

Table of Contents

- ***Turkish court seeks to link murder of Christians to 'cage plan'***
- ***European Human Rights Court rules in favor of Turkish church***
- ***Turkey's delay in introducing protection for the rights of religious minorities***
- ***Turks threaten to kill priest over Swiss minaret decision***
- ***USCIRF Urges President Obama to Raise Religious Freedom Issues with Turkish Prime Minister***
- ***More than half in Turkey oppose non-Muslim religious meetings***
- ***Religious freedom survey***
- ***Turkish police official axed amid allegations in murders***
- ***Lawyer calls Turkish Christians' trial a 'scandal'***
- ***Turkish murder defendant again admits perjury***
- ***Efforts to tie Malatya murders to 'deep state' fizzle in Turkey***
- ***Christian monastery in Turkey wins back land***
- ***Bartholomew I appeals to the European Court in Strasbourg against Ankara***
- ***Local officials' role emerges in Malatya, Turkey murders***
- ***Christians in Turkey may appeal fine for 'illegal' funds***
- ***No improvement in the situation of the conscientious objector despite judgment of the European Court***
- ***Christian bookshop in Turkey vandalized***
- ***Saving the monastery of Mor Gabriel, to guarantee a multicultural Turkey***
- ***Turk sentenced for stabbing priest in Izmir***

Turkish court seeks to link murder of Christians to 'cage plan'

Scheme to destabilize pro-Islamic government believed to be part of Ergenekon conspiracy

By Damaris Kremida

Compass Direct (29.12.2009) / HRWF Int. (30.12.2009) – Email: info@hrwf.net – Website: <http://www.hrwf.net> – Malatya's Third Criminal Court on Friday (Dec. 25) took further steps to connect the murders of three Christians in southeastern Turkey to a Turkish military plan to destabilize the pro-Islamic government.

Evidence surfaced in Turkish press last month linking the murders of the three Christians in the southeastern city of Malatya with army activities to overthrow the government in a

special operation called the "Operation Cage Action Plan." The Malatya prosecutor and plaintiffs on Friday requested that the Istanbul prosecutor further probe links between the Malatya case and the Cage Plan, which included an elaborate scheme to attack Muslim-majority Turkey's religious minorities.

They also requested that the Malatya court open to plaintiffs the currently "classified" prosecutor's investigation into links between the Malatya murders and an alleged operation by the military and other political figures to destabilize the government known as Ergenekon.

Evidence of the Cage Plan, believed to be part of Ergenekon, centers on a compact disc found in April in the house of a retired naval officer; it was decrypted and leaked to the press last month. The plan, to be carried out by 41 named naval officers and dated March 2009, termed as "operations" the murders of the three Christians in Malatya, the 2006 assassination of Catholic priest Andreas Santoro and the 2007 slaying of Hrant Dink, Armenian editor-in-chief of the weekly Agos.

"This Cage Plan starts with a reference to the Malatya, Dink and Santoro cases and mentions them as previous 'operations,'" said one of the plaintiff lawyers, Orhan Kemal Cengiz, adding that a connection of the murders with the Cage Plan would be difficult for any court to ignore.

Hearings for Ergenekon are ongoing in Istanbul. Istanbul prosecutors handling the Ergenekon case sent a response to the Malatya court this month in which they reported they have not been able to find a direct connection with the Malatya murders yet. The Malatya court is waiting for further investigations into possible connections with Ergenekon.

Cengiz said that although investigations are moving slowly, he is pleased with the willingness of the Malatya prosecutor to cooperate and find who is behind the murders.

"I see a good will on the part of the prosecutor," said Cengiz. "He's really trying to discover the possible links, and I'm glad to see his effort, and he was helpful and supportive to us. It was important."

Turkish Christians, Necati Aydin and Ugur Yuksel and German Christian Tilmann Geske were tortured and stabbed to death in Malatya on April 18, 2007 at Zirve Publishing Co., which distributed Bibles and literature in the area.

Suspects Emre Gunaydin, Salih Gürler, Cuma Ozdemir, Hamit Ceker and Abuzer Yildirim, who were caught at the crime scene, are still held in prison in Malatya. Two other suspects, journalist Varol Bulent Aral and Huseyin Yelki, a former volunteer at Zirve, are not under arrest, but the court expects them to attend all hearings.

Aral and Yelki are believed to have crucial links with the alleged masterminds of the murder plot.

The next trial is set for Feb. 19, 2010.

European Human Rights Court rules in favor of Turkish church

Christians hope decision will lead to greater religious freedom

By Will Morris

Compass Direct News (18.12.2009) / HRWF Int. (19.12.2009) – Email: info@hrwf.net – Website: <http://www.hrwf.net> – In a decision many hope will lead to greater religious freedom in Turkey, the European Court of Human Rights (ECHR) found that a Turkish court ruling barring a church from starting a foundation violated the congregation's right to freedom of association.

Orhan Kemal Cengiz, a Turkish attorney and legal advisor for the litigants, said the decision earlier this year was the first time the ECHR has held that religious organizations have a right to exist in Turkey. Other issues the court addressed dealt with organizations' rights to own property, he said.

Cengiz added that this case is just the first of many needed to correct conflicts within the Turkish legal system in regard to freedom of association, known in Turkey as the concept of "legal personality."

"This case is a significant victory, but it is the first case in a long line of cases to come," Cengiz said.

Ihsan Ozbek, pastor of Kurtulus Church in northeast Turkey, which set out to establish the foundation, said he was pleased with the court's decision.

"It's a good thing to have that decision," he said. "It will help future churches and Christian organizations."

On Dec. 21, 2000, Ozbek and 15 other Turkish nationals applied to a court in Ankara to form the "Foundation of Liberation Churches," to provide assistance to victims of disasters. The court referred the matter to the Directorate General of Foundations, which opposed it because, according to its interpretation of the organization's constitution, the foundation sought to help only other Protestants. Such a purpose would be in violation of the Turkish civil code, which states that establishing a foundation to assist a specific community at the exclusion of others was prohibited.

On Jan. 22, 2002, the church group appealed the decision to the higher Court of Cassation. They agreed that the constitution should be changed to more accurately reflect the true nature of the organization, which was to give assistance to victims of natural disasters regardless of their spiritual beliefs. In February of the same year, the court rejected their appeal.

Later that year, on Aug. 29, 2002, under the guidance of Cengiz, the group appealed the decision to the ECHR. Founded in 1959 by the European Convention on Human Rights, the ECHR is the highest civil human rights court in Europe. Of the 47 countries that are signatories to the convention, Turkey accounts for more than 11 percent of the court's caseload.

On Oct. 11, 2005 the court agreed to hear the case. More than four years later, on June 10, it publicly issued a verdict.

In its decision, the court unanimously found that the Turkish Courts' "refusal to register the foundation, although permitted under Turkish law, had not been necessary in a democratic society, and that there had been a violation of Article 11."

Article 11 of the convention deals with the rights of people to associate and assemble with others.

"The applicants had been willing to amend the constitution of their foundation both to reflect their true aims and to comply with the legal requirements for registration," the

court decision stated. "However, by not allowing them time to do this - something they had done in a similar case - the Court of Cassation had prevented them from setting up a foundation that would have had legal status."

The decision was issued by seven judges, one of them Turkish. The court awarded 2,500 euros (US\$3,600) to each of the 16 members of the group, in addition to 5,200 euros (US\$7,490) to the group as a whole.

After being forbidden to open a foundation, the Protestant group opened an association in 2004, after Turkish law had been amended allowing them to do so. Foundations and associations in Turkey differ mostly in their ability to collect and distribute money. The aims of the association were similar to that of the proposed foundation, with the exception of reference to supporting one particular community.

Ozbek said the directorate's office has been the main obstacle in preventing people from forming Christian foundations.

"Now that they have the decision, they will be forced to say yes," he said.

Turkey's delay in introducing protection for the rights of religious minorities

WRITTEN QUESTION by Sari Essayah (PPE) to the Commission
Question: E-5064/09

European Parliament (11.12.2009) / HRWF Int. (17.12.2009) – Email: info@hrwf.net – Website: <http://www.hrwf.net> – For years Turkey, which is negotiating accession to the EU, has delayed introducing protection for the rights of religious minorities. Orthodox Christians, for example, have suffered discrimination and there may only be some three thousand of them left in Turkey. It is becoming increasingly urgent to obtain from Turkey an answer to the following four major problems:

- Turkey must safeguard the position of the Ecumenical Patriarchate of Constantinople. Seen from the point of view of a Western State where the rule of law prevails, it is incomprehensible that legislation should require Orthodox priests, bishops and the Patriarch to be Turkish nationals. The Turkish State must recognise that the Patriarch is the head of the worldwide Orthodox Church. This situation means that it must be possible for the Patriarch to be chosen from any of the member churches at all.
- Turkey must bring the protection of property up to Western standards. Property illegally seized from the Patriarchate — especially churches — must be returned.
- Training of priests must be preserved. Halki seminary must be permitted to open, so the interpretation of the law on private colleges must be altered.
- It must be possible for Christians to obtain permanent visas without discrimination.

Unless human rights improve very soon in Turkey, Turkey's development towards a State where the rule of law prevails in compliance with Western standards will be jeopardised, and in that case it would remain impossible to conceive of the country's acceding to the European Union.

If Turkey were to genuinely introduce the rule of law, safeguarding the human rights of the Christian minority, this would set an example to other countries with Muslim majorities, encouraging them to guarantee full rights for Christians to worship and serve God in accordance with their faith and to freely proclaim the foundations of their religion.

What has the Commission done, and what will it do, to put an end to Turkey's foot-dragging over solutions to the above burning problems?

Answer given by Mr Rehn on behalf of the Commission

The Commission understands the concerns of the Honourable Member and has raised them on a number of occasions with the Turkish authorities at all appropriate levels.

These issues are also covered extensively in the Turkey 2009 Progress Report published on 14 October 2009⁽¹⁾. As regards freedom of religion, the conclusion in the report reads as follows (p. 22):

'... Overall, implementation of the law on foundations has been smooth. The Government has undertaken a dialogue with the Alevi and non-Muslim religious communities. However, their specific problems have yet to be addressed. Attacks against minority religions still occur. A legal framework in line with the European Court of Human Rights has yet to be established, so that all non-Muslim religious communities and Alevi community can function without undue constraints, including as regards training of clergy. Further efforts are needed to create an environment conducive to full respect of freedom of religion in practice.'

The Commission will pursue the discussion with the Turkish authorities with a view to addressing these matters and ensuring both an appropriate legal framework and an environment conducive to full respect of freedom of religion in practice.

⁽¹⁾http://ec.europa.eu/enlargement/press_corner/key-documents/reports_oct_2009_en.htm

Turks threaten to kill priest over Swiss minaret decision

Slap to religious freedom in Switzerland leads to threat over church bell tower in Turkey

By Will Morris

Compass Direct (15.12.2009) / HRWF Int. (17.12.2009) – Email: info@hrwf.net – Website: <http://www.hrwf.net> – In response to a Swiss vote banning the construction of new mosque minarets, a group of Muslims this month went into a church building in eastern Turkey and threatened to kill a priest unless he tore down its bell tower, according to an advocacy group.

Three Muslims on Dec. 4 entered the Meryem Ana Church, a Syriac Orthodox church in Diyarbakir, and confronted the Rev. Yusuf Akbulut. They told him that unless the bell tower was destroyed in one week, they would kill him.

"If Switzerland is demolishing our minarets, we will demolish your bell towers too," one of the men told Akbulut.

The threats came in reaction to a Nov. 29 referendum in Switzerland in which 57 percent voted in favor of banning the construction of new minarets in the country. Swiss lawmakers must now change the national constitution to reflect the referendum, a process that should take more than a year.

The Swiss ban, widely viewed around the world as a breach of religious freedom, is likely to face legal challenges in Switzerland and in the European Court of Human Rights.

There are roughly 150 mosques in Switzerland, four with minarets. Two more minarets are planned. The call to prayer traditional in Muslim-majority countries is not conducted from any of the minarets.

Fikri Aygur, vice president of the European Syriac Union, said that Akbulut has contacted police but has otherwise remained defiant in the face of the threats.

"He has contacted the police, and they gave him guards," he said. "I talked with him two days ago, and he said, 'It is my job to protect the church, so I will stand here and leave it in God's hands.'"

Meryem Ana is more than 250 years old and is one of a handful of churches that serve the Syriac community in Turkey. Also known as Syrian Orthodox, the Syriacs are an ethnic and religious minority in Turkey and were one of the first groups of people to accept Christianity. They speak Syriac, a dialect of Aramaic, a language spoken by Christ. Diyarbakir is located in eastern Turkey, about 60 miles from the Syrian border.

At press time the tower was standing and the priest was safe, said Jerry Mattix, youth pastor at the Diyarbakir Evangelical Church, which is located across a street from Meryem Ana Church.

Mattix said that threats against Christians in Diyarbakir are nothing out of the ordinary. Mattix commonly receives threats, both in the mail and posted on the church's Internet site, he said.

"We're kind of used to that," Mattix said. He added that he has received no threats over the minaret situation but added, "I wouldn't be surprised if we do."

Mattix said the people making threats in the area are Muslim radicals with ties to Hezbollah "who like to flex their muscles."

"We are a major target out here, and we are aware of that," Mattix said. "But the local police are taking great strides to protect us."

Mattix said he also has "divine confidence" in God's protection.

The European Syriac Union's Aygur said that Christians in Turkey often serve as scapegoats for inflamed local Muslims who want to lash out at Europeans.

"When they [Europeans] take actions against the Muslims, the Syriacs get persecuted by the fanatical Muslims there," he said.

The threats against the church were part of a public outcry in Turkey that included newspaper editorials characterizing the Swiss decision as "Islamophobia." One Turkish government official called upon Muslims to divest their money from Swiss bank accounts. He invited them to place their money in the Turkish banking system.

In part, the threats also may reflect a larger and well-established pattern of anti-Christian attitudes in Turkey. A recent study conducted by two professors at Sabanci University found that 59 percent of those surveyed said non-Muslims either "should not" or "absolutely should not" be allowed to hold open meetings where they can discuss their ideas.

The survey also found that almost 40 percent of the population of Turkey said they had "very negative" or "negative" views of Christians. In Turkey, Christians are often seen as agents of outside forces bent on dividing the country.

This is not the first time Akbulut has faced persecution. Along with a constant string of threats and harassment, he was tried and acquitted in 2000 for saying to the press that Syriacs were "massacred" along with Armenians in 1915 killings.

In December 2008 in Midyat, also in eastern Turkey, someone dug a tunnel under the outlying buildings of a Syriac church in hopes of undermining the support of the structure.

At the Mor Gabriel Monastery, also near Midyat, there is a legal battle over the lands surrounding the monastery. Founded in 397 A.D., Mor Gabriel is arguably the oldest monastery in use today. It is believed local Muslim leaders took the monastery to court in an attempt to seize lands from the church. The monastery has prevailed in all but one case, which is still underway.

"These and similar problems that are threatening the very existence of the remaining Syriacs in Turkey have reached a very serious and worrying level," Aygur stated in a press release. "Especially, whenever there is a problem about Islam in the European countries, the Syriacs' existence in Turkey is threatened with such pressures and aggressions."

USCIRF Urges President Obama to Raise Religious Freedom Issues with Turkish Prime Minister

USCIRF (04.12.2009) / HRWF (10.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - USCIRF sent the following letter to President Obama regarding his meeting with Turkish Prime Minister Erdogan

December 4, 2009

The President
The White House
Washington, D.C.

Dear Mr. President,

Dear Mr. President, As you prepare for your upcoming meeting with Turkish Prime Minister Recep Tayyip Erdoğan, the U.S. Commission on International Religious Freedom urges you to make freedom of religion a key component of your discussions. In particular, we strongly recommend that, among other issues outlined here, you ask the Prime Minister to commit to a date certain for return of ownership and control of the Halki Seminary to the Ecumenical Patriarchate of the Orthodox Christian Church, and to commit to eliminating the state controls on the internal governance of that Church and the Greek Orthodox community.

During your speech to the Turkish parliament in April you noted that "[f]reedom of religion and expression lead to a strong and vibrant civil society that only strengthens the state," and that "[a]n enduring commitment to the rule of law is the only way to achieve the security that comes from justice for all people Robust minority rights let societies benefit from the full measure of contributions from all citizens." We welcomed

those remarks and believe it is most fitting again to raise these important points when you meet with Prime Minister Erdoğan.

While Turkey has a democratic government, the state has applied the concept of secularism to fully control religion in public life in a manner that has resulted in many restrictions on freedom of thought, conscience, and religion or belief amounting to violations for persons living in Turkey, for its majority Muslim as well as its minority religious communities. Ensuring greater respect for freedom of religion or belief will foster a strong and secular Turkish state, while protecting the human rights of those living there.

The Turkish government places major restrictions on freedom of religion or belief for its non-Muslim religious minority communities, including state policies and actions that effectively deny them the right to own and maintain property, to train religious clergy, and to offer religious education. These policies have led to the decline—and in some cases virtual disappearance—of some religious minorities on lands they have inhabited for millennia. Several legal cases in 2009 highlight the continued difficulties of Turkish religious minority communities in regaining or retaining their property, including the historic Mor Gabriel Syrian Orthodox Monastery in eastern Turkey. In addition, since the summer of 2009 the Turkish government has refused to allow worship at the Catholic pilgrimage site of St. Paul's Church in Tarsus. Moreover, although the Ecumenical Patriarchate and Greek Orthodox foundations have received favorable rulings from the European Court, the church has not recovered confiscated communal property, including the orphanage on the island of Buyukada. The Armenian Orthodox Patriarchate's proposal to open a university department for the Armenian language and the training of clergy has been pending for a number of years, without resolution.

We ask that these points be included in your discussion, and hope you will urge Prime Minister Erdoğan to follow-up on his January 2008 statement that the Ecumenical status of the Greek Orthodox Patriarchate should be an internal church issue by granting official recognition to the Ecumenical status of the Patriarch.

We hope, as well, that you will raise the issue of freedom of expression as it pertains to the Muslim community. Despite legislative efforts in early 2008 to remove prohibitions on wearing Islamic headscarves in public institutions, the Turkish Constitutional Court ruled the ban should continue. We hope that the United States will explore ways to cooperate with Turkish authorities on allowing women the freedom to express religious or non-religious views through dress, so as to respect their beliefs and the secular status of the Turkish republic. In addition, the Directorate of Religious Affairs, or the Diyanet, an agency in the Turkish Prime Minister's office, controls all 80,000 mosques in Turkey and employs all imams as state functionaries. Muslim religious practice and education follow Hanafi doctrine as promulgated by the Diyanet. Individual or communal practice of Islam outside of government-regulated institutions is not permitted; several Muslim groups, such as the Sufi orders, exist but are officially banned.

The Turkish government also does not officially recognize the Alevi, Turkey's largest minority religious community. In 2007, the European Court of Human Rights ruled that the compulsory religious education in Turkish schools should be optional for Alevis, since the curriculum only taught Sunni Islam. Although that curriculum was modified in 2008, Alevis maintain that the new texts do not accurately present their community. We ask that you encourage the Prime Minister to address this issue and work with the Alevi community regarding their numerous concerns and to grant official status to those Alevi houses of worship that apply for such status.

On a potentially positive note, the Turkish Interior Minister announced in November the formation of a new, independent National Human Rights Institution in 2010, and a separate commission against discrimination. The Commission hopes that the new anti-

discrimination commission will examine cases of discrimination, including anti-Semitism, as well as hate crimes based on religious prejudice. So far, according to the 2009 report on hate crimes of the OSCE Office of Democratic Institutions and Human Rights, Turkey has a low rate of prosecution of such crimes. For example, the trial of the alleged killer of noted Armenian journalist Hrant Dink and the separate trial of five alleged killers of three Protestants have continued since 2007; no verdicts are in sight and allegations of official collusion have not been addressed. The Commission hopes that the Turkish authorities will provide police protection if requested, as in the recent case of Turkish-Armenian journalist Sevan Nisanyan.

The Commission placed Turkey on its "Watch List" in May 2009. We very much hope to be able to revisit this designation in the spring, in the event that the Turkish government properly addresses the problems I have identified here. Your meeting, by strongly and specifically raising the issue of freedom of religion or belief, could be a very productive first step in achieving the necessary progress.

Sincerely,

Leonard Leo, Chair

cc: Philip H. Gordon, Assistant Secretary of State for the Bureau of European and Eurasian Affairs
Michael H. Posner, Assistant Secretary of State for the Bureau of Democracy, Human Rights, and Labor

Samantha Power, Senior Director of Multilateral Affairs, National Security Council

More than half in Turkey oppose non-Muslim religious meetings

Survey finds nearly 40 percent of population has negative view of Christians

By Will Morris

Compass Direct (04.12.2009) / HRWF (09.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - More than half of the population of Muslim-majority Turkey opposes members of other religions holding meetings or publishing materials to explain their faith, according to a recently issued survey.

Fully 59 percent of those surveyed said non-Muslims either "should not" or "absolutely should not" be allowed to hold open meetings where they can discuss their ideas. Fifty-four percent said non-Muslims either "should not" or "absolutely should not" be allowed to publish literature that describes their faith.

The survey also found that almost 40 percent of the population of Turkey said they had "very negative" or "negative" views of Christians. In the random survey, 60 percent of those polled said there is one true religion; over 90 percent of the population of Turkey is Sunni Muslim.

Ali Çarkoglu, one of two professors at Sabanci University who conducted the study, said no non-Muslim religious gathering in Turkey is completely "risk free."

"Even in Istanbul, it can't be easy to be an observant non-Muslim," Çarkoglu said.

The report, issued last month, was part of a study commissioned by the International Social Survey Program, a 45-nation academic group that conducts polls and research

about social and political issues. The survey quantified how religious the population is in each of its 43-member countries.

Çarkoglu, along with Professor Ersin Kalaycioğlu, carried out the research in 2008. The completed study with the results of all 43 countries will be released in 2010. The study has been conducted previously three times at roughly 10-year intervals.

This year marked the first time study data has been collected in Turkey. Turkey was the only Muslim-majority population in the study.

The survey includes significant nuance. While 42 percent of the population agreed with the statement that religious people should be tolerant, 49 percent of those surveyed said they would either "absolutely" or "most likely" not support a political party that accepted people from another religion. But 20 percent of those surveyed said they had "very positive" or "positive" views of Christians – 13 percent "very positive," and 7 percent "positive."

Çarkoglu said the results of study could be attributed to the Turkish educational system, which mandates religious studies for both junior high school and high school students – classes in which Christians and Jews "are not even mentioned" or are portrayed as "the others," Çarkoglu said.

"That instills in these students a severe point of view of intolerance," he added.

Dual Threat

The Rev. Dositheos Anagnostopoulos, speaking on behalf of the Ecumenical Patriarchate in Istanbul, said that Greek Orthodox Christians are treated like second-class citizens in Turkey. He said that members of his church feel "pressured" but things have improved slowly over the years. Earlier this year, two Greek Orthodox cemeteries in Istanbul and one in Izmir were severely vandalized.

"There's still vandalism, but there haven't been any problems with physical threats lately," he said.

In Turkey, Christians face dual threats from a self-declared "secular" state and from members of the public who, according to the study, have become more observant in their Islamic faith. Christians are often seen as enemies of the state, enemies of Islam or traitors to Turkish culture.

A 2009 report on international religious freedom by the U.S. Department of State said that in Turkey, "No law explicitly prohibits religious speech or religious conversions; nevertheless, many prosecutors and police regarded religious speech and religious activism with suspicion. Christians engaged in religious advocacy were occasionally threatened or pressured by government and state officials. ... Threats against non-Muslims created an atmosphere of pressure and diminished freedom for some non-Muslim communities."

At times in Turkey's history, the government has "manipulated public opinion" by putting forth the message that Turkish Christians are aligned with powers outside of the country that want to divide the nation, said Zekai Tanyar, a Turkish national who has been a Christian for more than 30 years. He is chairman of the Association of Protestant Churches (in Turkey).

"There are some who view that Christians are out to undermine the country, especially missionaries," he said.

In January 2007, Hrant Dink, editor-in-chief of the Armenian weekly Agos, was shot dead in Istanbul. Dink was a member of the Armenian Christian community in Turkey. Three months later, two Turkish Christians and a German Christian were murdered in Malatya. The accused killers in all four slayings have alleged links to Turkish nationalists. Two other Christians, converts from Islam, are standing trial charged with, among other things, "insulting Turkishness" and inciting hatred against Islam.

According to the U.S state department report, by law religious services in Turkey can only take place at worship sites approved by the government. And while the Sunni majority receives generous support from the government for its mosques, "[Non-Muslim groups] reported difficulties opening, maintaining, and operating houses of worship."

Tanyar of the Protestant association said that the anti-Christian persecution situation in Turkey has improved in some ways but gotten worse in others.

"People have gotten used to the idea that we exist, and certain laws have changed to accommodate us," he said. "On the other hand, acts of disinformation and violence have increased."

Religious freedom survey

Otmar Oehring and Güzide Ceyhan

Forum 18 (27.11.2009) / HRWF (02.11.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Ahead of the UN Human Rights Council May 2010 Universal Periodic Review of Turkey, Forum 18 News Service has found that the country continues to see serious violations of international human rights standards on freedom of religion or belief. A long-standing crucially important issue, with many implications, is that Turkey has not legally recognised religious communities in their own right as independent communities with full legal status - such as the right to own places of worship and the legal protection religious communities normally have in states under the rule of law. Additionally, the most dangerous threat to individuals exercising freedom of religion or belief has been a series of violent attacks and murders on those perceived as threats; in recent years the victims have been Christians. Turkish citizens have argued to Forum 18 that the protection of the right of all to freedom of religion or belief, as laid down in the international human rights standards which Turkey is party to, should be the standard used by the authorities in all affected fields. They also argue that the authorities act against the intolerance fuelling violent attacks and murders.

Ahead of the UN Human Rights Council May 2010 Universal Periodic Review of Turkey, Forum 18 News Service has found that the country continues to see serious violations of international human rights standards on freedom of religion or belief. The single most important and the most long-standing issue is the fact that - despite undertaking to do so in the 1923 Lausanne Treaty - Turkey has not legally recognised non-Muslim religious communities in their own right as independent communities with full legal status - such as the right to own places of worship and the legal protection religious communities normally have in states under the rule of law. This problem faces all religious communities in Turkey, including those which were not present in 1923. Even the majority Sunni Islamic community is not recognised in this way, instead being under the control of the Diyanet, or Presidency of Religious Affairs, which reports directly to the Prime Minister. Additionally, the most dangerous threat to individuals exercising freedom of religion or belief has been a series of violent attacks and murders on those perceived as threats. In recent years the victims have been Christians.

Turkey straddles Europe and Asia and has a population of over 72 million, about three-quarters of them ethnic Turks. The next largest ethnic group are the Kurds, with smaller numbers of ethnic Arabs, Circassians, Armenians, Laz, Georgians, Greeks, Jews and others. An estimated 99 per cent of the population are of a Muslim background, mainly Sunnis, with 20 to 30 per cent of the population being Alevis, and very small numbers of Shias. The largest non-Muslim religious community are Christians, with the Armenian Apostolic being the largest church followed by Syrian Orthodox, Greek Orthodox, Catholics of various rites and Protestants. Baha'is and Jehovah's Witnesses are present in smaller numbers – in the case of Baha'is around 10,000.

Political background

The "deep state" - military, security, bureaucracy and elite representatives - have been unhappy with the rise of the ruling AKP party. The deep state remains wedded to Mustafa Kemal Atatürk's "secularism" as they understand it. This entails overt state control of Islam through the Diyanet, which reports directly to the Prime Minister, and enshrines serious restrictions on the ability of non-Muslims and Muslims outside state control to exercise freedom of religion or belief. It is difficult to reconcile with the Constitution's statement that the Republic is a secular state, as this "secularism" gives state-run Sunni Islam rights which no other group enjoys. It also imposes controls on state-run Sunni Islam imposed on no other group, such as on the content of sermons. The Diyanet is funded with tax collected from all citizens, regardless of their religion or belief, and supports tax exemptions for the only mosques permitted (those controlled by the Diyanet) and employs and pays the salaries of their imams. No other faith, or indeed non-state-controlled Muslim group, is permitted to train its clergy in Turkey.

Among the other problems flowing from the state definition of "secularism" are continuing and long-standing problems caused by the ban on religious communities' themselves owning property. Communities as diverse as Alevi Muslims, Catholics, Greek Orthodox, Protestants, and the Syrian Orthodox Church have seen no significant progress in resolving property problems. Examples include no progress on recognising Alevi Muslim cem houses as places of worship and continuing vexatious legal cases aimed at depriving the Mor Gabriel Syrian Orthodox Monastery in south-eastern Turkey of its land. As non-Muslim communities are under threat of violent attacks, the Interior Ministry issued a circular in June 2007 asking law enforcement forces to protect non-Muslim places of worship, and be watchful for plans to attack them. A number of plans to mount attacks were subsequently uncovered and prevented, for instance a plot to kill the pastor of a church in Antalya. However, this step, although welcome, addresses only the symptoms of intolerance, not the root causes.

Official protection for religious leaders, such as the Ecumenical Patriarch, is widely seen by these communities as being designed as much to control as to protect them. Suspicion of the authorities' intentions remains. Alevi Muslims broke off formal talks with the government over denial of their rights, expressing frustration at the lack of concrete progress in enabling them to exercise their religious freedom. Informal workshops involving representatives of the Alevis, the Diyanet and others continue. An August 2009 lunch meeting between Prime Minister Recep Tayyip Erdogan and religious leaders, including Ecumenical Patriarch Bartholomew, was followed by a visit to two Greek Orthodox sites. But no concrete improvements ensued in their ability to exercise freedom of religion or belief.

The rule of law

The Mor Gabriel cases – which started after state officials unilaterally redrew land boundaries - highlight problems around the rule of law and how society does or does not understand this, which has a serious impact on freedom of religion or belief. Another trial drifting on with no sign of a verdict is of two Turkish Protestants, Hakan Tastan and

Turan Topal. They are on trial for "insulting Turkishness" and defamation of Islam, following their involvement in a Bible correspondence course in October 2006. The trial in Malatya of the five men accused of murdering three Protestant Christians in 2007 has drifted on since its start in November 2007. In 2009 police have avoided bringing witnesses to court on various occasions, and no verdict appears imminent. Hopes that impunity for those who attack Christians would be over remain disappointed.

Two recent victories in the European Court of Human Rights (ECHR) – by the Ecumenical Patriarchate in 2008 and a Greek Orthodox Foundation in 2009 - have still not led to the recovery of confiscated property. The ECHR appears to be the only realistic hope of implementing in law some very important aspects of the right to exercise freedom of religion or belief - provided its judgments are implemented.

Violent attacks and murders

The Armenian, Greek and Alevi communities have in the past been subject to mass pogroms and violent attacks that have resulted in migration of these communities inside and outside of Turkey. There have also been in the past murders of individuals for their beliefs, such as of the atheist and former imam Turan Dursan in 1990. However, a recent series of murders has drawn attention to the continuing need to address the problem of the murderous intolerance of sections of Turkish society. These murders were of: Fr Andrea Santoro, a Catholic priest in 2006; the Armenian Turkish journalist Hrant Dink in 2007; and of two ethnic Turkish Protestants, Necati Aydin and Ugur Yuksel, and a German, Tilmann Geske in Malatya in 2007. In July 2009 a Catholic German businessman engaged to an ethnic Turk, Gregor Kerkeling, was murdered by a mentally disturbed young man for being a Christian.

In August 2009 Turkish Protestant Ismail Aydin, who works for an association spreading knowledge about Christianity, was taken hostage at knifepoint. The young man responsible claimed that "this missionary dog is trying to divide the country" and wrapped a Turkish flag around Aydin's head. He was seen on TV reports telling his captor that "this flag is mine as well! I'm a Turk too, but I'm a Christian." His captor responded that "you have betrayed the Turkish flag and country". The police rescued Aydin and the attacker is being prosecuted. But the incident highlighted again the dangerous unwillingness of many within Turkey to accept that there are many ways to be a Turk.

What fuels violent attacks and murders?

Factors which encourage violence include; disinformation by public figures and the mass media; the rise of Turkish nationalism; and the marginalisation of smaller groups within society. All three trends feed off each other, and all of Turkey's smaller religious or belief communities – those within Islam and Christianity, as well as Baha'is, Jehovah's Witnesses, atheists and agnostics - are affected by them. There has been disinformation and defamation against Christians, in particular against Protestants who share their beliefs with others in public discourse as well as in the media.

A day after the Malatya murders, Niyazi Güney, a senior Justice Ministry official, told Turkish parliamentarians that "missionary work is even more dangerous than terrorism and unfortunately is not considered a crime in Turkey". He repeated this in Milliyet newspaper. Terrorism and missionary activity are thus presented as connected. Almost any manifestation of Christian belief – including meetings in churches - is seen by those who hold these views as "missionary activity".

Missionary activity has been on the agenda of the National Security Council (MGK), which is chaired ex officio by the President and also comprises the Chief of the General Staff, the commanders of all the branches of the Turkish Armed Forces and several government ministers. In a February 2005 evaluation of current and future challenges to Turkish

security, the MGK drew attention to "a need for social activities that will prevent the spreading of organisations and ideologies that will have an impact on Turkey's unity". It suggested that "abusive missionary activities should not be permitted". What exactly was meant by "abusive missionary activity" was not defined.

The Turkish phrase used for missionary activity in official discussions and formal papers, as well as by the xenophobic and nationalist parts of society, has extremely negative connotations. "Misyonerlik faaliyetleri" can be translated into English as missionary activities, which does not convey either a positive or a negative evaluation of the activities. But "misyonerlik faaliyetleri" has in Turkish the connotations of missionary scheming, plotting and intrigues. Both words have negative connotations in Turkish, and used together as one phrase convey a double negative connotation.

"Missionary" conferences propagating such views continue to be held by the Diyanet in provinces and townships using state facilities. Similar activities are also conducted by the military and the Gendarmerie (Jandarma) to "enlighten" their personnel - including conscripts - about what they see as "missionary activities".

Associated with this is intolerance promoted within the school curriculum (see below).

The intolerance in society towards non-Muslims also extends to atheists, who cannot openly identify or organise themselves in Turkey.

Ergenekon and the "deep state"

The trial which began in 2007 of influential people - from the police, army, bureaucracy, business, politics and the mass media - alleged to be part of an ultra-nationalist group, Ergenekon, has revealed strong and widespread opposition among them to freedom of religion or belief. Ergenekon members are alleged to have maintained deathlists of people, including Christians with a missionary background. The Malatya murder trial is revealing plausible links between the "deep state" and the murders, Turkish media noting that a link between the murders and the Gendarmerie seems obvious. The Gendarmerie, it seems, knew in advance of the murders and did not take steps to prevent them. Also according to the media, Fr Andrea Santoro and his church were under surveillance by the National Intelligence Organisation (MIT) secret police on the very day of his murder.

The media has featured documents discovered in the Ergenekon investigation proving that the Gendarmerie actively monitored missionary activities in the Malatya region through informers, before and after the Malatya murders. It should be noted that the activities being monitored were lawful acts of teaching and promoting one's beliefs. Unlawful disinformation or defamatory practices limiting lawful enjoyment of human rights do not appear to have been monitored or acted against.

Media intolerance

Protestant Turks have noted a significant decline in numbers of violent attacks directed at their churches and religious leaders in 2009. This is possibly due to a decline since 2007 in defamatory mainstream media coverage of them. For example, a widely viewed national TV channel, ATV, has stopped broadcasting reports of "illegal" churches, or Turks converting to Christianity.

However, intolerant reporting and commentary continues in local and ultra-nationalist newspapers, as well as on websites and blogs. One 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." The continuing

intolerant mind-set of many is fuelled by such irresponsible media reports, and makes members of vulnerable groups fear that violence against them could escalate again.

No legal status as religious communities

Full legal recognition of all religious communities would be a major step forward in both achieving freedom of religion or belief as understood in the human rights standards Turkey has ratified, as well as addressing the prejudice that non-Muslim religious communities are "foreign" and not genuinely Turkish. At present, religious communities which existed in the Ottoman Empire operate legally under an archaic system of imperial decrees and regulations that deny them full legal status as religious communities and restrict their freedom to function. Communities which did not have a recognised existence before the Turkish Republic was founded in 1923 have little hope of gaining any kind of recognised status in law. Articles 37-45 of the 1923 Lausanne Treaty, on "Protection of Minorities", should have led to the recognition of then-existing non-Muslim religious communities in their own right, as independent communities with full legal status - such as the right to own places of worship. But this has not happened, not least as the Treaty left it unclear what such recognition might mean. Bizarrely, the government ministry which handles relations with many of Turkey's indigenous non-Muslim religious communities which existed before the Lausanne Treaty is the Foreign Ministry.

The situation of non-Muslim minorities in Turkey is extremely complex under the present legal framework. The official view of the state is that different regulations apply to the various non-Muslim religious communities. Firstly in the state's view, there are the groups that count as non-Muslim minorities within the meaning of the Lausanne Treaty. In the view of the state, these are exclusively the Armenians, Bulgarians, Greeks and Jews. A second group are the non-Muslim minorities who were present in Turkey in 1923 at the time of the Lausanne Treaty but were not recognised by the state as minorities within the meaning of the Treaty. These are, for example, the Syrian Orthodox Church, churches such as the Chaldean Church and the Syrian Catholic Church, and the Roman Catholic Church.

However, it is very important to note that the communities in both these groups actually exist today and have been recognised by the state as existing – but they have not been legally recognized and have no legal personality (Tuzelkisilik).

Besides the non-Muslim minorities are a number of so-called community foundations that are attributed by the state to, but not necessarily controlled by, certain non-Muslim minorities (such as Armenians, Greeks, Syriac Orthodox, Jews and others) which have gained legal personality (Tuzelkisilik). It is also important to note that, legally, there is no link at all between these community foundations and the non-Muslim minorities the state attributes them to.

Neither the Roman Catholic Church nor those Protestant churches that existed in Turkey before 1923 have any community foundations that could be attributed to them.

None of these non-Muslim minorities – whichever category the state sees them as belonging to – have as religious communities the kind of rights to religious freedom that Article 9 of the European Convention on Human Rights envisages. In practice, all these communities are on a very similar legal footing to newer communities such as Baha'is and Jehovah's Witnesses, which did not exist in Turkey in 1923, and which today have no legal status as communities.

The 2004 Associations Law was welcomed by some newer communities, such as Protestant and Jehovah's Witnesses, as it allowed people within these communities – but not the communities themselves - to form a legal entity that would allow them to engage

in some activities legally. However, the "Association formula" is still rather new and some communities are reluctant to use it. A major reason is that, being small communities, they cannot fulfil the necessary requirements to establish an association. State officials seem to pay more attention than is usual to associations established in connection with religious communities.

There are also serious questions of possible inadequacies in the "Association formula". One problem is that if those who run the foundation and those who lead the community are not the same people, there is a possibility that they may disagree with each other – which may leave the community again without the possibility of legally carrying out activities. The "Association formula" proposed by the government to "solve" the legal personality problem does not provide a satisfactory solution. Whether it will work effectively as a "limited" solution remains to be seen. This will depend on both whether the formula is in practice found to be simple and flexible enough for the needs of small communities, and whether audits and decisions by state officials take account of this. These developments will need to be closely monitored.

Even for long-established communities with the limited recognition which has been conferred – without rights to for example own places of worship - the attitudes of the Turkish state can be hostile and even threatening. This has been seen in the case of the Armenian Apostolic Patriarch Mesrop Mutafyan, who leads Turkey's biggest Christian church, who was elected Patriarch in 1998 against the express wishes of the Turkish authorities. He has been forced to retreat into health-related seclusion, brought on by years of pressure from the media, the public and from the Armenian diaspora, some of which has dubbed him a traitor. Should Patriarch Mesrop not recover, the Turkish authorities are likely to insist – as they have done up to now – that his successor as head of the Armenian (as well as the Greek Orthodox) Patriarchate must be a Turkish citizen resident in Turkey. The Armenian Church may struggle to find a candidate with the diplomatic and linguistic skills and the international experience for such a crucial role in such a delicate and exposed position. This problem is of importance not just for the Church but for the Armenian community as a whole.

Denial of recognition also leaves the adherents of many faiths vulnerable to discrimination, as citizens have their religious affiliation recorded in official records. In this way the state indicates which religions are "legitimate" and which are not. The Baha'i community has about 10,000 members, but is not recognised as a religion. As the Baha'i faith therefore cannot be chosen in the public registry, Baha'is are forced to choose either Islam or leave the religion part of their Identity Card empty.

Who can own places of worship?

An aspect of this non-recognition is that even recognised religious communities cannot themselves own properties such as places of worship. Bizarrely, these must be owned by separate foundations not under the direct control of the communities. This has drawn much attention, focused on the passage of a series of Foundation laws – none of which have solved the basic problem.

The most recent amendments to the Foundations Law have at least led to a number of improvements to the functioning of these community foundations. Yet even so the communities to which the community foundations are attributed still complain about a number of severe problems relating to their community foundations that have not been resolved. Expectations outside Turkey that the amendments to the Foundations Law would also lead to a complete solution for all the unresolved questions regarding legal recognition of non-Muslim minorities have not been fulfilled. As Dilek Kurban of the respected TESEV Foundation noted, the Foundations Law is "incompatible with the principle of freedom of association, which is guaranteed by the European Convention on Human Rights, the Constitution and the [1923] Treaty of Lausanne".

It should be made clear that the Foundations Law can only be the right place to resolve problems regarding the community foundations and is not the right place to resolve the basic problems of non-Muslim minorities in Turkey. That may only be expected from a new Constitution based on the European Convention on Human Rights and implementation in law of religious freedom.

Stalemate for Alevi Muslims

Alevi Muslims form between 20 and 30 per cent of the population, but the overwhelming majority of their places of worship – cemevi or cem houses – are not recognised by the state. The Alevi community organised a mass demonstration, attended by tens of thousands of Alevis on 8 November 2009 expressing their frustration that they are still not treated as citizens with equal rights, and calling for the abolition of both the Diyanet and compulsory religious education lessons in public schools.

Another cause of frustration for Alevis is that their leaders – called "Dede" or elders - are not entitled to legally hold that title. This dates back to 1925, when Act No. 677 of 30 November 1341 (1925) "On the Closure of Dervish Monasteries and Tombs, the Abolition of the Office of Keeper of Tombs and the Abolition and Prohibition of Certain Titles" was brought in. This abolished the title, and Article 174 (Preservation of Reform Laws) of the Constitution makes it impossible to change this Law. This Article states: "No provision of the Constitution shall be construed or interpreted as rendering unconstitutional the Reform Laws indicated below, which aim to raise Turkish society above the level of contemporary civilisation and to safeguard the secular character of the Republic, and which were in force on the date of the adoption by referendum of the Constitution of Turkey." Among the laws listed is Act 677.

Education about religion or belief

In contrast to the children adhering to the two non-Muslim religious communities acknowledged in the education system - Christians and Jews – Alevis, Baha'is, children of other faiths and atheists are forced to attend de facto Sunni religious education classes in public and private schools. Diyanet officials have occasionally indicated that they regard Alevism as a part of Sunni Islam and do not respect their different interpretation of Islam. This means that Turkey has not seen any need to alter the religious education curriculum. In a court ruling (Hasan and Eylem Zengin v. Turkey, Application no. 1448/04) the European Court of Human Rights (ECHR) stated that this is unacceptable.

Turkey is obliged by this judgment to take action to ensure that the same problem does not reoccur for anyone. However, as Turkish news agencies reported on 25 August 2008, then Minister of Education Hüseyin Çelik claimed the decision was about the old curriculum. As Alevi beliefs are included in the new curriculum, the Minister claimed the ECHR judgment was inapplicable. Implementation of the judgment is still pending before the Council of Europe Committee of Ministers.

Teaching of other subjects includes disinformation about or defamation of faiths. Missionary activity is listed as one of the national threats in compulsory public school books that are taught in Grade 8 classes on the History of Turkish Republican Reforms and Atatürkism. The textbook states that missionaries "try to fulfil their goals through the significant financial support of foreign powers, some non-governmental organisations and from their own supporters. Missionaries exploit the financial hardships of people. They translate texts related to their own beliefs into different languages and distribute them free of charge and accordingly use written and visual media for their propaganda purposes. They are a threat to the national unity and integrity of our state and nation."

Those at risk from violent attack think such sentiments – propagated through the school system and mass media – are major factors in violent attacks and murders motivated by intolerance.

As a participating State of the Organisation for Security and Co-operation in Europe (OSCE), Turkey has agreed to implement measures "to counter prejudices and misrepresentation, particularly in the field of education". Initiatives to assist this include the Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools. However the authorities have shown no visible interest in providing fair education on religions and beliefs in schools.

Discrimination within the public service

It is virtually impossible to find people from non-Muslim backgrounds in high level civil servant positions and impossible in senior ranks in the military. While there are non-Muslims employed at lower levels there are frequent allegations that they experience discrimination and are never allowed to take a high ranking position. Syriac Orthodox Christians, for example, have complained to Forum 18 that their young people are never allowed the possibility of careers leading to senior positions in the military or the civil service – even when they are fully qualified for such careers. Many are deeply disappointed, Forum 18 has been told, when they realise that they are not seen as "genuine" Turks, and so will never be allowed the chances to serve their country which those seen as "genuine" Turks have.

Religious clothing

A 1934 Law which according to Article 174 of the Constitution may not be altered or abolished bans wearing religious garments on the streets, with Muslims being the initial targets. With the exception of the Ecumenical Patriarch, the Armenian Patriarch and the Chief Rabbi, no religious minority leaders until the 1980s acted against this ban. Enforcement has been more sporadic recently, but many religious leaders choose not to wear religious clothes outside their place of worship, partly because of this Law and partly – in the case of members of religious minorities – for fear of provoking attacks. Foreign Greek, Russian and Georgian Orthodox priests have complained in recent years that they have been forced to remove their cassocks and crosses before being allowed to enter the country.

The wearing of headscarves by Muslim women has long been a controversial issue. The AKP party's move to allow female university students to wear headscarves was prevented by the Constitutional Court, and caused much debate and hostility in the secular sectors of the population. Although it is prohibited to attend university wearing headscarves, or any religious symbol, this prohibition is not consistently implemented. It has become a symbolic issue that seems to embody the questions of whether Turkey will continue to be a "secular" country – as the state defines this - or not.

Conscientious objection to military service denied

Conscientious objection to compulsory military service is not permitted. Conscientious objectors of military age (including among the roughly 3,000 Jehovah's Witnesses) face an unending cycle of prosecutions and imprisonments. In the ECHR case of Ülke v. Turkey (Application no. 39437/98), the Court found that such punishment was a violation of the prohibition in the European Convention of Human Rights of torture, inhuman and degrading treatment. Turkey continues to disregard the 17 October 2007 call of the Council of Europe Committee of Ministers for it "to adopt rapidly the legislative reform necessary to prevent similar violations."

Internet censorship

Access to the website of well-known atheist Richard Dawkins is prevented in Turkey through a court decision. His books, as also those of other atheists, are however permitted, despite legal attempts to ban them. Similarly, access to a website dedicated to Turan Dursun, a well-known Turkish atheist murdered for his beliefs in 1990, is barred.

Conclusion

Many people and communities have for a long time faced obstacles in carrying out peaceful religious activity – activity that is protected in the international freedom of religion or belief agreements that Turkey has committed itself to. The long-standing lack of willingness to legally recognise religious communities in their own right, the disinformation by public officials and the public education system, ultra-nationalism and mass media intolerance behind violent attacks and murders, and the Turkish definition of "secularism" are the clearest examples of this. They cause serious doubt about whether the country is really committed to universal human rights for all.

Other obstacles include: problems around the rule of law; discrimination against Alevi Muslims; discrimination within the public service; lack of freedom to wear religious clothing in public institutions; denial of conscientious objection to military service; and limited internet censorship.

Turkish citizens committed to human rights for all have argued to Forum 18 that the protection of the right of all to freedom of religion or belief, as laid down in the international human rights standards which Turkey is party to, should be the standard used by the authorities in all affected fields. They also argue strongly that positive steps should also be taken by the authorities to eliminate social hatred against all groups that are the targets of intolerant attitudes.

Turkish police official axed amid allegations in murders

Head of intelligence allegedly hid evidence, failed to prevent slaying of Christians

By Damaris Kremida

Compass Direct (22.10.2009) / HRWF (26.10.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - 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, Aykurek 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 Aykurek 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.

Lawyer calls Turkish Christians' trial a 'scandal'

Evidence still absent in case for 'insulting Turkishness and Islam'

By Barbara G. Baker

Compass Direct (16.10.2009) / HRWF (19.10.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - 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 Balikpazari 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 connotating 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."

Turkish murder defendant again admits perjury

Prosecutors suspect he's protecting 'masterminds' of slaying of three Christians in Malatya

By Barbara G. Baker

Compass Direct (25.08.2009) / HRWF (26.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Turkish murder suspect Emre Gunaydin admitted in court last

week that he had again committed perjury in the trial over the savage murders of three Christians in southeast Turkey.

Gunaydin, 21, faced off in Malatya's Third Criminal Court on Friday (Aug. 21) with Varol Bulent Aral, whom he had named as one of the instigators of the attack at Zirve Publishing Co.'s Malatya office in a previous disposition before state prosecutors. Gunaydin, the alleged ringleader of the murderers, told the court that he had lied in a previous disposition before state prosecutors by implicating Aral.

"I named Varol Bulent Aral to reduce the sentence," Gunaydin said under questioning.

His admission came after Aral testified at length, painting an elaborate scenario of himself as a key player in the "Ergenekon" conspiracy – said to include top level political and security officials, among others – suspected of orchestrating the 2007 Malatya attack with Gunaydin and four other defendants.

"Varol Bulent Aral has no connection with these events," Gunaydin insisted. "He is explaining things that he has imagined. There was not any threat against me, nor any instigator."

Gunaydin initially failed to appear at Friday's hearing where Aral was expected to testify, sending a note to the court that he was feeling unwell. But the judge abruptly announced a short court recess and ordered Gunaydin brought immediately from prison to the courtroom.

At a hearing three months ago, Gunaydin retracted similar allegations he had made against Huseyin Yelki, a former volunteer at the Christian publishing house where Turkish Christians Necati Aydin and Ugur Yuksel and German Christian Tilmann Geske were bound hand and foot, tortured and then slain with knives.

Jailed for three months on the basis of Gunaydin's allegations, Yelki was finally brought to testify at the May 22 hearing.

"Huseyin Yelki is not guilty. He's in prison for nothing," Gunaydin told the court after Yelki testified. When questioned why he previously had implicated Yelki, Gunaydin said, "I did it to lessen my punishment. That's why I said he was a missionary."

Despite glaring discrepancies in his testimony, Yelki was released for lack of evidence. Aral was also ordered released for insufficient evidence, although he remains jailed in the Adiyaman Prison on unrelated criminal charges.

Plaintiff lawyers have expressed skepticism about Gunaydin's two retractions, questioning whether he has been pressured to change his testimony in order to shield the actual instigators of the plot. They also remain unconvinced that Aral and Yelki were not collaborators in the attack.

Prosecution Failures

"An investigation does not just consist of claims, it must consist of proofs," plaintiff lawyer Ali Koc told journalists on the courthouse steps after last week's hearing. "One of the underlying missing elements of the Zirve Publishing trial in Malatya stems from the failure to pursue the investigation with sufficient objectivity, depth and careful attention."

The only reason Aral and Yelki were charged in the case, the attorney noted, was because one of the defendants claimed they were accomplices. Koc stressed it was "the duty of the state and the judiciary to uncover those responsible for this event – the instigators, and the climate in which they emerged."

He also declared that Aral should be investigated for his relations with intelligence officials, which he hoped would expose new evidence.

"If the Malatya case is not joined with the Ergenekon trial, then we're probably looking at a verdict against the killers within the next three to five court hearings," plaintiff lawyer Erdal Dogan said. "But I have hope - I hope for merging it with the Ergenekon case, in order to uncover the perpetrators behind the scenes."

After two failed summons, Burcu Polat also appeared to testify at the Aug. 21 hearing. Now 18, Polat was Gunaydin's girlfriend at the time of the murders. She stated that she had used two different cell phones in the weeks previous to the murders. Both telephones were registered in the name of her father, Ruhi Polat, a provincial council member of the Nationalist Movement Party previously called to testify at the trial.

The court summoned intelligence officer Murat Gokturk from the Malatya gendarmerie headquarters to appear at the next hearing, set for Oct. 16. Yelki had contacted Gokturk frequently by telephone in the weeks preceding the murders.

Detailed Informant Letter

Two months ago, an informant in the military intelligence division of the Malatya gendarmerie headquarters sent an extremely detailed report to state prosecutors regarding what Turkish media have dubbed the "Malatya massacre."

The two-page letter fingered former Col. Mehmet Ulger, gendarmerie commander of Malatya province at the time of the murders, as a key instigator within the murder plot.

With precise, documented details, the report outlined Ulger's targeting of the Malatya Christians and their activities during the weeks surrounding the attack, including a secret briefing for selected officials, unregistered meetings and the tapping of gendarmerie personnel named for specific assignments at various stages.

At the actual day and hour of the killings, the report said, Ulger received a telephone call from his commander while he was in a furniture shop in the city center. Ulger immediately promised to go to the scene, taking two sergeant majors and an official car, and arriving just as the police teams pulled up.

"The event had just happened, and the police teams had not yet gone to the scene, and Mehmet Ulger's superiors informed him about it," the report noted.

The letter goes on to describe frequent visits Inonu University professor Ruhi Abat made to Ulger's office, where the colonel had specifically ordered his subordinates to never record Abat's visits in the official record book.

Although Ulger and Abat testified on April 13 that they had sponsored a seminar regarding missionary activities for gendarmerie personnel, the informant declared it could be easily proved that such a seminar had never been held.

The informant claimed that 40,000 Turkish lira (US\$30,800 at the time) was paid out during 2007 by Malatya's gendarmerie intelligence staff "solely to direct close surveillance on missionary activities." Instead of using the funds to help "break apart illegal organizations or recover a lot of drugs," he said, a large portion of the money was handed over to Abat, he said.

The informant's letter was sent simultaneously to Malatya Prosecutor Seref Gurkan and State Prosecutor Zekeriya Oz, who heads the Ergenekon investigation in Istanbul.

The anonymous informant claimed he had much more information that he could not pass along safely without revealing his own identity.

"Because I regret that I was involved myself in some of this, I am sending this letter to both prosecutors," he wrote. "I hope that I am being helpful in solving this dark event." He enclosed a CD of Ulger's 2007 briefing as well as a list of the people whose telephones were being tapped.

It is not known how seriously the latest informant's letter is being taken by the Malatya prosecutors.

"But we are seeing the continuation of a long chain of information coming out," plaintiff lawyer Orhan Kemal Cengiz commented. "We have at least achieved something in the eyes of the Turkish public, because everyone is now convinced that it was not just these five young men who planned this; there were much larger and more serious forces behind the scenes."

Efforts to tie Malatya murders to 'deep state' fizzle in Turkey

Alleged ring-leader retracts testimony implicating suspected link to 'masterminds'

By Damaris Kremida

Compass Direct (28.05.2009) / HRWF (29.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Prosecution efforts to tie the murderers of three Christians here to state-linked masterminds were set back on Friday (May 22) when the alleged ring-leader unexpectedly contradicted his previous testimony implicating a suspected "middleman."

As the suspected middleman between the murderers and "deep state" elements, Huseyin Yelki, was testifying at Friday's hearing, Emre Gunaydin – whose previous private testimony led to Yelki's arrest – stood up and said, "Huseyin Yelki is not guilty, he's being held in prison for no reason."

The prosecuting team and judges at the Malatya Third Criminal Court froze at the statement, and then demanded to know why he had previously implicated Yelki. Gunaydin said he did so because Yelki was a Christian missionary.

Gunaydin has also implicated Varol Bulent Aral, a journalist allegedly attached to a far-reaching political conspiracy known as Ergenekon. Aral is the second suspected middleman.

For his part, Yelki testified during the court hearing that he had met Gunaydin only once prior to the murders. According to Gunaydin's previous testimony, Yelki's brother facilitated various meetings between Gunaydin and Yelki in which they planned the knife attack on the three Christians at a Christian publishing house. During a private hearing this past winter, a judge showed Gunaydin photos of different people, and he immediately identified Yelki's brother.

Gunaydin's retraction raised suspicion among the judges that in recent months he has received visits in prison from those behind the murders who have pressured him to change his statement.

"Tell me the truth, have you spoken to anyone?" the judge barked at him.

"I swear to God, I have not!" said Gunaydin.

The judges requested a list of everyone who has visited Gunaydin and the other four suspects – Salih Gurler, Cuma Ozdemir, Hamit Ceker, and Abuzer Yildirim – while they've been in prison over the last two years. Further questioning of Yelki failed to yield clear and incriminating answers, and the judges released him.

Lead prosecuting lawyer Orhan Kemal Cengiz told Compass that records of the jail visits to Gunaydin may be inconclusive.

"These visits might be off the record [unofficial], we don't know," Cengiz said. "But we have a tiny hope that we may catch something through these records."

Yelki, a former volunteer at Zirve Publishing Co., was taken into custody in February on suspicion that he had incited the five young suspects to kill the three Christians, Turkish Necati Aydin and Ugur Yuksel, and German Tilmann Geske, in April 2007.

Cengiz called Yelki's testimony a "disaster." Even though it is apparent to the court that Yelki has had many contacts with gendarmerie intelligence, Cengiz said, he was not able to explain the nature of his calls, claiming that he wanted to speak to them about the Bible.

"We are very suspicious about him," Cengiz said. "Everyone is suspicious."

As a result of the last hearing, the court also asked for a record of all of Yelki's bank statements over the past few years to see if they point to ties with gendarmerie or other suspicious activities.

"To us it is obvious that Yelki is one of the links that connects these youngsters to upper levels," said Cengiz. "But he refused to cooperate, and in my view it is also obvious that Emre was pressured to change his statement, because in his earlier statement that he gave the prosecutor, he accused Yelki of instigating them to commit this crime. But he changed after that."

Cengiz said that Yelki made other misrepresentations, such as his claim in court to have stayed in bed for two months recovering from leg surgery, when telephone records showed he hopped between different southeastern Turkish cities during that time.

"It was obvious that he was telling a lot of lies, because he said that after the release from the hospital he rested for two months," said Cengiz, "but according to his telephone he was traveling and very intensively, actually."

Missionaries as Criminals

An undercover gendarme who works in drug and gun enforcement, Mehmet Çolak, also took the stand on Friday (May 22). Phone records show that he may have been one of the communication links between alleged masterminds and others, and his name was mentioned in an informant letter sent to the court.

His testimony, however, yielded no information helpful to prosecutors. When defense lawyers asked him which bureau of the gendarmerie follows missionary activities in Turkey, Çolak replied, "Counter-terrorism." The response typified the defense argument that the Christian victims brought the murder upon themselves by undertaking missionary activity.

In their concluding statements, defense lawyers requested that the court conduct a thorough investigation involving police, the army and gendarmerie to establish whether missionary activities are a crime. The judges rejected their request.

Prosecuting lawyers said that the lawyers have been trying to vilify missionary activities from the beginning of the case in an attempt to gain a lighter sentence for the five young men and also to make a nationalist political point.

"It is a very poor tactic," said Cengiz. "At the final hearing, they would like to make a defense that states, 'This attack was provoked ... You see these people [missionaries] are trying to divide our country.' They want to say that this is an unjust provocation, and as a result these youngsters were very angry and lost their temper. But this is rubbish."

Ergenekon Trial

Hearings and investigations of Ergenekon, a clandestine nationalist group believed to have sought to overthrow the government by engineering domestic chaos, continue apart from the Malatya trial.

Two suspects arrested in relation to the case, Aral and Veli Kucuk, a retired general, have also been implicated in the Malatya murders. They were both questioned by Ergenekon prosecutors and judges earlier this month.

Nearly 140 people have been arrested in connection to the case. Prime Minister Recep Tayyip Erdogan has been criticized for allegedly allowing indiscriminate arrests of people who oppose his political line and who are not connected to the "deep state" cabal.

Kemal Keringşiz, a Turkish lawyer famous for filing court cases and complaints against dozens of Turkish journalists and authors for "insulting Turkishness," has also been arrested in relation to Ergenekon. Keringşiz is responsible for the cases opened against Turkish Christians Hakan Tastan and Turan Topal, who have been on trial for two years for "insulting Turkishness" because they spoke openly about their faith.

In the next Malatya court hearing scheduled for June 19, judges expect to hear the testimony of Aral and others who have been implicated.

Frustrations

Although it was expected that the Malatya hearings would become part of the Ergenekon trials, Cengiz said that chances are slim if the thin evidence thus far does not become more substantial. Yelki's release, he said, showed that although his testimony tainted his credibility, there was not enough evidence that he is connected to the case.

"My conclusion is that we're going nowhere," said a tired Cengiz, "because the powers behind the scenes were very successful in organizing everything. They organized everything, and we're going nowhere."

In order for the Malatya and Ergenekon hearings to merge, Cengiz said, the court will need something more solid than implicated names.

"We don't have something concrete," said Cengiz. "All these names are in the air ... all connections show gendarmerie intelligence, but there is no concrete evidence yet, and apparently there will be none. The trouble is that it's very frustrating – we know the story but we cannot prove it."

Christian monastery in Turkey wins back land

Assyrian International News Agency (22.05.2009) / HRWF (26.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - One of the world's oldest functioning Christian monasteries has won a legal battle to have land it had owned for centuries restored to it, after a Turkish court ruled on Friday it could not be claimed by the state.

The dispute over the boundaries of Mor Gabriel, a fifth-century Syriac Orthodox monastery in eastern Turkey, had raised concerns over freedom of religion and human rights for non-Muslim minorities in Turkey, a predominantly Muslim country and European Union aspirant.

In a statement, the Syriac Universal Alliance (SUA), a leading Syriac group based in Sweden, said a Turkish court in Midyat had reversed an initial decision by the land registry court to grant villages some 110 hectares (272 acres) of monastery land.

But it added another three cases relating to the monastery's former land remained open, two of which had been postponed.

The row began when Turkish government land officials redrew the boundaries around Mor Gabriel and the surrounding villages in 2008 to update a national land registry.

The Syriac Orthodox monks said the new boundaries turned over to the villages large plots of monastery land and some designated as public forest.

The case became a rallying cry for Christian church groups across Europe, and had been postponed several times.

Syriacs are one of the oldest communities in Turkey and still speak Aramaic, the language of Jesus Christ. But they are not officially designated a minority in Turkey like the Greeks or Armenians, so have no special protection under the 1923 Treaty of Lausanne's provisions for non-Muslim minorities.

The ruling AK Party government has said it has expanded the rights of minorities. But the EU and U.S. President Barack Obama, during a trip to Turkey in April, have urged Ankara to do more to promote religious freedom.

Bartholomew I appeals to the European Court in Strasbourg against Ankara

by NAT da Polis

AsiaNews (22.05.2009) / HRWF (23.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - 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](#)).

“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”.

Local officials’ role emerges in Malatya, Turkey murders

Former police commander, university researcher, suspected ringleader’s father testify

Compass Direct (15.04.2009) / HRWF (16.04.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Two years after the murder of three Christians in this city in southeastern Turkey, lawyers at a hearing here on Monday (April 13) uncovered important information on the role that local security forces played in the slaughter.

At the 16th hearing of the murder case at the Malatya Third Criminal Court, plaintiff attorneys called a heavy slate of witnesses, including Mehmet Ulger, the gendarmerie commander of Malatya province during the April 2007 murders who was arrested on March 12 for his alleged connection to a political conspiracy, and Ruhi Abat, a theology instructor at the local Ismet Inonu University.

Two Turkish Christians, Necati Aydin and Ugur Yuksel, and a German Christian, Tilmann Geske, were tied up and stabbed to death at Zirve Publishing Co. offices on April 18, 2007. Plaintiff attorneys have moved the focus of the trial away from the five suspects – Salih Gurler, Cuma Ozdemir, Hamit Ceker, Abuzer Yildirim, and alleged ringleader Emre Gunaydin – to local officials believed to be liaisons or masterminds of the murders.

The retired gendarmerie commander and the theology researcher have suspected links to the crime. In January an anonymous letter sent to Turkish churches and obtained by the media claimed that then-commander Ulger instigated the murders and directed Abat to prepare arguments against missionary activity.

According to phone records, Abat made 1,415 telephone calls to gendarmerie intelligence forces in the six-month period prior to the 2007 murders. During his cross examination,

he told the courtroom that the frequent contact resulted from gendarmerie requesting information on his research of local missionary activity.

Abat was part of a team of six researchers that focused on the social effects of missionary activity within the Malatya region.

"The information I gave the police and gendarmerie was aimed at answering the criticisms that missionaries had about Islam," he said.

When plaintiff attorneys asked Ulger if this level of communication was typical, the former gendarmerie commander said that they communicated on other issues such as translating Arabic documents and further teaching engagements. But lawyers said this level of communication was unusual.

"He called the gendarmerie the equivalent of 10 times a day, seven days a week, which suggests something abnormal going on," said plaintiff attorney Orhan Kemal Cengiz. "You wouldn't talk that much to your mother."

In a heated exchange at the end of the hearing, Ozkan Yucel, plaintiff attorney representing the families of the victims, pressed Ulger to answer whether he considered Christian missionary activity in Turkey to be a crime.

Avoiding a direct answer, Ulger said no such crime existed in Turkey's penal system, but that gendarmerie classified such activity as "extreme right-wing."

"The gendarmerie considers this to be the same [level of extremism] as radical Islamic activity," he said.

Suspected Ringleader's Family Testifies

Onur Dulkadir, a cousin and former classmate of Gunaydin, the suspected ringleader, testified on his interactions with Gunaydin and Malatya's local Christian community prior to the murders.

Dulkadir claimed that a few months before the crime, he and Gunaydin attended a Christian meeting at a Malatya hotel where approximately 50 people were in attendance. He said they left when someone handed him a brochure about "missionary activity."

Dulkadir told the court that after they left, Gunaydin said, "I am watching how they structure themselves," and, "Very soon I am going to be rich." In past hearings, Gunaydin claimed the Turkish state had promised him support if he would carry out the attacks successfully.

Gunaydin's father, Mustafa Gunaydin, testified at the hearing that he didn't believe his son had led the group of five to commit the grisly murder of the three Christians, two of them converts from Islam.

"I went once a week to the jail to see my son, and every time I spoke with my son I tried to bring out the identity of those behind the murders," said Mustafa Gunaydin. "He swore to me there was nobody behind it . . . I still believe my son couldn't have done anything. My child is afraid of blood."

Mustafa Gunaydin works as a technician at Ismet Inonu University. Plaintiff attorneys asked him if he was acquainted with professor Fatih Hilmioglu, recently jailed in a mass arrest of professors associated with a national conspiracy known as Ergenekon. He replied that he knew Hilmioglu, but that he also knew about 70 percent of the university personnel and did not have a close friendship with the arrested professor.

The prosecuting attorneys have frequently contended that Ergenekon, a loose collection of ultra-nationalist generals, businessmen, mafia and journalists who planned to engineer domestic chaos and overthrow the Turkish government, instigated Emre Gunaydin to commit the murders.

Ulger was arrested as part of the Turkish state's investigations into Ergenekon.

Cryptic Comments

Among Emre Gunaydin's most prominent suspect links to Ergenekon is his jailed former co-worker Varol Bulent Aral, who was arrested in February for being a possible liaison between the five youths on trial for the murders and the true masterminds.

Hamit Ozpolat, owner of a newspaper and radio station in Adiyaman, testified at the hearing that Aral made cryptic comments in regard to his connections with the criminal organization. When Aral approached Ozpolat for a job at one of his news outlets, he declined his application, which he said resulted in Aral shouting threats against him. When police came, Ozpolat testified, Aral shouted, "You can't do anything to me, I am a member of the deep state."

Plaintiff attorneys have suspected a connection between the Malatya murder case and Ergenekon for several months, attempting to merge the two cases since last August.

But in a strange turn, the National Intelligence Agency (MIT) has issued a report claiming that Ergenekon and Christian missionary agencies were working together to destroy the Turkish nation. This claim would seem to contradict older Ergenekon documents that make reference to church members in Izmir, Mersin and Trabzon, three Turkish cities where Christians were attacked or killed in the following years.

Malatya plaintiff attorneys told Compass the theory of Christians wanting to destroy Turkey exists in the national consciousness but has no basis in reality.

"One of the core activities of Ergenekon is to struggle against missionary activity," plaintiff attorney Cengiz said. "They are very hostile against missionary activities, as they see them as an extension of the external enemies in Turkey."

On Monday (April 13), police raided the home of professor Turkan Saylan, 74-year old president of the Association for Support of Progressive Life (CYDD) and a cancer patient. The seven-hour raid took place on the basis of a MIT report stating her organization had received funds from the American Board, the oldest organization in Turkey with missionary status. The American Board is known in Turkey for building schools and hospitals and funding development projects.

Police reportedly raided her home and office in an attempt to find information linking CYDD finances to the American Board and proselytizing activities. Saylan's organization has opened three court cases against MIT for past accusations of missionary activities.

In an online report published by Haber50 today, Saylan said that her premises were raided as retaliation for the cases opened against MIT, which for years has been trying to destroy her organization's reputation in the press.

In addition, the report says Yasar Yaser, president of the Health and Education Association (SEV), used her organization's printing press in order to produce Bibles.

"The terrible truth is some media, including some Muslim newspapers, were very eager to cover this story," plaintiff attorney Cengiz said. He emphasized that suspicions of Christian groups in Turkey having such a subversive agenda were baseless.

This Saturday (April 18) will mark the second anniversary of the stabbing deaths of the three Christians. Churches across Turkey will commemorate the event through special services, and the Turkish Protestant Alliance has designated the day as an international day of prayer.

The next hearing of the case is scheduled to take place on May 22.

Christians in Turkey may appeal fine for 'illegal' funds

Converts accused of 'insulting Turkishness' fear ruling sets dangerous precedent

Compass Direct News (27.03.2009) / HRWF (28.03.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - 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 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.

No improvement in the situation of the conscientious objector despite judgment of the European Court

CoE (25.03.2009) / HRWF (25.03.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The Committee of Ministers last week adopted a second Interim Resolution in the case of Ülke. In this case the European Court of Human Rights found that the applicant's repeated convictions and imprisonment for having refused to perform compulsory military service on account of his beliefs as a pacifist and conscientious objector amounted to degrading treatment in violation of the European Convention on Human Rights.

Despite the European Court's judgment, the applicant was summonsed in July 2007 to present himself in order to serve his outstanding sentence resulting from a previous conviction. He is at present in hiding and is wanted by security forces for execution of his sentence.

In its Interim Resolution, the Committee of Ministers strongly regretted that, despite the Committee's first Interim Resolution, no concrete steps have been taken by the Turkish authorities to bring to a close the continuing effects of the violation. Therefore, the Committee strongly urged Turkey to take without further delay all necessary measures to put an end to the violation of the applicant's rights. It further urged Turkey to make the legislative changes necessary to prevent similar violations of the Convention.

The Committee will continue examining the implementation of the Ülke case at each human rights meeting until the necessary urgent measures are adopted.

Under the European Convention on Human Rights, the European Court's judgments require the adoption by the respondent states, under the Committee of Ministers' supervision, of all measures necessary to grant the applicants appropriate redress and to prevent new similar violations in the future.

Further information on the execution of judgments by member states, including the Committee of Ministers' annual report for 2007 on its supervision of judgments - are available at www.coe.int/t/cm/home_en.asp and www.coe.int/Human_rights/execution

Interim Resolution CM/ResDH(2009)45 1: Execution of the judgment of the European Court of Human Rights Ülke against Turkey

(Application No. 39437/98, judgment of 24 January 2006, final on 24 April 2006 – Interim Resolution [CM/ResDH\(2007\)109](#))

CoE Committee of Ministers (19.03.2009) - The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter "the Convention" and "the Court");

Having regard to the judgment in the case of Ülke transmitted by the Court to the Committee for supervision of its execution once it became final on 24 April 2006;

Recalling that, in its judgment, the Court found that the applicant's repeated convictions and imprisonment for having refused to perform compulsory military service on account of his beliefs as a pacifist and conscientious objector amounted to degrading treatment within the meaning of Article 3 of the Convention;

Emphasising that, according to the Court, the numerous prosecutions already brought against the applicant and the possibility that he is liable to prosecution for the rest of his life amounted almost to "civil death" which was incompatible with the punishment regime of a democratic society within the meaning of Article 3;

Recalling that the Court further found that the existing legislative framework was insufficient, as there was no specific provision in Turkish law governing the sanctions for those who refused to perform military service on conscientious or religious grounds and that the only relevant applicable rules appeared to be the provisions of the Military Criminal Code, which made any refusal to obey the orders of a superior an offence;

Noting with grave concern that, despite the Court's judgment, the applicant was summonsed on 09 July 2007 to present himself in order to serve his outstanding

sentence resulting from a previous conviction and that his request for a stay of execution of his sentence was rejected by the Eskişehir Military Court on 27 July 2007;

Recalling the Committee's first interim resolution adopted at the 1007th meeting (October 2007) in which it urged "the Turkish authorities to take without further delay all necessary measures to put an end to the violation of the applicant's rights under the Convention and to adopt rapidly the legislative reform necessary to prevent similar violations of the Convention";

Strongly regretting that, despite the Committee's interim resolution, no concrete steps have been taken by the Turkish authorities to bring to a close the continuing effects of the violation;

Noting with concern that, in the absence of any measures taken by the Turkish authorities, the applicant's situation remains unchanged in that he is at present in hiding and is wanted by the security forces for execution of his sentence;

FIRMLY RECALLS the obligation of every state, under Article 46, paragraph 1, of the Convention, to abide by the judgments of the Court, including through the adoption of individual measures putting an end to the violations found and removing as far as possible their effects for the applicant, as well as general measures to prevent similar violations;

STRONGLY URGES the Turkish authorities to take without further delay all necessary measures to put an end to the violation of the applicant's rights under the Convention and to make the legislative changes necessary to prevent similar violations of the Convention;

DECIDES to continue examining the implementation of the present judgment at each human rights meeting until the necessary urgent measures are adopted.

1 *Adopted by the Committee of Ministers on 19 March 2009 at the 1051st meeting of the Ministers' Deputies.*

Christian bookshop in Turkey vandalized

Second attack within one week follows threats from Muslim nationalists

By Roger Elliott

Compass Direct (17.02.2009) / HRWF (18.02.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - 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.

Saving the monastery of Mor Gabriel, to guarantee a multicultural Turkey

by Geries Otham

AsiaNews (26.01.2009) / HRWF (27.01.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Demonstrations are being held in many European countries to save the monastery of Mor Gabriel, a spiritual center for the Syriac Orthodox community in Turkey.

Founded in 397, it is the oldest functioning Christian monastery in the world. It is located on the plateau of Tur Abdin, "The Mountain of the Servants of God," on the Turkish border with Iraq. The see of the metropolitan archbishop of Tur Abdin, Mor Timotheus Samuel Aktas, with its three monks, 14 nuns, and 35 young people who live and study there, it is a religious and cultural point of reference for all Syriac Orthodox Christians, who still preserve ancient Aramaic, the language of Jesus. Every year it welcomes more

than ten thousand tourists and pilgrims, many of them Syriacs of the diaspora in Germany, Switzerland, and Sweden.

Now, however, the future of the monastery and the Christian minority is threatened by a series of lawsuits against the monks and the prestigious religious institution. In August of 2008, the leaders of three Muslim villages around the monastery accused the community of proselytism, for having students to whom they can hand down the Christian faith and the Aramaic language. Their case has not yet been accepted by the Turkish court. But the village leaders are also asking that the monastery's land be appropriated and divided among the villages; that a wall be knocked down that was built during the 1990's (when the monastery was on the front of the conflict between the Turkish army and the Kurdish communist party (PKK)). According to the Muslim leaders, there used to be a mosque on the land where the monastery was built. "The accusation is absurd," says David Gelen, leader of the Aramaic Foundation, "the monastery dates from 397 A.D., about 200 years before the prophet Mohammed and the construction of any mosque whatsoever. And yet the court has considered hearing the case."

Gelen says that he thinks a "campaign of intimidation" is underway against the religious of the monastery. "Bishop, monks, and nuns," Gelen continues, "are always threatened in the most direct way possible by the inhabitants of the village, and they do not dare present themselves at trial or defend themselves in some way. So for some time, the monks and nuns have not had the courage to leave the confines of the property."

"In Turkey," Gelen explains, "freedom of religious expression is guaranteed by the constitution; but those who are not recognized as a minority do not exist, in practical terms. Now the Syriacs, unlike the Greeks and Armenians, are not recognized as a religious minority, although they have been living there for millennia. The purpose of the threats and the lawsuit seems to be to repress this minority and expel it from Turkey, as if it were a foreign object."

The Syriac community has high hopes in the European Union, which on February 11 is supposed to address together with the Turkish government the question of religious freedom and human rights for the non-Muslim minorities present in the country. "We hope not only that our rights will be recognized," David Gelen says, "but we are convinced that for the Turkish state, the time has come to recognize, accept, and protect the cultural multiplicity of the country, instead of fighting it. Turkey must decide whether it wants to preserve a 1,600-year-old culture, or annihilate the last remains of a non-Muslim tradition. What is at stake is the multiculturalism that has always characterized this nation, since the time of the Ottoman Empire."

Since 1923, when the Turkish state was created, the Syriac Orthodox have been dispersed in four countries: Syria, Turkey, Iraq, Iran. Yasar Ravi, president of the Syriac Orthodox community of Antioch, notes that the Treaty of Lausanne guaranteed certain essential freedoms for this minority, but "things have gone differently."

Since that time, there has been a constant exodus of the community toward central and northern Europe, especially Germany (where there are 20,000 Syriacs) and Sweden (70-80,000). In the middle of the 1960's, there were still about 130,000 of them in Tur Abdin; today there are just 3,000.

"We have no territory, we are scattered throughout the world, but we are very united thanks to our linguistic, social, and cultural identity," Yasar Ravi continues. "As history teaches us, religion has always had a dominant role in civilization. Ours is without doubt a very religious people, and we are proud of speaking the language of Jesus: the language that, in terms of its diffusion, was essentially the English of the Middle East."

Turk sentenced for stabbing priest in Izmir

Muslim assailant influenced by TV series defaming Christian missionaries

By Roger Elliott

Compass Direct (12.01.2009) / HRWF (14.01.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net -A judge in Turkey sentenced a 19-year-old Muslim to four-and-a-half years in prison on Jan. 5 for stabbing a Catholic priest in the coastal city of Izmir in December 2007.

Ramazan Bay, then 17, had met with Father Adriano Franchini, a 65-year-old Italian and long-term resident of Turkey, after expressing an interest in Christianity following mass at St. Anthony church. During their conversation, Bay became irritated and pulled out a knife, stabbing the priest in the stomach.

Fr. Franchini was hospitalized but released the next day as his wounds were not critical.

Bay, originally from Balikesir 90 miles north of Izmir, reportedly said he was influenced by an episode of the TV serial drama "Kurtlar Vadisi" ("Valley of the Wolves"). The series caricatures Christian missionaries as political "infiltrators" who pay poor families to convert to Christianity.

"Valley of the Wolves" also played a role in a foiled attack on another Christian leader in December 2007. Murat Tabuk reportedly admitted under police interrogation that the popular ultra-nationalist show had inspired him to plan the murder of Antalya pastor Ramazan Arkan. The plan was thwarted, with the pastor receiving armed police protection and Antalya's anti-terrorism police bureau ordering plainclothes guards to accompany him.

Together with 20 other Protestant church leaders, Arkan on Dec. 3, 2007 filed a formal complaint with the Istanbul State Prosecutor's office protesting "Valley of the Wolves" for "presenting them as a terrorist group and broadcasting scenes making them an open target."

The series has portrayed Christians as selling body parts, being involved in mafia activities and prostitution and working as enemies of society in order to spread the Christian faith.

"The result has been innumerable, direct threats, attacks against places of worship and eventually, the live slaughter of three innocent Christians in Malatya," the complaint stated.

The Protestant leaders demanded that Show TV and the producers of "Valley of the Wolves" be prosecuted under sections 115, 214, 215, 216 and 288 of the Turkish penal code for spreading false information and inciting violence against Christians.

The past three years saw six separate attacks on priests working across the country, the most serious of which resulted in the death of Father Andreas Santoro in Trabzon. As with Fr. Franchini, many of the attacks were coupled with accusations of subversion and "proselytizing."

Although a secular republic, Turkey has a strong nationalistic identity of which Islam is an integral part.

Television shows such as "Valley of the Wolves" may not be the norm, but the recent publication of a state high school textbook in which "missionary activity" is also

characterized as destructive and dangerous has raised questions about Turkey's commitment to addressing prejudice and discrimination.

"While there is a general attitude [of antipathy], I think that the state feeds into it and propagates it," said a spokesperson for the Alliance of Protestant Churches of Turkey (TEK). "If the State took a more accepting and more tolerant attitude I think the general attitude would change too."

At the end of 2007 TEK issued a summery of the human rights violations that their members had suffered that year. As part of a concluding appeal they urged the state to stop an "indoctrination campaign" aimed at vilifying the Christian community.

TEK will soon release its rights violations summery for 2008, and it is likely that a similar plea will be made.

"There is police protection, and they have caught some people," the TEK spokesperson said. "There is an active part of the state trying to prevent things, but the way it is done very much depends on the situation and how at that moment the government is feeling as far as putting across a diplomatic and political statement. There is hypocrisy in it."

A survey carried out in 2005 by the Pew Global Attitudes Project also suggested a distinctly negative attitude towards Christians among Turks, with 63 percent describing their view of Christians as "unfavorable," the highest rate among countries surveyed.

Niyazi Oktem, professor of law at Bilgi University and president of a prominent inter-faith organization in Turkey called the Intercultural Dialogue Platform, said that while the government could do more to secure religious freedom, he would not characterize Turkish sentiment towards Christians as negative.

"I can say that general Turkish feeling towards the Christian religion is not hostile," said Oktem. "There could be, of course, some exceptions, but this is also the case in Christian countries towards Islam."
