



Tolerance and Freedom of Belief in Turkey and Kazakhstan:

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The effective protection of human rights remains one of the vital pre-conditions to eliminate intolerance. The right to freedom of religion or belief for all in any given society is a cornerstone in our increasingly diverse societies. The 1986 Concluding Document of the Conference for Security and Co-operation in Europe Follow-Up Meeting in Vienna, is one of the most comprehensive catalogues on the scope of the right to freedom of religion or belief, particularly in its collective dimension. Despite this strong political commitment to the protection of FoRB, sadly, challenges remain in a wide range of countries. The Norwegian Helsinki Committee and the Freedom of Belief Initiative in Turkey would like to make two recommendations to Turkey and Kazakhstan in particular:

We call on Turkey to review and reform its education system in order to bring it to compliance with the standards of freedom of religion or belief for all and contribute to tolerance in society from childhood.

We call on Kazakhstan to revise the 2011 Law on Religion and the 2014 Criminal Code reform package in order to bring the legislation to compliance with the international obligations of freedom of religion or belief for all, and refrain from discriminating against religious minorities. /facilitate tolerance in society in practice, not in slogans.

In Turkey, while tolerance has been a historically significant concept and there appears to be political commitment to achieving it, it has not resulted in the protection of FoRB for all. This is understandable, as tolerance does not confer any rights. The religious groups as well as unbelievers that remain numerically in minority, while being tolerated, experience unjustified restrictions on their individual and collective right to FoRB. Similarly, In Kazakhstan, the announced state policy of inter-religious harmony and tolerance comes at a high price for religious believers and their defenders.

The field of education is a sphere where seeds for the future are sown and students develop their identity, and learn to respect the identity of others. However, the Turkish Government's policies in the field of religious education raise concern that while the policies support the identity of those belonging to the majority; the students belonging to various minorities are ignored. The compulsory Religious Culture and Ethics courses have been found to violate the right to education and the right of parents to raise their children in line with their religious or philosophical views. (ECtHR, Hasan and Eylem Zengin v. Turkey (2007) and Mansur Yalçın and Others v. Turkey (2014).)

The introduction of the optional religion courses have also been geared toward the "needs" of the majority. Despite demands from other communities, optional lessons have not been made available to Alevis, Christians, or atheists. There are reports that these lessons are not optional in some schools, and that the schools make the decision on behalf of students.

Finally, the recent developments regarding the central exam for entrance into high schools and the possibility of being placed into the Imam Hatip (vocational imam hatip high schools) high schools where religious education is compulsory is alarming for students who do not wish to undergo religious education and who do not have the financial resources to afford private schooling or the grades to be accepted to other high schools.

Illustrating its inter-religious tolerance, Kazakhstan has repeatedly made sure to underline the increase in the number of religious groups and buildings in the country since independence, boasting about 4551 registered religious organisations in 2011 compared to 761 in 1990.¹ However, by 2013 this number had decreased to 3088, a reduction of 32% since 2011² and the entry into force of the new Law on Religion. It is hard to see how this significant reduction in religious organisations can serve to illustrate tolerance from the side of the authorities. Further, the fact that the decreased number of religious organisations has been referred to as a “positive dynamic” by the then state Agency of Religious Affairs is not a policy that inspires society to applaud diversity.

The 2014 law reforms build on the 2011 state campaigns to promote so-called traditional religions and warn against so-called “destructive sects”. The new laws and amendments impose strict penalties for leaders of social and religious groups in particular, but also for those who participate or fund such organisations. Highlighting the leaders and supporters of specific organisations as particularly prone to receive severe penalties for their actions serves to further stigmatise these groups and create distrust in society as a whole, quite the opposite of facilitating any environment of tolerance and harmony.

¹ «Kazakhstan: Za dukhovnoe soglasie», brochure from Congress in 2003.

² «Pravitelstvennyy chas: ob osnovnykh itogah deyatelnosti agentsva respubliki Kazakhstan po delam religii za 2 goda», ARA presentation in Parliament of Kazakhstan on 17 June 2013.