

**Joint UPR Submission on Freedom of Religion and Religious Persecution in Turkey**  
**by**  
**International Association for Human Rights Advocacy in Geneva (IAHRA GENEVA),**  
**and**  
**London Advocacy (LAG)**  
**for**  
**The 35<sup>th</sup> Session of UPR – January-February 2020**

## EXECUTIVE SUMMARY

1. This joint submission by the International Association for Human Rights Advocacy in Geneva (IAHRA GENEVA) and London Advocacy (LAG) highlights a number of key areas of concern regarding Turkey’s compliance with its international human rights obligations relating to freedom of religion and religious persecution in Turkey.
2. This submission examines the following areas that need urgent reform and remedial action by the Turkish government:
  - a. Restrictions to freedom of expression within the legal framework of Turkey;
  - b. Institutional elements of religious discrimination;
  - c. Violations of rights of non-Muslim religious minorities;
  - d. Violations of rights of the Alevite population;
  - e. Violations of rights of Muslim religious groups; and
  - f. Persecution of the members of the Gülen Movement (GM) on religious grounds and with a religious rhetoric.
3. This submission ends with a recommendations section.

## INTERNATIONAL AND CONSTITUTIONAL OBLIGATIONS OF TURKEY

4. Turkey is a signatory to the International Covenant on Civil and Political Rights (ICCPR). The ICCPR provides for protection for civil rights such as freedom of religion (Article 18) as well as political rights. Article 27 of ICCPR guarantees that minorities should have the right to “enjoy their own culture, to profess and practice their own religion, or to use their own language.” Turkey made a reservation on Article 27 when ratifying the ICCPR and reserved the right to interpret it in light of “related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes.”<sup>1</sup>

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<sup>1</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&clang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=en#EndDec)

5. Turkey has also signed the International Covenant on Economic, Social and Cultural Rights (ICESCR). This treaty recognizes the liberty of parents to choose schools for their children without any interference by the State, and “to ensure the religious and moral education of their children in conformity with their own convictions” (Article 13 (3)). Turkey has made a similar reservation of interpreting the Article in accordance with the provisions of the Turkish Constitution.
6. Turkey is also a signatory to the European Convention on Human Rights (ECHR) and has not made a reservation on any article. Article 9 of ECHR recognizes the right to believe as an absolute right (non-derogable) and the right to manifest a belief through religious symbols and other ways of expressing or exercising belief as freedom of religion, that can be limited by law. Article 9 also underlines the collective nature of this right, as it gives the freedom for a person to worship and practice the religion alone or in a community.
7. Turkey is also a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The ICERD obligates State Parties to “amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists” (Art 2 (1) (c)). Since almost all of Turkey’s non-Muslim religious minorities are also ethnic or racial minorities, the ICERD has implications for religious freedom.
8. Turkey is a signatory to the Treaty of Lausanne (1923), which provides protection for non-Muslim minorities in Turkey. Turkey interprets the “non-Muslims” mentioned in the Treaty as the officially recognized minorities (Armenian Christians, Greeks and the Jewish people).
9. Officially, Turkey is a State and its Constitution forbids discrimination based on religion. Article 10 of the Turkish Constitution states that “everyone is equal before the law without distinction as to language, race,..., political opinion, philosophical belief, religion and sect.” In addition, Article 24 (1) holds that everyone has the right to “freedom of conscience, religious belief and conviction.”

## FOLLOW UP TO THE PREVIOUS REVIEW

10. At the second cycle of the Universal Periodic Review in 2015, Turkey examined and supported several recommendations coming from other countries on freedom of religion and minorities. Supported recommendations largely concerned the running of the charitable foundations of the non-Muslim communities, opening of the Halki Seminary, the return of assets of non-Muslim communities and foundations, reviewing the characterization of missionary activities as a national threat in textbooks, and the recognition of the status of cemevis, i.e., the Alevi prayer houses, as religious institutions. Turkey “noted” several recommendations that were referring to Turkey’s reservations on the ICCPR and the ICESCR. These noted

recommendations concerned such issues as “putting an end to mandatory religion courses for the Alevis,” “allowing all religious or belief communities to train their religious instructors,” “granting the Ecumenical Patriarchate an adequate legal personality,” and “reviewing the definition of national minorities.”<sup>2</sup>

11. Turkey failed to keep its promises and made almost no improvement in these areas. In fact, under the state of emergency which was declared after the coup attempt of 2016, the country’s record worsened in almost all areas of religious freedom. The only commendable development since 2015 is the promulgation of the Human Rights and Equality Institution Law in 2016 (Law No. 6701) and the establishment of the Ombudsman post, though the post is yet to be occupied by a person who has enacted any change to support religious freedoms.

## LEGAL FRAMEWORK RESTRICTIONS

12. Although Article 24 of the Turkish Constitution guarantees religious freedom, the same article also stipulates that “education and instruction on religion and ethics shall be conducted under state supervision,” which often results in discrimination against religious minorities within the education system.
13. A de facto exception to Article 24 of the Constitution which states that “no person shall be compelled to reveal his or her religious belief”, was the official listing of religious affiliation on the identity cards. This policy was abandoned in 2017 when the chipped ID cards without the religion box were introduced. Until then, many faith groups were forced to conceal their true religious identity by reporting themselves as having a different religious affiliation. However, there have been reports in the Turkish media claiming that the chips on the ID cards housed religious affiliation information visible only to state officials.<sup>3</sup>
14. Turkey is yet to sign and ratify the UNESCO Convention against Discrimination in Education (1960) and the Council of Europe Framework Convention for the Protection of National Minorities (1995).
15. In its interpretation, the Turkish government narrows down the Lausanne Treaty’s protection for non-Muslims as referring to the officially recognized religious minorities only. Hence, Alevis, Protestants, Syriacs, Jehovah’s Witnesses, Baha’is and believers of new religions are not considered as religious minorities in the country’s laws.
16. No religious or faith-based community has legal personality in Turkey. This includes

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<sup>2</sup> [https://www.upr-info.org/database/index.php?limit=0&f\\_SUR=179&f\\_SMR=All&order=&orderDir=ASC&orderP=true&f\\_Issue=All&searchReco=&resu%20ltMax=300&response=&action\\_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=RecoOnly](https://www.upr-info.org/database/index.php?limit=0&f_SUR=179&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resu%20ltMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=RecoOnly)

<sup>3</sup> <https://t24.com.tr/haber/cipli-kimlik-kartinda-gizli-din-hanesine-tepki-laiklige-aykiri,395332>

the Muslim majority and the recognized non-Muslim minorities. Even the representative bodies of the recognized minorities such as the Greek Orthodox and Armenian Apostolic Patriarchates or the Jewish Chief Rabbinate do not have legal personality. The religious communities are, therefore, deprived of many rights, such as the right to own or hire property, to establish charitable organisations, to open a bank account, to sign contracts and, most importantly, to take legal action to defend their freedom of religion or belief. Religious communities try to bypass this obstacle through establishing associations or foundations that can apply for legal personality, but this does not solve the problem of ownership by a religious community.

17. Article 216 (3) of Turkey's Criminal Code (TCK) prohibits the denigration of religious values of a certain group of society where this act is conducive to disrupt public peace. Turkish prosecutors have started to use this article to launch legal actions more often recently and mainly against atheist or modernist critics of Islam. Occasionally, criticism of political figures like President Erdogan on grounds of his overstressed religiosity has also triggered defamation cases.
18. Article 81 of the Political Parties Law prohibits the creation of any political organization that promotes a language or culture other than Turkish. Religious communities which might have opted to establish their own issue-based political organizations cannot do so under current legal environment.
19. Under Article 3 of Law No. 5580 on Private Educational Institutions, private institutions cannot open religious education institutions, and the state opens only Sunni Muslim education institutions. Although Muslim madrasas, which are operating unofficially all across Turkey, are permitted to bypass this restriction by cooperating with official educational institutions, no such mechanism is available for non-Muslim or Alevite communities.
20. Various articles in Turkey's Criminal Code (TCK) and Anti-Terrorism Law (TMK) violate international human rights standards, and minority groups are usually among the victims of these violations.<sup>4</sup> Despite international pressure, Turkey has failed to reform these laws. In fact, under the state of emergency these laws became even more restrictive and threatening for religious minorities.
21. Local planning regulations prepared by municipalities discriminate against the needs of minority religious communities. Municipalities do not allocate space for places of worship other than mosques, and the law does not recognize the Alevi's cemevis as

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<sup>4</sup> Among the most problematic articles of law are Article 7/2 of the TMK, which regulates terrorist propaganda, Article 6/2 of the TMK about publishing statements of a terrorist organization, Article 314 of the TCK on membership of an armed organisation, Article 220/6 of the TCK on committing crimes on behalf of a criminal organisation without being a member of that organisation, Article 299 of the TCK on insulting the President of the country, Article 301 of the TCK on defamation of Turkishness, the Republic and the state, and various articles of the National Intelligence Law (No. 6532) and the Internet Law (No. 5651).

places of worship.

## INSTITUTIONAL ELEMENTS OF RELIGIOUS DISCRIMINATION

22. Significant discriminatory issues arise concerning the presence and position of Turkey's Presidency of Religious Affairs (Diyanet), which governs the network of mosques across the country and enjoys ever increasing control of the religious communities in Turkey. The Diyanet is supposed to be "removed from all political views and ideas, and aiming at national solidarity and integrity" under Article 136 of the Constitution, but, in practice, it controls all religious discourse in the country by declaring certain interpretations of Islam permissible or impermissible, promoting the Sunni version of Islam, undermining the secular nature of Turkey, and affording other religious traditions a secondary status.
23. Under the Justice and Development Party (AKP) rule, the Diyanet has attained more influence, both in Turkey and in the Muslim World, and started to promote the AKP's version of political Islamism.<sup>5</sup> Despite all calls from Alevite and non-Muslim communities of Turkey to diversify the management and policies of the Diyanet, no real change has been made to Diyanet's management. Diyanet's Friday sermons, jurisprudential rulings and conference declarations have been instrumental in the persecution of Muslim community groups and leaders who are critical of Turkey's President Recep Tayyip Erdogan.
24. Another institution that is as critical and as problematic as the Diyanet is the Imam-Hatip school system. Imam-Hatip schools give religious education over the secular curriculum of state schools, and have been reportedly known as the recruitment pool of both the AKP and other Islamist movements. Under the AKP, the number of Imam-Hatip schools increased considerably, and alumni of Imam-Hatip schools are preferred over graduates from other schools. When the government confiscated over one thousand private schools run by the GM affiliates after the thwarted coup attempt of 2016, a majority of these schools were converted into Imam-Hatip schools.

## VIOLATIONS OF RIGHTS OF NON-MUSLIM RELIGIOUS MINORITIES

25. Turkish primary and secondary schools continue to teach the compulsory 'Religious Culture and Knowledge of Ethics' (RCKE) classes to all students. Although Jewish and Christian pupils may be exempt from them in theory, this is harder to implement at a local level. Members of other religious minorities such as Alevis and Baha'is have to fight the classes in courts, despite the previous ECtHR and local court decisions.<sup>6</sup>
26. Religious seminaries of non-Muslim minorities have long been closed. The Greek

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<sup>5</sup> <https://www.foreignaffairs.com/articles/turkey/2019-01-10/turkeys-bid-religious-leadership>

<sup>6</sup> <https://odativ.com/zorunlu-din-dersi-icin-kritik-karar-01021955.html>

Orthodox Halki Theological Seminary remains closed since 1971, despite promises by successive governments to re-open it. Similarly, the Armenian Apostolic Church's theological college in Üsküdar has been closed since 1969. The fact that Turkey insists that the patriarchs of local minority churches must be Turkish citizens, but does not allow seminaries that would train future leaders of these churches to exist, underlines an existential threat to the non-Muslim religious communities.

27. Turkey has a veto right in the Holy Synod when it comes to the election of the Greek Orthodox Patriarch. In March 2017, the Istanbul Governor's office suspended a spiritual assembly that the Armenian Patriarch had arranged with the purpose to elect a trustee to start the election process for a new Patriarch. Although the Turkish governorate claimed it was protecting the tradition of not starting the election of a new patriarch until the existing one is deceased, it was obvious that the Turkish government did not endorse the candidates. It was only in 10 July 2019 that the Turkish Constitutional Court ruled the intervention of the Istanbul Governorate as violation of freedom of religion.<sup>7</sup>
28. There had been commendable developments by means of restitution of previously confiscated buildings and lands to the minority religious communities after the passage of the 2011 Restitution Decree. But since 2014 the government officials started to slow down the registration of returned assets to their rightful owners. A court decision to restore a prominent Istanbul building to the Armenian Patriarchate in 2017, after a six-year restitution case, was overturned by the High Court of Appeals in 2019.<sup>8</sup>
29. Hostility to missionary activities as well as to conversion from Islam to Christianity remains pervasive in the country. Missionaries or clergy of churches in Turkey are looked at with suspicion both at the official and public levels, while perpetrators of hate crimes and violence against missionaries and the clergy enjoy impunity. It took 12 years for sentences to be served against the perpetrators of the murder of the employees of the Zirve Christian publishing house.<sup>9</sup> The perpetrators of the murder of the Turkish-Armenian journalist Hrant Dink in 2007 were still on trial as of July 2019.<sup>10</sup>
30. Hostility towards the Christian clergy in particular increased after the thwarted coup attempt of 2016. Turkish leaders linked the attempt to Western-Christian powers, and the Christian clergy serving in the country paid the price. American pastor

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<sup>7</sup> <https://www.anayasa.gov.tr/en/news/individual-application/press-release-concerning-the-judgment-finding-a-violation-of-the-freedom-of-religion-due-to-dismissal-of-the-request-for-holding-an-election-of-turkey-s-armenian-patriarch/>

<sup>8</sup> <http://www.agos.com.tr/tr/yazi/21990/sanasaryan-in-mulkiyeti-yine-devlete-dondu>

<sup>9</sup> <https://tr.sputniknews.com/turkiye/201901231037248530-yargitay-zirve-yayinevi-davasi-ceza-onama/>

<sup>10</sup> <https://ahvalnews.com/tr/hrant-dink/hrant-dink-davasi-sanigi-benim-vidanim-rahat>

Andrew Craig Brunson was jailed for two years on allegations of involvement in terrorist activity in the country and was released only after immense pressure from the U.S. administration.<sup>11</sup>

31. The persecution of the members of the GM, self-acclaimed as a faith-based religious activism and educational movement, created a spill-over effect on any meaningful interfaith dialogue activity in the country, as activities and concepts like “dialogue,” “interfaith,” “tolerance,” “mutual respect,” and “peaceful coexistence,” became known as Gülenist vocabulary. The state-sponsored smear campaign against the Movement erased these concepts from the policies of the government, and from public discourse.

## VIOLATIONS OF RIGHTS OF THE ALEVITE POPULATION

32. Alevis constitute a significant part of the Turkish population, with estimates ranging from 15 to 25 percent. Alevis not only suffer from all discriminatory practices that non-Muslim minorities are subjected to, but also face additional issues, both at the official and societal levels.
33. No Islamic group --Alevi or Sunni-- is allowed to have legal personality under the 1925 Law No. 677 ("Closure of Dervish Convents and Tombs, the Abolition of the Office of Keeper of Tombs and the Abolition and Prohibition of Certain Titles"). This law, among other things, closed Alevi places of worship and prevents their leaders from using their religious titles. Hence, the Alevi places of worship are not officially accepted as places of worship and do not enjoy the official and societal privileges the mosques or churches enjoy. This dilemma continues despite several promises from the AKP, a 2016 ruling by ECtHR which found Turkey in breach of the Convention by not recognizing Alevi places of worship and religious leaders, a similar Supreme Court of Appeals ruling from 2015, and the de facto recognition of the Alevi places of worship's status by the municipalities run by the opposition Republican People's Party.
34. Alevi's didn't enjoy the restitution that some non-Muslim religious communities enjoyed after the 2011 Restitution Decree.
35. Alevi children continue to enrol in the Religious Culture and Knowledge of Ethics classes, where the curriculum is largely a Sunni-Hanafi one. This is despite the relevant ECtHR ruling that asked for abolition or radical change of the curriculum. Although Turkish authorities added material on Alevism to the religious course curriculum after the ECtHR decision, many Alevis stated that this material was inadequate and, in some cases, incorrect.

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<sup>11</sup> <https://www.bbc.co.uk/news/world-europe-45841276>

36. Alevi suffer from assimilation policies at every level of education and public services. There had been reports of Alevi children being encouraged, or forced, to enrol in the Imam-Hatip schools, where a hard-core Sunni-Hanafi religious education is given.<sup>12</sup> The Diyanet builds mosques to Alevi villages,<sup>13</sup> or appoints imams to obsolete buildings.<sup>14</sup> The Turkish authorities regard Alevism as a heterodox Islamic sect, whereas many Alevi regard themselves as practitioners of a separate religion.
37. Alevi were also victims of the widespread purge that came after the thwarted coup attempt of 2016. Radio and television stations which were popular among the Alevi were among the media outlets which were shut down in the wake of the coup attempt. TV 10, a station catering specifically to an Alevi audience, was also closed.<sup>15</sup> Several organizations and places of cultural activity were also closed on allegations of link to the GM or to the coup attempt. The GM had initiated a project called the Mosque-Cemevi Project where Sunni and Alevi worship places would be in the same campus. Although not all Alevi citizens were happy with it, this project was a creative way to bypass the lack of official recognition of Alevi worshipping places. This project was halted after the coup attempt and cancelled by a decision of the Council of State in 2018.<sup>16</sup>

## VIOLATIONS OF RIGHTS OF MUSLIM RELIGIOUS GROUPS AND PERSONALITIES

38. Other Muslim groups, which for religious reasons did not adopt Erdogan's rhetoric, or did not offer unconditional support to his policies, have also come under pressure, particularly after 15 July 2016. The Furkan Foundation, a Sunni religious and civil society group, first saw its events cancelled by local authorities, then, their leader imprisoned<sup>17</sup> and finally, their foundation shuttered, and assets seized.
39. Anti-Capitalist Muslims and their speaker theologian Ihsan Eliacik have also been victims of the oppressive policies of the government. Eliacik's public speeches and fair participations were obstructed with government's intervention, and he was detained and interrogated on his activities.<sup>18</sup> He was eventually given a sentence of 6 years 3 months in prison on charges of "propaganda of a terrorist organization."<sup>19</sup>
40. Though not a critic of the government, Adnan Oktar and members of his rather

<sup>12</sup> <https://www.pirha.net/yoksul-alevi-cocuklari-imam-hatibe-gonderiliyor-video-180217.html/15/07/2019/>

<sup>13</sup> <http://repository.essex.ac.uk/16698/1/thesis%20final.pdf>

<sup>14</sup> <https://t24.com.tr/haber/tunceli-de-metruk-binalar-cami-gosterilip-imam-atanmis,807928>

<sup>15</sup> <https://www.evrensel.net/haber/297961/tv-10un-kapatilmasi-protesto-edildi>

<sup>16</sup> <https://www.mepanews.com/gulenin-projesiydi-cami-cemevi-defteri-kapandi-13757h.htm>

<sup>17</sup> <http://www.hurriyet.com.tr/gundem/serbest-birakilan-alparslan-kuytul-tekrar-tutuklandi-41095135>

<sup>18</sup> <https://tr.euronews.com/2019/05/06/anti-kapitalist-musulmanlarin-iftarina-polis-mudahalesi-ihsan-eliacik-gozaltinda>

<sup>19</sup> <https://www.cnnturk.com/turkiye/son-dakika-ihsan-eliacika-hapis-cezasi>

libertarian religious-cultic movement were arrested in 2018.<sup>20</sup> The TV channel of the Oktar Group, A9, was also discontinued by the Higher Board of Radio and Television.<sup>21</sup>

41. A particularly worrying development is the rise in Turkish politicians' use of religious rhetoric and theological justifications for their political interests, occasionally against other Muslims in the society. Recently, while commenting on the establishment of a new political party by former ally Ali Babacan and Abdullah Gul, President Erdogan suggested that what they were doing is "abandoning the [Islamic] cause," and "dividing the ummah (the global Muslim community)."<sup>22</sup>
42. During the run-up to the local elections in March 2019, Sivas deputy of AKP Ismet Yilmaz, claimed that a vote for their candidate would be "the salvation certificate on the Day of Judgement."<sup>23</sup> The implication of such a declaration was, of course, that the supporters of other political parties, including the religiously motivated ones, were doomed to eternal punishment in the Hereafter.

## PERSECUTION OF THE GÜLEN MOVEMENT

43. Turkish President Erdogan has been employing a hate speech campaign against the members and leaders of the GM since 2013, when he came to believe that the graft investigation against his family and ministers were conspired by members of the Movement in the Turkish Police. Most of the elements of this campaign contained religious demonization attempts, like "fake imam," "fake Mahdi," "exploiter of religion," "non-Islamic, perverted sect," and "I am doubtful of their hates."<sup>24</sup>
44. This hate speech took the form of official designation of the GM as a terrorist organization in May 2016,<sup>25</sup> and a "heretical party" [firak-ı dâlle] in August 2016.<sup>26</sup> The Diyanet followed an active policy of promoting their own designation of the Movement as heretic among Sunni scholars of the Muslim world. These efforts were fruitful, when in a joint meeting on October 2018, the Council of Scholars of Sufi Orders of Indonesia and that of the ASEAN countries decided to forbid on religious grounds "all movements and activities of Fethullah Gülen and his followers around the world," and recommended prohibition of "the circulation of books by Fethullah

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<sup>20</sup> <https://www.bbc.com/turkce/haberler-turkiye-44881414>

<sup>21</sup> <https://www.yeniakit.com.tr/haber/adnan-oktarin-kanali-a9-tv-kapatildi-mi-491344.html>

<sup>22</sup> <https://ahvalnews.com/recep-tayyip-erdogan/turkeys-erdogan-accuses-babacan-abandoning-islamist-cause-new-party-plans>

<sup>23</sup> <https://tr.euronews.com/2019/01/26/ismet-yilmaz-ak-parti-adayina-vereceginiz-oy-mahserde-kurtulusunuz-olacak>

<sup>24</sup> [https://stockholmcf.org/wp-content/uploads/2017/06/Erdogans-Vile-Campaign-Of-Hate-Speech-Case-Study-Targeting-Of-The-Gulen-Movement\\_2017.pdf](https://stockholmcf.org/wp-content/uploads/2017/06/Erdogans-Vile-Campaign-Of-Hate-Speech-Case-Study-Targeting-Of-The-Gulen-Movement_2017.pdf)

<sup>25</sup> <https://www.reuters.com/article/us-turkey-gulen/turkey-officially-designates-gulen-religious-group-as-terrorists-idUSKCN0YM167>

<sup>26</sup> <https://www.yenisafak.com/yazarlar/farukbeser/cemaat-firka-ve-firak-i-dlle-2048415>

Gülen for the purpose of protecting the generation of the nation” from “the teachings of Fethullah Gülen who have deviated from the Qur’an and Sunnah of the Prophet Muhammad.”<sup>27</sup>

45. Such demonization on religious grounds and declaration of heresy of the GM was echoed in several Western countries when the mosques run by the local branches of the GM were vandalized,<sup>28</sup> funerals of real or alleged members of the GM were denied access to mosques in Turkey and in the Diyanet controlled mosques in Europe.<sup>29</sup>
46. The Turkish regime banned all books published by all publication houses run by the GM, as well as of any publicly known members of the GM whose books were published by other publication houses, including that of the Diyanet. These books were largely religious in content and included Qur’an in original Arabic and its translations into various languages, biography of the Prophet and moral lessons for all age groups.<sup>30</sup> Such banning of religious publications included the erasure of articles written by prominent members of the GM in the Islamic Encyclopaedia published by the Diyanet Foundation,<sup>31</sup> and the destruction of all MA and PhD thesis written by publicly known members of the GM from the databases of the Council of Higher Education. This act of destruction was done in such haste that even theses that criticized the GM were deleted from the databases only because their titles referred to Fethullah Gülen or the GM.<sup>32</sup>
47. The religious rights of the detained or arrested members of the GM were also violated occasionally. Prisoners with connections to the GM have been denied religious books including the Qur’an on grounds that they used them to communicate with one another.<sup>33</sup> Occasionally, they were denied prayer mats,<sup>34</sup> or were prevented from praying together.<sup>35</sup>
48. Regardless of whether some of the members of the GM were actually involved in the coup attempt or not, it is clear that the persecution of the members of the GM after the 2016 coup attempt has attained a religious persecution dimension and freedoms of religion and belief of the members of the Movement have been grossly violated.

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<sup>27</sup> <http://dewanulamathariqah.org/en/2018/10/05/fatwa-duti-on-fethullah-gulen/>

<sup>28</sup> [https://stockholmcf.org/wp-content/uploads/2017/02/Erdogan’s\\_long\\_arm\\_in\\_Europa\\_The\\_case\\_of\\_the\\_Netherlands\\_27.02.2017.pdf](https://stockholmcf.org/wp-content/uploads/2017/02/Erdogan’s_long_arm_in_Europa_The_case_of_the_Netherlands_27.02.2017.pdf)

<sup>29</sup> <https://www.rt.com/news/352285-turkey-muslim-funeral-coup/>

<sup>30</sup> <https://stockholmcf.org/turkish-government-launches-fight-against-169141-books/>

<sup>31</sup> <https://kronos21.news/tr/islam-ansiklopedisinde-sansur-skandali/>

<sup>32</sup> <https://www.evrensel.net/haber/286856/yok-guleni-destiren-tezi-bile-geri-tabanindan-kaldirdi>

<sup>33</sup> [http://www.yeniasya.com.tr/gundem/bakanlik-kur-an-yasagini-savundu\\_466499](http://www.yeniasya.com.tr/gundem/bakanlik-kur-an-yasagini-savundu_466499)

<sup>34</sup> <http://magduriyetler.com/2018/05/23/silivri-cezaevinde-seccade-bile-yasak/>

<sup>35</sup> <http://www.haberozetim.com/haber-cezaevlerinde-cemaatle-namaz-kilmakta-yasak-5747.html>

## RECOMMENDATIONS

The co-authors call upon the Government of Turkey to significantly improve the overall conditions for freedom of religion and belief in the country. In particular, the government of Turkey must:

1. Remove all its reservations on international human rights treaties and uphold the rights outlined in the international statutes to which it is a party;
2. Ensure that the views of the UN Human Rights Committee (CCPR) and the judgments of the European Court of Human Rights (ECHR) that provide for religious freedom, the right to conscientious objection to military service, exemption from compulsory religious education and the recognition of worshipping places of the Alevi are respected and implemented;
3. Promote inter-faith harmony and understanding in order to change societal perceptions of and hostility towards non-Muslim communities, Alevi, converts to other religions, atheists and deists;
4. Immediately end the discriminatory use of Article 216 of the Criminal Code and re-evaluate the cases of individuals charged under this defamation article;
5. Expedite the restitution processes for religious minorities and include Alevi and Baha'is in the restitution policies;
6. Remove all bureaucratic and administrative obstacles preventing non-Muslim communities from freely opening places of worship;
7. Make constitutional amendments to provide all religious communities with a legal personality;
8. Repeal or reform all laws banning the establishment and operation of non-Muslim theological seminaries and religious schools;
9. Ratify the UNESCO Convention against Discrimination in Education and the Council of Europe Framework Convention for the Protection of National Minorities;
10. Ensure due process is observed in the trials of the members of the GM or any other prisoner linked to the coup attempt and abstain from any public statement that declares anybody, including the members of the GM as heretics and repeal all such previous official statements including the Diyanet's reports declaring the GM a "heretical party."