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Submitted by

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Alevi Düşünce Ocağı Derneği - ADO Alevi Philosophy Center Association

The Alevi Philosophy Center - ADO in Turkey is a pivotal institution that embodies and promotes the teachings and values of Alevism, a distinct non-orthodox/heterodox religious and cultural tradition within Islam, primarily exercised in Turkey. In addition to its educational and spiritual roles, ADO is an important advocate for the rights and recognition of the Alevi community, which has historically faced marginalisation and discrimination in Turkey. The centre works to promote the inclusion of Alevi teachings in the broader narrative of Turkish history and culture, challenging stereotypes and fostering greater social cohesion. Through various programmes, seminars, and cultural events, the centre aims to bridge the gap between Alevis and other religious and ethnic communities.

The organisation seeks to contribute to the rich cultural and artistic heritage of the Alevi belief system, support the legal struggle for the community to reclaim their historical lodges and places of worship, and advocate for the full enjoyment of basic human rights to ensure the sustainability of the Alevi faith. ADO is also dedicated to educating younger generations, ensuring that Alevis benefit from all legal and social rights afforded to religious groups in modern democratic societies, and fostering the creation of an ideal democratic society grounded in social equality and justice.

The mandate of ADO includes establishing reliable information channels, conducting historical and philosophical research, and producing essential knowledge about the Alevi belief system and rituals through realistic and academic approaches. Additionally, ADO is committed to disseminating accurately produced information through various means both within Turkey and internationally.





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List of Abbreviations and Turkish Expressions

ADO Alevi Philosophy Center Association

Alevi/ Alevism A distinct non-orthodox/heterodox religious and cultural tradition within Islam

AVF Federation of Alevi Foundations

Cemevi Alevi places of worship

CEM Vakfı Cumhuriyetçi Eğitim ve Kültür Vakfı / Republican Education and Culture Foundation

CM Council of Europe Committee of Ministers

DedeAlevi religious clergy titleDİBDirectorate of Religious AffairsDKABReligious Culture and Ethics CourseECtHREuropean Court of Human RightsFORBFreedom of Religion and Belief

ICCPR International Covenant on Civil and Political Rights

IÖGFreedom of Belief InitiativeHRC/The CommitteeUN Human Rights CommitteeMEBMinistry of National EducationMFAMinistry of Foreign AffairsTCCTurkish Constitutional Court

TPC Turkish Penal Code

Vakif Foundation





Evaluation of Previous Cycles and Recommendations on Religious, Ethnic, and Linguistic Minorities

- 1. During UPR process, the rights of religious, ethnic, and linguistic minorities have consistently been a major focus of recommendations to Turkey over the past three cycles. Turkey received 81 recommendations on these issues. Nevertheless, Turkey supported only 37 of these, while noting majority 44 recommendations.
- 2. Issues concerning the right to freedom of thought, conscience, and religion are closely linked to Turkey's reluctance to withdraw its reservation to Article 27 of ICCPR on rights of ethnic, religious, and linguistic minorities. During the past three UPR cycles, Turkey received 6 recommendations to withdraw this reservation. Nevertheless, Turkey merely noted these and took no action.
- 3. Turkey frequently cites the 1923 Lausanne Treaty to justify its stance on minority rights, interpreting it as applying only to non-Muslim minorities, specifically Greek, Armenian, and Jewish communities, along with their Christian and Jewish religious groups. This interpretation excludes other ethnic or religious minorities, such as Assyrians, Alevi, Bektashi, Shia, and Sunni Shafiite communities, from protections. Withdrawing Turkey's reservation to Article 27 of ICCPR is a crucial step toward addressing the issues faced by these unrecognised religious minority groups.

Recommendation

- → Ensure the rights of religious minorities including non-Sunni Muslim communities, withdraw the reservation to article 27 of ICCPR and ratify Council of Europe Framework Convention for the Protection of National Minorities.
- **4.** Most recommendations on religious minority rights in Turkey have focused on non-Muslim groups, with only two directly addressing Alevi community during 2nd UPR cycle. Australia recommended recognising *Cemevis* as places of worship, and France called for ending mandatory religious courses for Alevis. Although Turkey supported Australia's recommendation, no legal steps were taken to recognise *Cemevis*. Turkey's failure to acknowledge non-Sunni religious minorities fosters discrimination and hatred toward Muslim religious minorities.

Recommendation

- → Comply with the judgements of ECtHR and TCC concerning religious minorities.
- → Adopt a comprehensive anti-discrimination legislation to prevent all forms of discrimination on the basis of ethnic, religious, and linguistic grounds.





Recent Developments and Areas of Concern regarding Freedom of Belief and Conscience

- 5. Following 1980 coup, religious lessons in Turkey became compulsory, prompting individuals to seek exemptions through local courts and eventually ECtHR, notably in Hasan and Eylem Zengin case (1448/04). In 2005, more Alevi lawsuits began, led by AVF. By 2009, these cases reached ECtHR, which ruled in favour of Alevi community and other religious groups between 2014 and 2016. The cases focused on securing state support for *Cemevis*, equal legal rights for religious groupsⁱⁱ, and exemption from compulsory religious lessons for non-Sunni childrenⁱⁱⁱ.
- **6.** In 2022, Turkey established "Alevi Bektashi Culture and *Cemevi* Presidency" department under Ministry of Culture signifying ignorance of *Cemevi*s as worship places and non-acknowledging Alevism as a faith. Despite this, the government continues to withhold full recognition of *Cemevi*s as official places of worship. Since it promised support, as a result, CoE CM decided to close the follow-up procedures for case No. 32093/10 in 2023. Nevertheless, the problems related to the status of *Cemevi*s persists.
- 7. During its 1501st meeting in June 2024, CM reviewed Turkey's situation regarding FoRB. CM found Turkey's developments, explanations and further undertakings sufficient for a roadmap and decided to close follow up procedures of ECtHR case No. 62649/10. This decision was made despite repeated reports from ADO, İÖG, and a status report co-signed by several CSOs, indicating that the judgments in the case had not yet been fully and satisfactorily implemented.^{IV}
- 8. The other remaining case since 2014 on CM's implementation follow-up agenda is related to compulsory religious courses. CM has requested Turkey submit explanations regarding the implementation of long-standing case of "Mansur Yalçın and others" (No. 21163/11) by the end of 2024. TCC also had a judgement on Hüseyin El and others case (No. 2014/15345) dated 7 April 2022. Indicating that this educational system violates Turkish Constitution and Turkish Civil Law. Turkey has not taken any steps on this matter as well. Vi
- **9.** In the 2023-24 school year, students were required to choose at least one elective, as a result most schools practically increased religious lesson hours from 2 to 4 per week. In April 2024, a protocol (CEDES) was signed by DİB, MEB, and Ministry of Youth and Sports to promote religious values, allowing DİB staff without pedagogical training to lead school activities. Alevi and non-Alevi organisations believe this reinforces Sunni fundamentalism and assimilation, especially as Alevi children can't be exempt from lessons contradicting their beliefs. The issue, highlighted by ECtHR judgments and UN^{vii viii} reports, risks increasing polarization and discrimination.
- 10.In June 2023, Turkey's major teachers' union, Eğitim-Sen, filed a petition with Court of Cassation seeking the annulment of CEDES protocol. The union argued that the protocol clearly violates several legal provisions, including Unified Education Law, Article 36 of Law on State Bureaucracy, a TCC decision (No. E.1889/1), Article 128 of the Constitution^{ix}, Articles 43 and 47^x of Basic Law on National Education, and Article 28 of Law on Organisation and Duties of the Ministry of National Education, by undermining the authority of National Board of Education.





Problematic Areas in Turkey in the Context of Freedom of Belief and Conscience

Legal Entity of Belief Groups

Status of Places of Worship [Cemevis]

- 11. The related judgement of ECtHR under consideration is the decision of 32093/10 dated 2 December 2014, in the case of CEM Vakfi. This case addresses the issue of whether the financial benefits provided to places of worship fall within the principle of non-discrimination. The background of this application involves the rejection of Cemevis as places of worship based on an opinion from DİB. ECtHR, examining the case under the prohibition of discrimination based on religion and belief, unanimously found a violation.
- 12. In Turkey, places of worship are granted specific legal status, but some belief groups face discrimination in this regard. National courts, following ECtHR rulings, recognised *Cemevis* as places of worship, issuing several favourable judgments. However, the establishment of "Alevi Bektashi Culture and Cemevi Presidency" in 2022 and related law excluded *Cemevis* from this status. This is inconsistent with the state's obligation to remain neutral towards religions and comply with ECtHR judgments and national laws. No valid justification has been provided for this differential treatment, and major opposition party filed an annulment application to TCC in 2023.

Legal Entity of Belief Groups:

- 13.In the case "izzettin Doğan and Others", Grand Chamber of ECHR found that Turkey's refusal to recognise Alevism as an autonomous denomination of the Muslim religion violated the applicants' freedom of religion and conscience, as well as the prohibition of discrimination due to the unequal access of Alevis to public services.
- 14. The application concerned the denial by administrative and judicial bodies of a group of Alevi citizens' requests for various recognitions and benefits. These included recognising Alevi worship services as public services, granting place of worship status to *Cemevis*, hiring Alevi religious officials as public servants, and allocating special state funds for Alevi worship. ECtHR found that rejecting these demands denied the religious character of Alevism and interfered with freedom of religion and conscience.xi

Implementation of ECtHR Judgements:

15.The execution and implementation of ECtHR judgments is monitored by CM. Currently, issues such as compulsory religious culture and ethics education, the lack of financial exemptions for *Cemevis*, the non-recognition of Alevism as an autonomous belief, and the exclusion of Alevis from religious public services have been pending subjects before CM since 2016 and followed up between 2019–2024.^{xii}

Recommendations

- → Prioritise implementing judgments of ECtHR and national courts on compulsory religious education, financial support for *Cemevis*, and Alevi rights recognition.
- → Recognise Alevism as a distinct denomination and ensure equal access to public services and state funding, in line with international human rights standards.
- → Legally recognise *Cemevis* as places of worship, ensuring equal treatment, financial benefits, and legal status as other religious communities, per Turkey's ECtHR obligations.





Compulsory Religious Courses

- **16.** Article 24 of 1982 Constitution mandates state supervision and control over religious and moral education. This provision includes a compulsory course on religious culture and morals in primary and secondary schools. The Basic Law of National Education reinforces this mandate, highlighting the state's emphasis on religious education as a core part of the national curriculum.
- 17. Article 24 also stipulates that "other forms of religious education are subject to the individual's desire, or for minors, the request of their legal guardians". This suggests that the Constitution's intention is not to impose religious courses universally but to ensure that any compulsory religious education is limited to what is outlined in the Constitution. ECtHR has ruled that compulsory religious education does not violate human rights as long as there is an option for exemption. (Saniewski v. Poland, Grzelak v. Poland)
- **18.** For over 20 years, due to the intentional interpretation of this provision by administrative analysts from MEB and related offices as "all primary and secondary school students must take religious courses," individuals have been compelled to take these classes against their will.

Related Court Cases

- 19. One significant case involved Hüseyin EI (decision No. 2014/15345, 2022), who sought an exemption for his daughter from the compulsory DKAB course. After a long legal battle, TCC court found that DKAB courses did not fully meet the constitutional requirements for religious culture and ethics education and that exemptions should be available to parents who do not wish their children to participate in such courses. The judgement also indicated that this educational system violates Turkish Constitution and Turkish Civil Law. Nevertheless, Turkey has not taken any steps on this matter as well.
- 20. The ruling of TCC is consistent with ECtHR decisions, which have emphasised the need for religious education to be taught in an objective and pluralistic manner, free from indoctrination. ECtHR has also highlighted the importance of respecting parents' beliefs and ensuring that children are not forced to participate in religious education that contradicts their family's beliefs. In cases like Hasan and Eylem Zengin v. Turkey and Mansur Yalçın v. Turkey, ECtHR found that Turkey's compulsory religious education curriculum violated the right to freedom of religion by failing to provide adequate exemptions and by not respecting the diversity of beliefs among students.
- **21.** Despite these rulings, Turkey has not taken significant steps to amend the religious education curriculum or to ensure that exemptions are consistently available to all students. TCC's ruling, while recognising a violation of rights, did not lead to any substantial changes in the education system, reflecting a discrepancy between Turkey's domestic legal responses and the standards set by ECtHR and CC:

Current Situation

- 22. Since 2018, Turkey has made no significant amendments to its compulsory religion curriculum, despite ECtHR's rulings against it. CM has placed Turkey's religious education curriculum under intensified monitoring and has requested detailed responses from Turkey regarding ongoing issues by the end of 2024. XiII Additionally, TCC ruled in 2022 that the current educational system violates both the Turkish Constitution and Turkish Civil Law, yet no action has been taken by the government to address these issues.
- 23. There is a significant gap in religious education for non-Sunni Muslim groups, like Alevis, and non-Muslim communities. While Imam Hatip schools offer Sunni Islamic education, no equivalent institutions exist for training clergy in minority religious traditions, making it harder to maintain their practices and traditions.

Discrimination in Education

24. Surveys into religious education in Turkish schools have revealed significant discrimination against Alevi students. Many Alevi children face mistreatment by school administrators and teachers, often leading to conflicts that extend beyond religious education classes. Students who openly identify as Alevi are particularly subject to negative





treatment, which can lead to a decline in their academic motivation and contribute to a strained relationship between the public and the state.xiv

25. Alevi students are often forced to disclose their religious identity in religion classes, which exposes them to further discrimination. The lack of support for these students within the school system, combined with the compulsory nature of religious education, creates a hostile environment that undermines their educational experience.

Elective Courses and Religious Education

- 26. In 2023, Turkey introduced a restructuring of elective courses in middle and high schools. The new framework categorises elective courses into three distinct groups including "Religion, Ethics, and Values". Middle school students are required to select one course from each of these categories. High school electives are organised into four categories also in 2023. "Religion, Ethics, and Values" group includes courses such as "Quran," "Understanding Quran," "Life of Prophet," "Basic Religious Knowledge," "Turkish Thought History," and "Classical Ethics Texts." Due to understaffing and a lack of expert teachers for all electives, students are steered toward religious courses, increasing their weekly hours. This marks a shift from earlier guidelines, where students had more flexibility and weren't required to choose from the "Religion, Ethics, and Values" category.
- 27. This policy raises concerns about religious freedom by forcing students to engage with religious content, disregarding their personal beliefs. It prioritises a narrow view of national identity, neglecting Turkey's religious and cultural diversity.

Recommendations

- → Ensure the option for exemption from religious education and provide adequate support and ensure non-discrimination for students who are exempted.
- \rightarrow Include diverse religious traditions in textbooks, ensuring that all religious groups with populations in Turkey are adequately represented.
- → Address the specific needs of Alevi students by including content that reflects the diversity of views within the Alevi community and how they relate to Sunni Islam.

The Problem of Training Clergy

- **28.**Law on Unification of Education is a significant piece of legislation in Turkish history, passed in 1924. The law aimed to unify all educational institutions in Turkey under MEB, which consequently eradicated the differences between ethnic, religious, and linguistic minorities and denied their specific needs as minority communities.
- 29. Any belief system to sustain itself needs specialised clergy to perform its rituals and ceremonies. In Turkey, there are 112 Faculties of Theology, 54 Faculties of Islamic Sciences, and 1,673 Imam Hatip High Schools. However, very few university departments focus on Christianity or Judaism, and they don't offer religious clerical education. Of the 176 higher education institutions, none provide departments for other Islamic interpretations, such as Alevi, Shia, or Sunni schools like Shafi'i, Maliki, and Hanbali, apart from the predominant Sunni Hanafi interpretation.
- 30. The situation is relatively different for Greek Orthodox, Jewish, and Armenian minorities, who are partly protected under restricted interpretation of Lausanne Treaty. Armenians had Üsküdar Surp Haç Church's Tibrevank High School and Greek Orthodox community had Higher Orthodox Theology School on Khalki, both were institutions for training clergy. However, both schools were closed in 1971 when MEB decided to intervene in their curricula. XI Since the Syriac/Assyrian community is not protected under Lausanne Treaty, they have not been able to establish



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schools within Turkey. Instead, they have traditionally sent their students to educational centres in Syria. Nevertheless, the civil war in Syria has significantly disrupted continuing this practice.

- **31.**In Turkey, over 85 million population, approximately 20 million identify as Alevi, 8-9 million as Shafi'i, and several millions adhere to other Sunni Islamic beliefs. Despite this religious diversity, all these groups are obliged to receive services from religious officials trained exclusively in MEB Imam Hatip schools and universities primarily teaching Sunni Hanafi interpretation of Islam.
- **32.** Alevi community trains their religious clergy, known as *Dede* and *Zakir*, through traditional and familial education within their *Cemevis* or within the family and community. However, this informal and unsystematic approach often leads to significant inconsistencies in religious practices.
- **33.** In 2015, MEB and an Alevi foundation agreed to establish Hacı Bektaş Veli Anadolu Project High School to train Alevi religious officials. Despite the foundation completing all the necessary expenditures as outlined in the protocol and finishing the project in 2022, MEB ultimately decided that this school would follow standard Sunni Imam Hatip curriculum, not agreed specialised Alevi education.
- **34.**The Sunni Shafi'i community faces challenges in training clergy, lacking formal institutions. However, since 2021, a few thousand Shafi'i clerics have been appointed to DİB, due to their fundamentalist views and political alignment with the ruling government.
- **35.**In Turkey, religious education is exclusively provided for Sunni Hanafi clerics, with no institutions for other Muslim or non-Muslim communities to train their religious leaders. Christian minorities bring in clergy from abroad on temporary visas, while Alevi, Ja'fari, and Shafi'i populations cannot train their own leaders. This situation may be viewed as a long-term assimilation policy or an attempt at cultural genocide.

Recommendations

- → Create specialised religious education programmes for underrepresented groups like Alevi, Shafi'i, and Christian minorities to ensure equal access for all communities.
- → Reopen minority religious schools, grant them legal recognition, and protect their curricula, allowing communities to train their own leaders without state interference.
- \rightarrow Permit all religious minorities to establish their own schools and training centres with legal and financial independence.

1 October 2024

Kind Regards Doğan Bermek Chairperson - Alevi Philosophy Center Association

Nezih Dogan Bermek





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- ¹ Cumhuriyetçi Eğitim ve Kültür Vakfı v. Turkey, Application No. 32093/10
- "Izzettin Dogan and others v. Turkey, Application No. 62649/10
- iii Hasan Zengin and Eylem Zengin v. Turkey, Application No. 1448/04; Mansur Yalçın and others v. Turkey, Application No. 21163/11
- iv Fort he Turkish text of the decision please follow: https://kararlarbilgibankasi.anayasa.gov.tr/BB/2014/15345

Ado also published summary translation of the decision in Implementation of ECtHR Judgements Monitoring Report -6 July 2023 on pages 45 to 47: https://aleviocagi.org/Content/Upload/Images/FotografGalerileri/pdf_ado-report-6-eng-final_2182023123850737.pdf

- v CM/Del/Dec(2024)1501/H46-33 https://search.coe.int/cm?i=0900001680b0498b
- For a detailed analysis of the judgement please see to Tolga Şirin's article "Recent Developments on the Question of Religion Courses: An Analysis of a Turkish Constitutional Courts's Decision in 2022":

https://iupress.istanbul.edu.tr/en/journal/annales/article/recent-developments-on-the-question-of-religion-courses-an-analysis-of-a-turkish-constitutional-courtss-decision-in-2022

- vii A/HRC/55/47: Hatred on the basis of religion or belief Special Rapporteur on freedom of religion or belief. Published 08 January 2024, https://www.ohchr.org/en/documents/thematic-reports/ahrc5547-hatred-basis-religion-or-belief-special-rapporteur-freedom
- viii A/HRC/55/74: Combating intolerance, negative stereotyping and stigmatisation of, and discrimination, incitement to violence against, persons based on religion or belief https://www.ohchr.org/en/minorities/combating-intolerance-against-persons-based-religion-or-belief
- ix D. Provisions relating to public servants 1. General principles

ARTICLE 128- The fundamental and permanent functions required by the public services that the State, state economic enterprises and other public corporate bodies assigned to perform in accordance with principles of general administration, shall be carried out by public servants and other public employees. The qualifications, appointments, duties and powers, rights and responsibilities, salaries and allowances of public servants and other public officials, and other matters related to their status shall be regulated by law. (Sentence added by September 12, 2010; Act No. 5982) However, provisions on collective agreement concerning financial and social rights are reserved. The procedure and principles governing the training of high rank administrators shall be specially regulated by law.

- * Articles 47 of Basic Law on National Education V Experts and Master Instructors: Article 47 (Amended: 16/6/1983 Law No. 2842/14)

 Experts and master instructors can also be assigned, either temporarily or permanently, in formal and non-formal education institutions, as well as in in-service training courses, seminars, and conferences. The conditions required for the selection of experts and master instructors, along with their duties and authorities, shall be determined by regulations according to the type and level of education.
- xi The court's evaluation of freedom of religion and conscience is summarised as follows:

The ECtHR highlighted that Alevis face discriminatory treatment compared to the majority Sunni Muslims, with no objective or reasonable justification for this disparity. The state's rationale -based on theological debates about Alevism's place within Islam- was deemed inconsistent with the state's duty of neutrality and exceeded the permissible margin of appreciation. The state's argument that recognizing diverse religious demands would violate secularism was also criticized, especially since state subsidies and religious services benefit Sunni Muslims without aiding the Alevi community. The Court concluded that the state failed to offer a valid justification for the unequal treatment of Alevi's.

- xii Please see paragraphs 31, 129, and 177 of the ECtHR Grand Chamber judgement 62649/10 dated April 2016:
 - 31. The absence of a clear legal framework governing unrecognised religious minorities causes numerous legal, organisational and financial problems. First of all, the religious leaders of these communities have no legal status and there is no appropriate establishment able to train staff involved in the practice of the religion or creed in question. Secondly, their places of worship do not have any legal status and do not enjoy any legal protection. The ability to build places of worship is uncertain and is subject to the good will of the central or local authorities. Arrangements for the upkeep of immovable property with a cultural heritage, which in some cases is literally falling into ruin, are complex. Thirdly, the communities in question cannot officially receive donations from members or State subsidies. Lastly, as they do not have legal personality, these communities do not have access to the courts in their own right but only through foundations, associations or groups of followers.

129. Likewise, in its judgement in Mansur Yalçın and Others, cited above, which concerned the compulsory classes in religious culture and ethics taught in primary and secondary schools, the Court previously stated that Alevi parents could legitimately consider that the arrangements for teaching the subject in question were liable to create a conflict of allegiance for their children between their school and their own values, giving rise to a possible issue under Article 2 of Protocol No. 1 (ibid., § 71). The Court held in particular that the education system of the respondent State was not appropriately equipped to ensure respect for the beliefs of those parents (ibid., § 77).

- 177. Although the Alevi faith constitutes a religious conviction which has deep roots in Turkish society and history and has distinctive characteristics, it does not enjoy any legal protection as a religious denomination: the Cemevis are not recognized as places of worship, its religious leaders have no legal status and its followers do not enjoy any of the benefits of the religious public service (as regards issues linked to the education system of the respondent State, see paragraph 129 above)
- https://www.coe.int/en/web/execution/-/freedom-of-belief-and-non-discrimination-in-t%C3%BCrkiye-council-of-europe-urges-progress-on-compulsory-military-service-and-religious-education
- xiv https://www.esithaklar.org/wp-content/uploads/2015/10/T%C3%BCrkiye-E%C4%9Fitim-Sisteminde-Ayr%C4%B1mc%C4%B1l%C4%B1k-Raporu2015.pdf
- ** https://www.uscirf.gov/news-room/uscirf-spotlight/50-years-and-counting-continued-closure-halki-seminary-turkey https://www.cemaatvakiflaritemsilcisi.com/index.php/vakiflar/ermeni-vakiflari/154-surp-hac-tibrevank-ermeni-lisesi-vakfi







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