



## OSCE HDIM WS 15

### **Fundamental freedoms II (continued), including: Freedom of thought, conscience, religion or belief**

Christian Solidarity Worldwide, which is a non-governmental organisation that advocates for freedom of religion or belief for people of all faiths or none, notes that Turkey has recently taken some positive steps to address the concerns of religious minorities and uphold freedom of religion or belief, but still has some concerns.

At last year's OSCE Human Dimension Implementation Meeting, we raised the issue of state partiality towards Sunni Islam, causing discrimination against all other groups; unfortunately, this situation is not improving. Indeed, the Diyanet, or Presidency of Religious Affairs, which is attached to the Prime Minister's office, still continues to control and financially privilege Sunni Islam, whose mosques, imams and projects receive funding that is unavailable to religious minorities.

As the Norwegian Helsinki Committee noted in their statement, Turkey is failing to act in response to ECtHR judgements on freedom of religion or belief. This is not only with regards to conscientious objection. Indeed, by maintaining the policy that only qualifies specific religions to be included in identity cards, Turkey continues to undermine its own anti-discrimination laws. In addition, Alevis and Baha'is still do not fall into the category of religious communities considered by the government. Moreover, Turkish legislation still compels all primary and secondary school students to attend Religious Culture and Knowledge of Ethics (RCKE) classes, which take their moral education from Sunni Islam; no exemptions exist for Alevis, Baha'is, Jehovah's Witnesses or Atheists. Where exemptions do exist, for Jewish and Christian children, parents can face delays in proving their religion, or even harassment and intimidation.

Restrictive legislation also continues to prevent non-Muslim communities from being able to acquire premises for places of worship, thereby infringing upon their right to manifest their religion or belief in community with others. Christian Solidarity Worldwide, therefore, joins with Forum 18 and the Norwegian Helsinki Committee, in welcoming the Joint guidelines on Legal Personality of Religious or Belief Communities. We believe that these guidelines could be of use to the Turkish government in trying to resolve these issues.

The Turkish government has displayed certain autocratic tendencies towards opposition in recent years. Unfortunately, state partiality in its policy-making risks fuelling further social hostilities, damaging the social fabric and undermining peace. The government recently used anti-terror legislation to detain foreign journalists for the first time in 15 years, symptomatic of a wider crackdown on the press. The use of national security to erode freedom of expression, which includes the communication of conscience and thought, as demonstrated by temporary bans on social media networks and heavy handedness towards protesters, does not bode well for Turkey's future.

The Office of the OSCE Representative on Freedom of the Media, Dunja Mijatovic, has been calling for Turkey to make reforms in the area of media freedom and we urge Turkey to implement the recommendations of this office.

### **Recommendations:**

*We call on the Turkish government to:*

1. Either enact a clear and efficient system that exempts all religious minorities from RCKE classes or to abolish these classes altogether;
2. In line with recommendations by states during its two UN Universal Periodic Reviews, Turkey should ensure full protection of the rights of all faiths, including Alevis, Jehovah's Witnesses, Baha'is, and other religious communities not covered by the 1935 Law of Foundations, removing restrictions that prevent these groups from establishing places of worship and manifesting their religion as communities with legal personality;
3. Ensure that the Turkish state, including the Diyanet, acts in a non-discriminatory manner in accordance with Turkey's international human rights commitments on freedom of religion or belief;
4. Remove the box denoting religion on ID cards in line with the ECtHR's 2010 decision in *Sinan Işık v. Turkey* in order to avoid further breaches of Article 9 of the ECHR.
5. Remove all reservations to international human rights treaties and uphold the rights outlined in the international statutes to which it is party;
6. Effectively prosecute those who attack places of worship or individuals due to their religion or belief and provide victims of rights violations with reparations;
7. Educate all public officials, including those charged with law enforcement in their duty to protect the rights of religious minorities in a manner consistent with the international human rights framework on freedom of religion or belief;
8. Monitor the implementation of the decree returning confiscated properties to minority communities, to ensure that the General Foundations Board of Turkey processes each application for return of assets quickly and fairly.

*CSW further calls on OSCE participating States and institutions:*

9. To encourage and assist the Turkish authorities in implementing accepted international human rights standards on freedom of religion or belief, thereby promoting greater social harmony and understanding.