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RE: NGO Input on combating intolerance based on religion in Turkey related to HRC resolution 52/38 about repetitive HR violations in Turkey.

ADO Alevi Philosophy Centre is an NGO active in Turkey working on social and democratic issues related to Alevi community and as a member of ADIP Anatolian Religions and Beliefs Platform also working on HR and especially RF issues of all minorities.

Turkish citizens are composed of Sunni Muslim majority of about 70 pct, Alevi Muslim about 15-20 pct and Christian, Jewish, Ezidi and other minorities. Primary and medium schools have a Religious Lesson under the name of "Religious Culture and Ethics- RCE". This course had been an elective lesson since from the start of republic in 1923, however after the 1982 military coup an article added to constitution and REC lessons were converted to compulsory.

We have objected to this compulsory religious course which is based on Sunni Muslim belief system from the beginning as Alevi community, however governments kept insisting on continuation of compulsory status. Until 1990 even Christian and Jewish citizens children were forced to attend compulsory lessons afterwards only Christian and Jew children were allowed to be exempt if they could submit a document approved by local Patriarchate or Jewish rabbinate, other beliefs and non-believers are forced to attend compulsory classes. We as Alevi community applied to local courts without achieving any positive result.

After Turkey decided to observe European Court of Human Rights -ECtHR as supreme court for the country in 1989 some Alevi families' cases were carried to ECtHR. Court took various decisions starting from 2007 in favor of applicants however Turkey failed to apply necessary legal procedures for converting the lessons to selective status and continued to force Atheist, deist, secular and millions of Alevi children to attend assimilative courses by claiming that those cases were individual cases. In 2014 a collective case (21163 /11 – Mansur Yalcin and Others - <https://hudoc.echr.coe.int/tur?i=001-146487> ) was finalized at ECtHR and **TURKEY was found violating Art. 2 of Protocol No.1 - European Convention of Human Rights.**

*77. Consequently, notwithstanding the significant changes made in 2011/12 to the syllabus for religious culture and ethics and to the corresponding textbooks, it appears that the education system of the respondent State still does not provide appropriate means in order to ensure that parents' convictions are respected. In particular, the Court notes that the Turkish education system offers no appropriate options for the children of parents who have a religious or philosophical conviction other than that of Sunni Islam, and that the very limited procedure for exemption is likely to subject pupils' parents to a heavy burden and to the necessity of disclosing their religious or philosophical convictions in order to have their children exempted from the lessons in religion. **There has therefore been a violation of Article 2 of Protocol No. 1 in the present case.***



According to judgment of ECtHR Turkey had to change the compulsory status according to judgment, however our authorities insisted on continuing to apply compulsory status with incremental changes at the course syllabus. Implementation of the ECtHR judgments are monitored by Committee of Ministers of European Council EC-CM, Turkey in various meetings claimed that changes in syllabus was satisfactory, however EC-CM could not agree with the changes that Turkey repeatedly defended. Finally, in 1468<sup>th</sup> meeting of EC-CM on 5-7. June.2023 Turkey is asked to correct this situation according to requirements of the position, otherwise case file will be sent back to court with a resolution. Art.6 and 7. of the 1468<sup>th</sup>. decisions read as follows: [https://search.coe.int/cm/pages/result\\_details.aspx?objectid=0900001680ab822b](https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680ab822b)

*“6. noted with deep regret that the authorities failed to take any measure to address the shortcomings identified by the Court as regards the compulsory religious culture and ethics classes; therefore strongly urged the authorities to take the necessary measures to ensure that the Turkish education system fulfils the State’s duty of neutrality and impartiality towards the various religions, denominations and beliefs, respecting the principles of pluralism and objectivity, and offers appropriate options for the children of parents who have a religious or philosophical conviction other than that of Sunni Islam to opt out of compulsory religious education, without pupils’ parents being obliged to disclose their religious or philosophical convictions;*

*7. decided to resume consideration of these cases at their DH meeting in June 2024 at the latest and, in view of the absence of any progress on the issue of compulsory religious culture and ethics classes since the first judgment on this issue became final in 2008, instructed the Secretariat to prepare a draft interim resolution for consideration by the Committee at its next examination of this group, in the absence of signs of concrete progress as regards the general measures.”*

On top of Turkish authorities of not implementing ECtHR judgment, during 2022 the highest judicial state entity Constitutional Court of Turkey made another judgment that the application is violating Turkish Constitution as well as Turkish Civil Law. Judgment ref 2014/15345, dated 04.07.2022, publicized on 28. July.2022 in 31906<sup>th</sup> Official Gazette of the Turkish state In spite of the double violation judgment of the Supreme Court so far no action is taken in the country. Some details of the Judgment are seen at Att. 2

Furthermore, Turkish Ministry of Education and Religious Services Presidency made a protocol during August 2023 aiming:

- a) Adding new and different selective lessons to curriculum besides RCE and
- b) Doubling the hours of RCE lessons from 2 hrs/week to 4 hrs/week,
- c) Appointing religious clergy to secular schools who will work on club activities with children and act as Spiritual Advisors.
- d) Forcing women teachers to wear a standard apron in schools.

These recent initiatives clearly indicate that our authorities are intending to convert our educational system from a secular educational program to an Islamic system.

There is a great reaction to this new Protocol by families and there was a big meeting held in 16<sup>th</sup>.September.2023 in our İZMİR city where the implementation of the Protocol is planned to start.



A great number of Turkish citizens are against these Sunni Muslim fundamentalist approach of government and trying to resist to such assimilative and discriminative attitude of Turkish government.

We are aiming democratization of the country, we believe that in above summarized case Turkey is in deep conflict with HRC Resolution 52/38 on articles 7 (b), (8) and (h) and rejects to positively respond to Art.8 Call upon all States art (a), (b) and (d).

Information provided with this contribution is publicly available and may be used accordingly.

We expect UN authorities and related commissions to follow up developments in Turkey closely and take necessary measures for warning authorities to take steps in consistence with the UN policies and objectives.

We are at your disposal for providing further documents and information on these matters if it will be deemed necessary.

Kindest regards

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Alevi Philosophy Centre Association

Attachment 1: Decision of European Council CM meeting no 1468 on 5-7. June.2023

Attachment 2: Translation of Turkish Constitutional Court judgment of April 2022.

Some Reference Documents.

USCIRF -2022 Report on Int. Freedom (Turkey)

<https://www.state.gov/reports/2022-report-on-international-religious-freedom/turkey/>

RELIGIOUS FREEDOM IN TURKEY: SITUATION OF RELIGIOUS MINORITIES

[https://www.europarl.europa.eu/RegData/etudes/note/join/2008/389026/EXPO-AFET\\_NT\(2008\)389026\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/note/join/2008/389026/EXPO-AFET_NT(2008)389026_EN.pdf)

A Critical Review of Religious Education Policies and Practices of Turkey from the Perspective of Inclusion

<https://unisapressjournals.co.za/index.php/EAC/article/view/3456>

