



Universal Periodic Review 49th session - Stakeholders' Report

Türkiye: Freedom of Religion or Belief

8 October 2024

Joint Submission by:

The Protestan Kiliseler Derneği (Association of Protestant Churches - Turkey) was started (and is still commonly known) as 'TeK' (Temsilciler Kurulu - Representative Council), in 1989 in Turkey. It was officially registered as the "Association of Protestant Churches" in January 2009. The Association of Protestant Churches acts as the Turkish Protestant community's representative. The Turkish Protestant community is made up of over 205 small and large fellowships, the majority of which are found in Istanbul, Ankara and Izmir.

The World Evangelical Alliance (WEA) was founded in 1846 and is a network of churches in over 140 nations that have each formed an evangelical alliance, and over 100 international organizations joining together to give a world-wide identity, voice, and platform to more than 600 million evangelical Christians worldwide.

The Baptist World Alliance (BWA) was founded in 1905 in London, England. Today, the BWA is headquartered outside Washington D.C., USA and is a global network of 51 million Baptists in 134 countries and territories.

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Background

1. In Türkiye, the right to freedom of religion and belief is guaranteed under national laws, in the constitution and through the implementation of international law. Article 24 of the constitution declares, in its first paragraph, "Everyone has the freedom of conscience, religious belief and conviction." Türkiye ratified the International Covenant on Civil and Political Rights in 2003, albeit with a reservation on the covenant's article 27 on the rights of ethnic, religious or linguistic minorities.
2. The World Evangelical Alliance, the Baptist World Alliance and the Association of Protestant Churches – Turkey submitted a joint stakeholders' report on 15 July 2019 for the 3rd cycle of UPR. Unfortunately, we are focusing on many of the same issues as in that report.
3. The Protestant Community in Türkiye is made up of approximately 205 churches/fellowships of various sizes, the majority of which are found in Istanbul, Ankara and Izmir.¹ 134 of these Protestant fellowships have obtained legal entity status by establishing 20 religious foundations, 18 representative branches of religious foundations, 34 church associations and 63 representative branches linked to those associations. The remaining fellowships do not possess legal entity status.
4. Of the 205 Protestant fellowships, 12 worship in historical church buildings, 119 have rented facilities that are open to the public and 52 meet in premises they own. Twenty-two fellowships meet together in their own homes for worship.²
5. In 2023, the Protestant community did not have the opportunity to train its own religious personnel within the Turkish National Education system. Therefore, the Protestant community trains most of its religious leaders through its own internal apprenticeship method. A small percentage study at theological schools overseas. Some are able to gain the necessary knowledge and skills for pastoral leadership through seminars organized within the country. The recent increase in the number of national Protestant religious workers continued in 2023. But as there have not been enough national leaders to meet the need, some churches continue to meet their need for spiritual guidance through foreign pastors (Protestant spiritual leaders). However, since 2019, the severe restrictions on foreign religious workers by requiring them to leave the country, either due to the issuance of N-82 or G-87 codes³ banning entry into Türkiye or the denial of residence visas, has caused severe difficulties for Protestant fellowships that relied on a foreign pastor for spiritual guidance.
6. Protestant churches do not have a hierarchical or centralized structure. Each church or groups of churches is independent. However, church pastors began meeting together in the late 1980's for the purpose of unity, solidarity and partnership between Protestant churches. In the mid 90's this unity gained structural momentum, so they formed "The Alliance of Protestant Churches," known as TeK (Representative Committee). Earlier laws relating to the formation of associations prevented TeK from being a representative body before official government bodies. As the result of a change in the Law of Associations, TeK decided to establish an association, and the Protestant Church Association was formed on 23 January 2009. The Association of Protestant Churches continues to act as the representative and unifying institution for a large part of the Protestant community in Türkiye. TeK is affiliated with the World Evangelical Alliance, the global organization of evangelical Christians.

Hate speech and crimes

7. In 2023, Protestant Christians saw an increase in both written and oral hate speech from the previous year that was directed at Protestant Christian individuals or institutions. Several such incidents are detailed in the “2023 Human Rights – Violation Report.”⁴
8. One of the significant problems facing the Protestant church community is the increase of hate speech as a result of the increased use of social media in our society. We encounter hate speech filled with insults and profanity directed at official church social media accounts, church leaders, Christianity, Christian values, and Christians in general, originating from the activity of social media groups that cultivate hatred against Christians and have targeted Christian websites and social media accounts.
9. These types of activities directed at all Christian denominations and minority groups creates concern and fear in the Protestant community.

Places of worship

10. Because members of the Protestant community are mostly new Christians, they do not have religious buildings that are part of their cultural and religious heritage like the traditional Christian communities have in Türkiye. The number of available historical church buildings is very limited. Therefore, a large portion of the Protestant community tries to overcome the problem of finding a place to worship by establishing an association or religious foundation or gaining representative status with an existing association or religious foundation and then renting or purchasing a property such as a stand-alone building, shop or depot that has not traditionally been used for worship. A very small number have been able to build their own free-standing buildings. However, many of these premises do not have official status as a place of worship and therefore they are not officially recognized as a place of worship even though they are used that way. They cannot benefit from the advantages of the assistance given to an officially recognized place of worship such as free electric and water as well as tax exemption. When they introduce themselves to the authorities as a church, they receive warnings that they are not legal and may be closed down.

Training religious leaders and foreign Protestants

11. In 2023, the laws in Türkiye continued to deny the possibility of training Christian clergy and the opening of schools to provide religious education for the members of church communities in any way. Yet the right to train and develop religious leaders is one of the foundation stones of the freedom of religion and belief. The Protestant community presently solves this issue by providing apprentice training, giving seminars within Türkiye, sending students abroad or utilizing the support of foreign clergy.
12. In 2023, although spiritual leadership for the majority of congregations was offered by local Christians, the need for foreign religious workers still continues. In 2023, we continued to see cases of foreign religious workers and members of congregations being deported, or refused entry to Türkiye or denied residence permits and visas. Many congregations were left in difficult situations and the need for religious workers continues to be great.
13. 33 Protestants reported to us as having received an entry ban code, with a further 63 having to leave the country to keep the family together.⁵ Most of these people have settled in Türkiye for many years and live in the country with their families. They have no criminal record, investigation or court documents concerning them.

14. Nearly all of these individuals received an N-82 code (which links entry to Türkiye to a process of prior approval). When the authorities who issued these codes give their explanation to the court, they state that the N-82 restriction is not an entry ban, it is simply a requirement to obtain prior approval. However, in practice, all of those who have been coded and subsequently applied for a visa have had those applications rejected. Although the N-82 is not an entry ban *de jure*, it is a *de facto* entry ban in Türkiye.
15. It had been believed that the N-82 code was an entry ban valid for 5 years, however some who obtained the code 5 years ago attempted to re-enter Türkiye as a tourist and were turned back because they had a code on their record. We consider that this possible lifetime ban for those who have spend an important part of their lives in the country is both illegal and unconscionable.
16. A small number of those deported or banned from entry received the G-87 code (people who are thought to pose a general security threat). In other countries this code is used for those who participate in armed activities, terrorist organizations or people who participate in demonstrations. It has deeply wounded the Protestant Christian community and the code recipients that in Türkiye, this code is being given without any evidence to members of the Protestant community who are focused on living their faith, who are opposed to violence and who do not have criminal records. These people have been given entry bans for at least 5 years.
17. There have been court cases concerning these entry bans but very few cases have resulted in a positive result.

Legal entity

18. The lack of legal entity is a problem for religious groups in Türkiye, but especially for minority groups. The Protestant community has tried to solve this issue mostly by establishing associations and religious foundations or becoming a representative of an existing association or foundation.
19. As of 2023, members of the Protestant church community have established 20 religious foundations, 18 representative branches of foundations, 34 church associations and over 63 representative branches connected to these associations. 134 fellowships do not possess any form of legal entity. This trend towards gaining legal entity continues. However, associations and foundations are not accepted officially as a “church” or a “place of worship.” The problem of a religious congregation becoming a legal entity has not been completely solved. The present legal path does not allow for a congregation to obtain a legal identity as a “religious congregation.” In addition, for small churches, the present path to “forming an association” appears complex and hard to implement. Furthermore, the cost of establishing a foundation is very high and the legal procedure is long, making it hard for small fellowships to gain legal entity status. Small congregations try to resolve this problem through becoming a representative branch of an existing church association or religious foundation.

Dialogue with the authorities

20. In 2023, the Protestant community representatives were not invited to participate in meetings of religious groups organized by the Government or by official organizations. This shows that in 2023 there is still a tendency to discount or ignore the presence of the Turkish Protestant community.
21. The Protestant community continues to attach great importance to the development of relationships with all public institutions, especially the Government, Parliament and municipalities.

Recommendations

22. We urge the government and public institutions to **engage in dialogue with the Protestant community as well as officially inviting representatives from the Protestant community to meetings**. Experience in this area shows that when the channels of communication are open, many problems are quickly solved.
23. Hate speech directed at Christians saw an increase in 2023 in comparison to the previous year. Even though complaints were registered, perpetrators were released without penalty or punishment, which is a source of concern and distrust. **Revise existing laws to clearly define hate speech and hate crimes in legislation, in line with international law, and ensure that complaints are appropriately addressed when reported and that perpetrators are held accountable.**
24. We further encourage the state to **support public broadcasting to raise awareness on religious tolerance and educate the public concerning hate speech and hate crimes**. We believe this would create a paradigm shift in the education and cultural awareness of the public.
25. Finally, we call on Türkiye to **refrain from arbitrarily issuing entry ban codes such as N-82 and G-87 to foreign members of the Protestant community, which prohibit their entry to the country where many of them have been living with their families for many years**. These people have not been charged with any crime and are suffering purely because of their religious beliefs. It also creates challenges for Christian communities who are left without a pastor if they have a foreign pastor who receives an entry ban code.

¹ This figure covers fellowships where the language used for worship is Turkish. There are approximately another 100 Protestant fellowships meeting in Türkiye, the majority of these are formed by migrants and refugees from Iran.

² "House fellowships" means the members of a fellowship meet together regularly in their own homes without any public presence.

³ N-82: (Entry conditional on pre-approval) According to Article 9/7 of Law number 6458, Foreigners and International Security, some foreigners with entry bans can enter the country with prior approval.

G-87: Foreigners considered a threat to security.

⁴ Association of Protestant Churches, *2023 Human Rights – Violation Report*, International Institute for Religious Freedom, pp. 7-8. Online: https://iirf.global/wp-content/uploads/reports/2024-15_IIRF-Reports.pdf.

⁵ *Ibid.*, p. 11.