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**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF TÜRKIYE
FOR THE 49TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of Türkiye (Turkey) for the 49th session of the Universal Periodic Review (UPR).

Background

2. Turkey is a country on the border of Europe and Asia and has a population of approximately 86.1 million people.¹ The country is predominantly Muslim, with approximately 98.4% of the population identifying as Muslims.² In Turkey, Christians only make up approximately 0.21% of the population. In its 2024 World Watch List, Open Doors ranked Turkey as the 50th worst country for Christians.³

3. Turkey’s last review was held on January 28, 2020.⁴ As a result of the review, Turkey received 321 recommendations, 216 of which it accepted.⁵ It was recommended by Haiti, and supported by Turkey, that the government “[r]edouble efforts to guarantee freedom of religion and belief, in law and in practice, particularly in the media.”⁶ It was also recommended by Poland, and supported by Turkey, that the government “[p]rovide the conditions for freedom of religion, in compliance with international standards.”⁷

Legal Framework

4. Under Article 24 of the Constitution of Turkey, “[e]veryone has the freedom of conscience, religious belief and conviction. Acts of worship, religious rites and ceremonies

¹ John C. Dewdney & Malcolm Edward Yapp, *Turkey*, BRITANNICA (July 10, 2024), <https://www.britannica.com/place/Turkey>.

² *Turkey: Major World Religions (1900-2050)* (World Religion Database, 2020), THE ASSOCIATION OF RELIGION DATA ARCHIVES, <https://www.thearda.com/world-religion/national-profiles?u=226c> (last visited Oct. 3, 2024).

³ *World Watch List 2024*, OPEN DOORS, <https://www.opendoors.org/en-US/persecution/countries/> (last visited July 18, 2024).

⁴ *Universal Periodic Review – Türkiye*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/tr-index> (last visited July 10, 2024).

⁵ *Infographic – Turkey*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session35/TR/turkey_50750701.pdf (last visited July 10, 2024).

⁶ OHCHR, UPR of Turkey (3rd Cycle – 35th Session): Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session35/TR/MatriceRecommendations_Turkey_E.docx (last visited July 10, 2024).

⁷ *Id.*

shall be conducted freely, as long as they do not violate the provisions of Article 14.”⁸ Article 14 states:

None of the rights and freedoms embodied in the Constitution shall be exercised in the form of activities aiming to violate the indivisible integrity of the State with its territory and nation, and to endanger the existence of the democratic and secular order of the Republic based on human rights.

No provision of this Constitution shall be interpreted in a manner that enables the State or individuals to destroy the fundamental rights and freedoms recognized by the Constitution or to stage an activity with the aim of restricting them more extensively than stated in the Constitution.

The sanctions to be applied against those who perpetrate activities contrary to these provisions shall be determined by law.⁹

5. Article 219 of Turkey’s Penal Code prohibits religious leaders from publicly degrading or ridiculing the “government administration or activities or the laws of the State” while performing their duties.¹⁰ Further, Article 301 prohibits people from publicly degrading the “Turkish Nation, State of the Turkish Republic, Turkish Grand National Assembly, the Government of the Republic of Turkey and the judicial bodies of the State.”¹¹

6. Additionally, Turkey is a party to the International Covenant on Civil and Political Rights (ICCPR).¹² Under Article 18 of the ICCPR:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and 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.

No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.¹³

7. Additionally, under Article 27:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.¹⁴

⁸ CONSTITUTION OF TURKEY 1982 (rev. 2017) art. 24, https://www.constituteproject.org/constitution/Turkey_2017.

⁹ *Id.* 14.

¹⁰ TURKISH PENAL CODE art. 219, <https://www.av-saimincekas.com/en/laws/tck-turk-criminal-law/>

¹¹ *Id.* art. 301.

¹² *Ratification Status for Türkiye*, OHCHR,

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=179&Lang=EN.

¹³ International Covenant on Civil and Political Rights art. 18, *adopted* Dec. 12, 2006, 2515 U.N.T.S. 3,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

¹⁴ *Id.* art. 27.

8. However, Turkey has a reservation to Article 27 of the ICCPR, stating that it “reserves the right to interpret and apply the provisions of Article 27 . . . in accordance with the related provisions and rules of the Constitution of the Republic of Turkey.”¹⁵

Religious Persecution

9. In Turkey, a strong sense of religious nationalism, coupled with the government’s emphasis on Islamic values, has put immense pressure on religious minorities.¹⁶ Christians in particular are viewed negatively and are believed to bring Western influence.¹⁷ In 2023, Christians were the most persecuted religious minority group, with a total of twenty-two documented attacks of violence against Christians.¹⁸ Below, we have highlighted some of these attacks.

10. On January 28, 2024, two masked men opened fire at the Santa Maria Catholic Church in the Sariyer district of Istanbul¹⁹ during Sunday mass and killed a man.²⁰ ISIS claimed responsibility for this attack and issued a call to target Christians and Jews because of the war in Gaza.²¹

11. In 2023, a Christian child was threatened by another child with scissors for not attending religious classes.²² The child threatened to hit the Christian child over the head with the Koran or scissors.²³ The Christian child had to move to another school, as the problem persisted.²⁴

12. On November 25, 2023, two assailants broke into a church and threatened to set a Christian pastor on fire.²⁵

¹⁵ *International Covenant on Civil and Political Rights*, OHCHR (Oct. 3, 2024),

https://treaties.un.org/PAGES/ViewDetails.aspx?chapter=4&clang=_en&mtdsg_no=IV-4&src=TREATY.

¹⁶ Jonah McKeown, *How Difficult is it to be a Christian in Turkey? What You Need to Know*, CATHOLIC NEWS AGENCY (Jan. 29, 2024), <https://www.catholicnewsagency.com/news/256675/how-difficult-is-it-to-be-a-christian-in-turkey-what-you-need-to-know>.

¹⁷ *Id.*

¹⁸ *Christians Are Most Persecuted Religious Group in Turkey in 2023*, CATHOLIC VOTE (July 17, 2024),

<https://catholicvote.org/christians-are-most-persecuted-religious-group-in-turkey-in-2023/>.

¹⁹ *One dead after armed assault on Catholic church in Istanbul*, THE HINDU (Jan. 28, 2024),

<https://www.thehindu.com/news/international/armed-attack-on-santa-maria-church-in-sariyer-istanbul-turkey/article67785848.ece>.

²⁰ *Id.*; *Turkey arrests 47 alleged IS members over Istanbul church attack*, EURONEWS (Jan. 29, 2024),

<https://www.euronews.com/2024/01/29/turkey-arrests-47-alleged-is-members-over-istanbul-church-attack>.

²¹ *Reporter breaks down 'terrifying' security footage of Istanbul church shooting*, CNN WORLD,

<https://www.cnn.com/videos/world/2024/01/29/istanbul-church-shooting-isis-intl-ldn-vpx.cnn> (last visited Oct. 2, 2024).

²² Lyndsey Koh, *Children’s summer camp in Turkiye faced opposition, yet 50 kids accepted Christ*, MISSION NETWORK NEWS (Oct. 2, 2023), <https://www.mnnonline.org/news/childrens-summer-camp-in-turkiye-faced-opposition-yet-50-kids-accepted-christ/>.

²³ *Id.*

²⁴ *Id.*

²⁵ Christian Daily International, *Protestant Christians in Turkey Facing Violence, Attacks at Worship Services*, THE CHRISTIAN POST (June 10, 2024), <https://www.christianpost.com/news/protestant-christians-in-turkey-facing-violence-attacks.html>.

13. On November 6, 2023, an individual punched a Christian pastor during a worship service in Eskisehir Province.²⁶ The individual told police that he “wanted to test how tolerant Christians were.”²⁷

14. Christians also face persecution by the government, which weaponizes its laws against the Christian minority. The government accomplishes this by using the Penal Code to target religious clergy and falsely accuse them of working to undermine the sovereignty of the Turkish government. This is especially true in the southeastern region of Turkey, where the Armenian and Syriac Christian churches are caught in the crossfire between the Turkish army and Kurdish resistance groups.²⁸ For example, on January 9, 2020, Turkey’s anti-terrorism branch arrested three Syriac Christians, Father Sefer Bilecen, Musa Tash Takin, and Youssef Yar.²⁹ The individuals were not able to be contacted by anyone and were denied access to a lawyer.³⁰ As a result of public pressure, the priest was released four days later, but on April 7, 2021, he was sentenced to prison for twenty-five months for allegedly belonging to the Kurdistan Workers’ Party (PKK).³¹ The priest did not deny giving members of the PKK food and water, but he said he did not know who they were, and that, in accordance with his faith, he gives food and water to whoever asks him.³²

15. Another way Christians are persecuted in Turkey is through the deportation of Christian missionaries and the implementation of code N-82 for allegedly posing a threat to Turkey’s national security.³³ This designation requires that individuals receive prior approval before entering the country.³⁴ In reality, it serves as a de facto entry ban that has been weaponized against Christians.³⁵ This is because the government regards Christians as a threat to Turkish culture and identity.³⁶ In fact, according to the Association of Protestant Churches, 250 people have been either denied entry, denied permission to stay, or deported since 2019.³⁷

16. In 2024, the Constitutional Court ruled that the expulsion of nine foreign Christian leaders did not violate their freedom of religion.³⁸ The nine Christians had legally obtained

²⁶ Christian Daily International, *Protestant Christians in Turkey Facing Violence, Attacks at Worship Services*, CHRISTIAN POST (June 10, 2024), <https://www.christianpost.com/news/protestant-christians-in-turkey-facing-violence-attacks.html>.

²⁷ *Id.*

²⁸ *Turkey*, OPEN DOORS, <https://www.opendoors.org/en-US/persecution/countries/turkey/> (last visited Oct. 8, 2024).

²⁹ *Turkey Arrests Syriac Priest and Two Other Christians*, PERSECUTION.ORG INTERNATIONAL CHRISTIAN CONCERN (Jan. 10, 2020), <https://www.persecution.org/2020/01/10/turkey-arrests-syriac-priest-two-christians/>.

³⁰ *Id.*

³¹ *Turkey: Priest Jailed for Giving Water*, EUROPEAN CENTRE FOR LAW & JUSTICE (2021), <https://eclj.org/religious-freedom/coe/turkey-assyrian-priest-imprisoned-again-for-giving-water-to-people-from-the-pkk>.

³² *Id.*

³³ Abdullah Bozkurt, *Western Protestants in Turkey Labeled Threats to the Turkish State*, MIDDLE EAST FORUM (June 13, 2023).

³⁴ *Id.*

³⁵ *Turkey’s Crackdown on Protestant Missionaries*, INTERNATIONAL CHRISTIAN CONCERN (June 21, 2023), <https://www.persecution.org/2023/06/21/turkeys-crackdown-on-protestant-missionaries/>.

³⁶ *Id.*

³⁷ *Turkey, Constitutional Court: Expulsion of Protestant Leaders Does Not Violate Freedom of Faith*, ASIA NEWS (June 10, 2024), https://www.asianews.it/news-en/Turkey%2C-Constitutional-Court%3A-Expulsion-of-Protestant-leaders-does-not-violate-freedom-of-faith-60914.html#google_vignette.

³⁸ *Turkey’s Constitutional Court Supports Government’s Expulsion of 9 Foreign Christians*, INTERNATIONAL CHRISTIAN CONCERN (June 14, 2024), <https://www.persecution.org/2024/06/14/turkiyes-constitutional-court-supports-governments-expulsion-of-9-foreign-christians/>.

residency permits, but Turkey’s Directorate of Immigration Management gave them an N-82 designation due to their perceived missionary activity.³⁹

17. In 2022, Norwegian pastors, Kjell Haltorp and Birger Wroldsen, planned to attend a leadership conference for Christians in Turkey but were refused entry into the country.⁴⁰ Kjell Haltorp was arrested at the airport in Istanbul and put in a cell at a police station, while Birger Wroldsen was permitted to stay at the airport’s transit area.⁴¹ Kjell Haltorp was released the following day, and both pastors were allowed to fly back to Norway.⁴² They were not told the reason why they were denied entry and Kjell Haltorp was not told why he was arrested. However, he believes it was because the Turkish government wants to prevent the spread of the gospel.⁴³

18. On June 5, 2020, the American wife of a Turkish pastor was denied a family visa to remain in Turkey.⁴⁴ The wife has been living in Turkey for ten years, has been married to her husband for seven years, and has three children.⁴⁵ While no official reason was given for the denial, they believe that Turkey deems her a threat to national security, a common reason given to deport and deny entry for Christians.⁴⁶

19. Michael Feulner, a German pastor who had lived in Turkey since 1999 and had been the pastor of Yalova Light House Church since 2003, was arrested in February 2020.⁴⁷ He was detained in an immigration cell at Istanbul Airport for thirty hours.⁴⁸ He was told about his N-82 status and that he had to leave the country within ten days.⁴⁹

20. Additionally, in recent years, Iranian Christian refugees have been placed in deportation centers and threatened with deportation, even if they have valid asylum claims.⁵⁰ According to one individual, who remains anonymous due to security concerns:

There is a concerning trend, where individuals with valid asylum claims are being put in these camps, seemingly arbitrarily [...] There have been other instances in which ... an immigration officer from the Turkish authorities has unexpectedly knocked on their door. If they don’t open the door, they are accused of not being in their designated location, whereas they may only have gone to the shops.⁵¹

³⁹ *Id.*

⁴⁰ *Norwegian pastor arrested in Turkey*, CNE NEWS (May 9, 2024), <https://cne.news/article/1105-norwegian-pastor-arrested-in-turkey>.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Turkish Pastor’s American Wife Denied Visa*, INTERNATIONAL CHRISTIAN CONCERN (Jun. 25, 2020), <https://www.persecution.org/2020/06/25/turkish-pastors-american-wife-denied-visa/>.

⁴⁵ *Id.*

⁴⁶ Degar Akal, *Protestant Pastors Fear Deportation from Turkey*, DW (June 27, 2020), <https://www.dw.com/en/protestant-pastors-fear-deportation-from-turkey/a-53967865>.

⁴⁷ *German Pastor Hopeful in Fight to Remain in Turkey*, MORNING STAR NEWS (Mar. 30, 2021), <https://www.christianitytoday.com/2021/03/turkey-michael-feulner-christian-expulsions-tek-ankara/>

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Iranian Christian Asylum Seekers Caught up in Turkey’s Deportation Drive*, ARTICLE 18 (Jan. 27, 2023), <https://articleeighteen.com/news/12448/>.

⁵¹ *Iranian Christian Asylum Seekers Caught up in Turkey’s Deportation Drive*, ARTICLE 18 (Jan. 27, 2023), <https://articleeighteen.com/news/12448/>.

21. One Iranian Christian convert, Mojtaba Keshavarz Ahmadi, has lived in Turkey for over ten years and applied for a refugee visa but was never interviewed and granted the official protection.⁵² He was arrested on questionable immigration charges on January 29, 2024.⁵³ He now risks deportation and being sentenced in Iran.⁵⁴

22. In 2022, Turkish officials detained seventeen Iranian Christian refugees and threatened them with deportation.⁵⁵ Some of the Christians were held for more than three months in unsanitary conditions and lacked access to food, hot water, and medication.⁵⁶ Further, husbands were separated from their wives and children, and they were only permitted to see each other for fifteen minutes every week.⁵⁷

23. Even though Turkey has declared itself to be a secular state, its laws, policies, and practices clearly target and discriminate against Christians. During its last UPR, Turkey supported a recommendation that called upon the government to “[p]rovide the conditions for freedom of religion, in compliance with international standards.”⁵⁸ As demonstrated by the numerous examples above, Turkey has made no efforts to protect freedom of religion.

Recommendations

24. Turkey is failing to uphold one of the most fundamental of all human rights, the right to religious freedom. Christians must be able to freely and peacefully practice their faith without be designated as a threat to national security and face deportation. Turkey must also commit to protecting Christians from religiously motivated attacks. Additionally, we ask that Turkey remove its reservation to Article 27 of the ICCPR and immediately begin protecting the rights of religious minorities.

⁵² Morning Star News, *Iranian Christian Refugee Who Suffered Persecution Now Faces Possible Expulsion from Turkey*, CHRISTIAN POST (Feb. 23, 2024), <https://www.christianpost.com/news/iranian-christian-refugee-facing-expulsion-from-turkey.html>.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Iranian Christian Asylum Seekers Caught up in Turkey’s Deportation Drive*, ARTICLE 18 (Jan. 27, 2023), <https://articleeighteen.com/news/12448/>.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ OHCHR, UPR of Turkey (3rd Cycle – 35th Session): Thematic List of Recommendations, *supra* note 6.