



February 16, 2017

The Honorable Rex W. Tillerson
Secretary of State
U.S. Department of State
Washington, D.C. 20520

Re: Pastor Andrew Brunson – a U.S. citizen from Black Mountain, North Carolina who has been wrongfully arrested and detained in Turkey for 132 days.

Dear Mr. Secretary:

We are writing to you today regarding our clients Andrew and Norine Brunson. By way of introduction, the American Center for Law & Justice (ACLJ) is a non-profit law firm dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States in a number of significant cases involving the freedoms of speech and religion.¹ The ACLJ and its international affiliates are also dedicated to defending human rights around the world.

This letter is also being sent on behalf of over 200,000 concerned individuals from more than 180 countries and territories who have signed the ACLJ's petition, demanding Pastor Andrew Brunson's immediate release.

BACKGROUND

After having openly served the people of Turkey for the past 23 years as the pastor of the Izmir Resurrection Church, a small, Protestant Christian community, Pastor Brunson was summoned to the local Izmir police station on October 7, 2016. He believed he would be receiving a long awaited permanent residence card, however, upon arriving at the station he was informed he was being deported based on being a "threat to national security." But instead of being deported, he

¹See, e.g., *Pleasant Grove City v. Summum*, 555 U.S. 460 (2009) (unanimously holding that a monument erected and maintained by the government on its own property constitutes government speech and does not create a right for private individuals to demand that the government erect other monuments); *McConnell v. FEC*, 540 U.S. 93 (2003) (unanimously holding that minors enjoy the protection of the First Amendment); *Lamb's Chapel v. Ctr. Moriches Sch. Dist.*, 508 U.S. 384 (1993) (holding that denying a church access to public school premises to show a film series on parenting violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding by an 8-1 vote that allowing a student Bible club to meet on a public school's campus did not violate the Establishment Clause); *Bd. of Airport Comm'rs v. Jews for Jesus*, 482 U.S. 569 (1987) (unanimously striking down a public airport's ban on First Amendment activities).



was transferred to the Harmandali Detention Centre and held with no charges for 63 days. During this time he was denied access to an attorney and repeated requests by U.S. officials to visit Pastor Brunson were ignored, raising serious concerns about his treatment.

On December 9, 2016, more than two months after his arrest, Pastor Brunson was taken to court and falsely charged with “membership in an armed terrorist organization.” Pastor Brunson was then transferred to a prison facility, despite no evidence having been presented to justify the accusations against him. Although he has been allowed legal representation since December 9, 2016, all discussions with his attorney are recorded, and his legal file has been sealed which significantly impairs any ability to prepare a defense.

LAW

These actions violate Articles 9, 14, and likely 15 of the International Covenant on Civil and Political Rights (ICCPR) to which Turkey is a signatory, as well as Articles 7, 9, 10, and 11 of the Universal Declaration of Human Rights (UDHR). In addition, Articles 10 and 24 of the Constitution of the Republic of Turkey protect the rights of everyone to equality before the law “without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion and sect,”² as do Articles 2 and 7 of the UDHR and Article 18 of the ICCPR. These rights include the freedom, “either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”³

Last year, following a failed military coup, Turkey began a crackdown that has disappointingly swept up innocent religious minorities – especially Christians – in an ever-widening dragnet. Christians and other religious minorities are now increasingly the targets of detention and deportation, and are unreasonably subjected to other governmental regulation simply because of their faith. Pastor Brunson has been caught up in this dragnet. His detention appears to be related to his work as a Christian minister, making his arrest and imprisonment a violation of both Turkey’s Constitution and international agreements to which Turkey is party.

Pastor Andrew has quietly and faithfully pastored churches in Turkey for over 23 years. He has raised his family in Turkey. He has dedicated his life in service to the people of Turkey, who he loves. He has never been a member of an armed terrorist organization. He is awaiting trial, and if convicted under these false charges, could face years of imprisonment, even though his Turkish attorney cannot review his case file.

EFFORTS

We have continuously worked with the State Department, including Ambassador Bass, regarding Pastor Brunson’s arrest and detention. Yesterday, a bicameral, bipartisan letter was sent to President Erdogan signed by 78 Members of Congress and led by the Chairman and Ranking Member of the Senate Foreign Relations Committee and the Chairman and Ranking Member of the House Foreign Affairs Committee requesting the release of Pastor Brunson. A copy of the same is attached hereto.

One of the hallmarks of Turkey’s proud history is the respect for all faiths. Thus, Turkey should respectfully be reminded of its continuing obligations under its constitution as well as the ICCPR and UDHR to respect and value the freedom of religion. Last week, our affiliate the European

²CONST. OF THE REPUBLIC OF TURKEY art 10 (1995); and “freedom of conscience, religious belief and conviction,” *id.* at art. 24, as do Articles 2 and 7 of the UDHR and Article 18 of the ICCPR.

³ICCPR, *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), art. 18, U.N. Doc. A/6316 (*entered into force* Mar. 23, 1976).

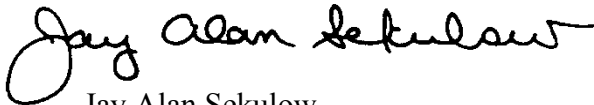
Center for Law & Justice, an international NGO, submitted a written request to the United Nations Human Rights Council urging the Council to call upon Turkey to honor its obligations regarding Pastor Brunson. The submission also requested that the U.N. make every effort to ensure that Pastor Brunson is not only treated with great care, but that he is quickly released and allowed to return home without injury or delay.

REQUEST

WHEREFORE, in light of the foregoing, we are respectfully requesting your assistance in obtaining Andrew Brunson's immediate release from confinement and the safe return of Pastor Brunson to the United States. As the situation in Turkey is very delicate and continues to change daily, we believe this matter is of utmost importance.

Thank you for your urgent attention to this matter. Should you require any additional information, please do not hesitate to contact us. We look forward to hearing from you and working with you and your office in this critically urgent matter.

Respectfully,



Jay Alan Sekulow
Chief Counsel



CeCe Heil⁴
Executive Counsel

Enclosure

⁴Admitted in CA, VA, TN, & MO.