‘missionary activities,’ identifying it with a certain faith community” as being primarily responsible for the enmity felt towards Christians.

It urges the government to develop effective media watchdog mechanisms to ensure the absence of intolerant or inflammatory programs, and that the state help make the public aware of the rights of Turkish citizens of all faiths.