



Norwegian
Helsinki Committee



– Avlaremoz

Special Rapporteur on Freedom of Religion or Belief
United Nations

Oslo 06 June 2019

CC: Ministry of Justice, Turkish Government

Submission regarding anti-Semitic incidents, responses and good practices in Turkey

The Freedom of Belief Initiative is a human rights-based project of the Norwegian Helsinki Committee. The Initiative monitors and reports on legislative, judicial and administrative developments related to freedom of religion or belief in Turkey.¹ Avlaremoz is an online platform that focuses on problematizing anti-Semitism and creating awareness on anti-Semitic attitudes and visibility of Jews and their history in Turkey.²

This submission has been prepared in response to the call by the UN Special Rapporteur on Freedom of Religion or Belief for written submissions on anti-Semitism. The Norwegian Helsinki Committee Freedom of Belief Initiative and Avlaremoz Platform would like to submit the following information and observations on anti-Semitic incidents, responses and good practices to combat anti-Semitism in Turkey.

General Trends

- Being Jewish or being connected to Jewishness is often used as a label to defame individuals.
- Jews are often portrayed as evil people.
- Jews in Turkey are perceived as an extension or responsible for Israel's policies, particularly in connection to Palestinians.
- Israel's unfavourable treatment of Palestinians is viewed as a reason to threaten Jews in Turkey or as a way to highlight the patronage shown to Turkey's Jews.
- Anti-Semitic propaganda and attacks rise when Israeli-Palestinian conflict is heated.

¹ For more information on the Norwegian Helsinki Committee see www.nhc.no and for the Freedom of Belief Initiative see www.inancozgurlugurgirisimi.org.

² See www.avlaremoz.com.



- Anti-Semitic attitudes and speech are pervasive and more often than not no action is taken against it or to prevent it.
- Anti-Semitic attacks, when prosecuted, are decided on a narrow basis – the judges often do not take into account the hate crime nature of the attack.

I. Anti-Semitic Incidents

Attacks

Date & Place	Description of the Incident	Perpetrator & Victim	Action Taken
28 March 2019 Izmir	A petrol bomb was thrown to the Beth Israel Synagogue in Izmir at night by an unknown attacker. The bomb landed on the sidewalk and luckily no damage was done.		- AK Party's Deputy for Istanbul Mustafa Yeneroğlu condemned the attack. - The attacker was captured by Izmir Police Department and was arrested with the “damaging a place of worship” charge on the same day. The attacker, in his first statement, said that he executed this act to protest Israel.
22 July 2017	Activists from Büyük Osmanlı Derneği (Great Ottomans Association) gathered in front of Ahrida sinagogue in Istanbul and shouted slogans against Israel.	Activists from Great Ottomans Association. - Istanbul Jewish community	
20 July 2017 Istanbul	Activists from <i>Alperen Ocakları</i> attacked the Neve Shalom synagogue in Istanbul, throwing rocks at the building, kicking its doors and placing an x-ray in front of the	Activists from Alperen Ocakları – an ultra-nationalist organization linked to the right wing nationalist Great Union	- Statements reacting to the attack and calling for calm from the President, Prime Minister and Minister of Foreign Affairs - 20 July 2017 - Alperen Ocakları Foundation Head of Istanbul Branch Kürşat Mican was found guilty on "explicitly inciting people to animosity and hatred" sentenced to one year in prison on 16 April 2019.



	synagogue during a protest against Israel's decision to install metal detectors at the entrances to Jerusalem's Temple Mount.	Party. - Istanbul Jewish community.	NOTE: The indictment included a total of 6-14 years imprisonment on account of “incitement to prevent people from exercising their right to belief, thought and conviction”, “incitement to damage places of worship and cemeteries”, “publicly inciting others to animosity and hostility” and “threatening with a view to create fear and panic in the population”.
19 June 2016	On June 19, Jews visiting the cemetery on Father's Day found that the walls of the Jewish cemetery in Hatay destroyed and the gate broken. The stones of the graves were also broken.	Unknown.	Repairs have been carried out by the Jewish community.

Anti-Semitic Propaganda & Negative Stereotyping of Jews

Date & Place	Description of the Incident	By	Action Taken
7 April 2019	Tweet that the co-president of Peoples' Democratic Party (HDP) Sezai Temelli might be a Jew and that he is in relation with Israel and thus should not be trusted.	Former Metropolitan Municipality Mayor of Ankara Melih Gökçek	No action has been taken.
23 May 2019	A supermarket chain started selling Hitler's book Mein Kampf in its shelves, although only around 20 different books are put on the aisles.	CarrefourSA (previously also Migros AŞ)	Hitler's Mein Kampf is not prohibited in Turkey. The book has been published by many different publishing houses since its copyright



	<p>The same problem occurred in 2016 when Migros, which is one of the leading supermarket chains in Turkey started selling the same book.</p>		<p>protection period has ended. Carrefour France apologized through Twitter and informed that they will remove the books from the aisle.</p>
<p>14 March 2019</p>	<p>During an opening ceremony in Ankara, the president referred to Jews of Turkey in addressing Israel's prime minister Benjamin Netanyahu. He said: "Do not provoke us [Netanyahu], we have not persecuted Jews in Turkey we have not done any of the things you have done to these [places of worship in Israel] to the synagogues here". Critical stance against Israel's policies is often conflated with speech about Jews in Turkey thus contributing to threats against the Jewish community.</p>	<p>The President of Turkey Recep Tayyip Erdoğan</p>	<p>No action has been taken.</p>
<p>February 2017 - ongoing</p>	<p>A TV series was launched by Turkey's public television. The show takes place in Istanbul during the Abdul Hamid II era. While Abdul Hamid II is pictured as a great leader all of his enemies and bad persons within the show are depicted as non-Muslims, mainly Jews, including Theodor Herzl, and other minorities such as Armenians and Greeks (some of these evil characters are ecclesiastics). The show portrays non-Muslims as plotters of the destruction of Ottoman Empire and star as the common enemy of the realm.</p>	<p>TV Series Payitaht Abdülhamit (Capital City: Abdul Hamid II), TRT (Turkish Radio and Television - the official channel of Turkey)</p>	<p>No action has been taken.</p>



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22 December 2018	During his speech in the General Assembly of the Turkish Youth Foundation, the President advised the future generations by saying: “Be always kind. Don’t kick your enemy who falls to the ground because you are not a Jew in Israel. Because they would, let alone men and women, they would even kick babies”.	The President of Turkey Recep Tayyip Erdoğan	No action has been taken.
17 December 2018	A graffiti was found on the wall of a street in Gaziosmanpaşa, Istanbul indicating “Prohibited area for Jews and pigs.” Similarly, Nazi Swastika graffiti were drawn on different areas of Istanbul in previous months.	Unknown	We don’t have any information regarding the street writing in Gaziosmanpaşa. However, the swastika graffiti in Levent was removed by Beşiktaş Municipality (2016) and swastika graffiti in Nişantaşı and Kurtuluş region were removed by civilians living in that region (2018).
6 December 2018	Maccabi Tel Aviv Fox Basketball team came to Istanbul for their Euroleague match with Daruşşafaka team. During their stay at Dedeman Hotel Barbaros, the only Jewish team member found a sticker at their hotel with “Arbeit Macht Frei” sign on it.	Unknown	
17 October 2018	Yeni Akit Newspaper includes anti-semitic news, opinion pieces and articles each and every day. They publish lots of conspiracy theories about Jews. On 17th of October the newspaper published an article accusing King Muhammed VI of Morocco	Yeni Akit Newspaper	No action has been taken against the newspaper.



	for being close with Jews and including “alleged” Holocaust “claims” at the curricula. Yeni Akit clearly denies Holocaust.		
16 August 2018	<p>Muharrem Ince tried to discredit AKP (Justice and Development Party) and President Recep Tayyip Erdoğan by making a statement saying, “You are awarded the Jewish Courage Award and you see yourself worthy for such prize”.</p> <p>Muharrem Ince was actually referring to the ADL awards (ex. Courage to Care) which were given to some officials of Turkey for saving Jews during Holocaust. President Erdoğan was not awarded, however, he received the prize on behalf of others (which was later returned back by Erdoğan due to similar criticism).</p>	<p>Muharrem Ince Former MP (from CHP - Republican People’s Party), former candidate for Presidency of Turkey</p>	<p>Muharrem Ince expressed himself through Ahmet Hakan’s column in Hürriyet. He apologized to the Jews of Turkey, said that he is not a racist and highlighted that he only wanted to criticize Erdoğan due to his hypocrisy on his Israel policy.</p>
24 June 2018	<p>During Presidential Elections held in 24 June 2018, a few posters were found in different high schools over Turkey which included anti-Semitic expressions. The posters read as: “Jew means traitor, treacherous. Jew means a man who breaks his promise. A Jew is coward. He knows only to kill oppressed people.”</p>	<p>Alparslan Anadolu Lisesi (highschool), Pendik, Istanbul</p>	<p>A complaint was filed by the Turkish Jewish Community (not a legal complaint but rather a bureaucratic complaint). The Ministry of Education has removed the posters which were detected by the Jewish community and shared through social media. However as far as we know the Ministry of Education did not investigate these incidents and take measures to prevent similar incidents happening in the future.</p>
24 June 2018	<p>This poster includes mottos and poems of famous anti-semitic poets such as Necip Fazıl Kısakürek and Sezai Karakoç. The poster refers to Jews as</p>	<p>Düzce Arsal Anadolu Lisesi (highschool) , Düzce, Kocaeli.</p>	



	<p>cursed people who do not hesitate to burn down the world in order to cook their eggs. Again, another poster contains a poem mentioning how Jews burnt down the Al-Aqsa Mosque.</p>		
13 March 2018	<p>Turkish taxi drivers fought against Uber. They were frustrated that passengers favoured Uber instead of regular taxis. While protesting, the President of Taxi Association mentioned Uber as “the Global thief Jewish Lobby”.</p>	<p>Eyüp Aksu, Chair of Taxi Chamber of Artisans Association</p>	
26 December 2017	<p>During the live streamed broadcast hosted by Esra Erol and her team, Hamiyet Nagel who is now residing in the US, was accused for converting her adopted daughter into Judaism. Esra Erol and her team spread Hamiyet Nagel’s and her daughter’s personal data. They blamed Nagel for converting a Muslim baby to something evil and that she did not grant the chance to her daughter to choose her own religion.</p>	<p>Esra Erol, famous show host who previously held live matchmaking programmes, ATV Victim: Hamiyet Nagel</p>	<p>We do not know whether the accusations and/or incidents are real. Hamiyet Nagel filed criminal complaints actions against Esra Erol. We are, however, not aware of any updates about this issue.</p>
19 January 2018	<p>Meral Akşener tweeted that President Erdogan was awarded with the Courage Award and this award is presented to parties who serve Israel and help the re-institution of Solomon’s Temple (The Bet-Amikdash). Meral Akşener was actually lying about the ADL award which is given to</p>	<p>Meral Akşener, the President of IYI Party (Good Party)</p>	<p>No action has been taken.</p>



	some officials of Turkey for saving Jews during the Holocaust. President Recep Tayyip Erdoğan was not awarded, however he received the prize on behalf of others (which was later returned by Erdoğan due to similar criticism).		
7 October 2017	President Erdogan criticized Mesud Barzani for the referendum held in Iraq Kurdistan Regional Administration by expressing his disappointment: “You have taken a Jew to sit next to you”. Erdogan referred to a photo which actually had nothing to do with the referendum. The photo included an image of the French Philosopher Henry Levy.	The President of Turkey Recep Tayyip Erdoğan	No action has been taken.
28 October 2018	The religious Misvak Magazine published a cartoon just before the Turkey’s Republic Day signalling that Jews and British people are the reason of the destruction of the Ottoman Empire. The cartoon included two men with enormous noses a menorah at the centre together with Queen Elizabeth’s portrait. The characters claim that they have abolished the khalifat, they have destroyed their unity, they have changed their alphabet and they have broken their ties with the past.	Misvak Cartoon Magazine	The Magazine deleted the cartoon from its online platforms due to public complaints by Kemalist people. No mention of the anti-Semitic nature of the cartoons was made.



27 September 2017	A poster was hung in Beşiktaş, Istanbul where Jews are densely populated. “Barzani of Jewish origin. We know who you are and that your purpose is to [form] the Great Israel, not Kurdistan. - We will abruptly come one night...”	Unknown	The poster was removed by the Istanbul Metropolitan Municipality within a day.
10 February 2017	Following the discussions regarding travels to Ukraine without visas, a columnist tweeted an image from the Holocaust of men completely naked, shaved and hungry. He captioned the photo with: “The first Turkish group who heard that they can travel without visas to Ukraine is on their way. They will get warm at the touristic ovens at side.”	Aykut Işıklar, columnist	Dozens of people criticized Isiklar, however Isiklar was proudly answering them by saying: “Should I ask my captions to you before I tweet?” Later Isiklar deleted his tweet and apologized and said that “his tweet wasn’t understood.”

II. Information on Laws and Policies affecting the Right to Freedom of Religion or Belief of Jews

Seemingly neutral restrictions on the right to freedom of religion or belief, especially in its collective dimension, affect the Jewish community and its minority status disproportionately.

Associative Rights

The minority community foundations have not been able to elect new executive board members since 2013 pursuant to a decision of the General Directorate of Foundations to declare null and void the Regulation on the Law on Foundations provisions on the election of board members. Although the Government has the ultimate positive obligation to ensure that communities are able to exercise their right to association effectively, no measures have been taken to date. As a result, members who have retired, emigrated or died or simply no longer wish to be on the board could not be replaced, leaving community foundations with few or inadequate number of board members. This situation also prevents community foundations from being revitalized with new visions and contributions that new members



might bring. Many religious, educational and cultural services provided by the community foundations for the community depend on the capacities of these institutions.

Interference in the Election of the Chief Rabbi

In Turkey the election or appointment of the Chief Rabbi, the Greek Orthodox Patriarch and the Armenian Patriarch is based on a process that lacks legal certainty and which is to a great extent outside of the control of the religious communities themselves. The process of application for state [approval](#) is not required by any law but is de facto required by what may be called established practice. This process may allow the community freedom in their internal affairs but is often subject to interference from the authorities. When the current Chief Rabbi Haleva was elected in December 2002 for the first time the office of Chief Rabbi was decided by the community to be for a seven-years term, not a lifetime appointment as previously. When Haleva's term expired in late 2009, the government asked for the post title to be changed from Chief Rabbi of Turkey to Chief Rabbi of Turkish Jews. Once the title was changed the community was given permission for the election.

Training Religious Leaders or Teachers

In Turkey state enjoys monopoly in religious education and instruction. There is only public and Islamic religious instruction in middle and high schools. [Public and private university training in religion related fields are provided only in relation to Islam.](#) Therefore, Jewish or other non-Muslim communities cannot train religious leaders or teachers in Turkey and rely on training provided in other countries.

Exemption from Compulsory Religious Culture and Ethics Course

Only Jewish and Christian students are exempt from the compulsory Religious Culture and Ethics course taught through grades 4-12 in public and private schools. In order to benefit from this exemption students must provide proof of their religious identity. As a result, they are obliged to disclose their religious identity thus creating a risk of stigmatization or discrimination. No alternative course is provided. Students who are exempt from the Religious Culture and Ethics course are impacted differently in the general high-school exams.

Public Employment

There are currently no Jews in the military, law enforcement, judiciary, bureaucracy and political representation in municipal or central government. While there is no explicit discriminatory legal provision preventing Jews from employment in these sectors, the [Government has failed to initiate measures that could ensure inclusion of Jews](#) in all public sectors.

III. Information on State Responses to anti-Semitism



Information on whether States have adequately prohibited anti-Semitic hate crimes and discrimination against Jews in national legislation.

| There is no explicit legal prohibition of anti-Semitism.

The provision in the Turkish Criminal Code to counter advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence has not been utilized to combat such advocacy against minority communities, instead, more often than not, it has been utilized to protect the majority religious feelings.

Criminal Code, ARTICLE 216 Inciting the population to enmity or hatred and denigration

(1) Anyone who openly incites sections of the population to enmity or hatred towards another group on the basis of social class, race, religion, or sectarian or regional difference, in a manner which may present a clear and imminent danger in terms of public safety shall be sentenced to imprisonment of from one to three years.

(2) Anyone who openly denigrates a section of the population on grounds of their social class, race, religion, sectarian, gender or regional differences shall be sentenced to imprisonment of from six months to one year.

(3) Anyone who openly denigrates the religious values of a part of the population shall be sentenced to imprisonment of from six months to one year, where the act is sufficient to breach public peace.

Information on whether States have adopted official policies on anti-Semitism, including adoption of the IHRA's Working Definition of Anti-Semitism and incorporation into official policies and training of officials, and best practices in this area.

No official policies specifically targeting anti-Semitism or IHRA's working definition of anti-Semitism have been adopted.

Information on whether States have designated high-level envoys or focal points on anti-Semitism, and best practices in this area.

No envoy or focal point on anti-Semitism have been designated.

Information on whether States are meeting the security needs of Jewish communities, and best practices in this area.



Jewish institutions (schools, synagogues and foundations) are often threatened and there are numerous regrettable experiences of attacks to places of worship as well as protests in front of synagogues. While public authorities provide some police protection, much needed measures such as camera surveillance, bulletproof glass and private security controls need to be provided by the Jewish community. This creates heavy financial burden for the Jewish community.

Information on whether States are adequately undertaking data collection, monitoring and reporting of anti-Semitic hate crimes; and best practices in this area.

While there is a certain level of monitoring of hate crimes by the Ministry of Justice in the context of the OSCE/ODIHR Annual Hate Crimes Report this is still at a basic level and does not include information on the nature of hate crimes, i.e. whether it is anti-Semitic or not.

Information on whether States are promptly, impartially and effectively investigating alleged anti-Semitic hate crimes and incidents of discrimination against Jews and punishing perpetrators.

Investigations of suspicious crimes fail to address whether there is any anti-Semitic motivation behind the crimes.

Information on the adequacy and effectiveness of training provided to law enforcement and other public officials on anti-Semitism, hate crimes, and the prohibition of discrimination.

There is no targeted training for public officials on anti-Semitism.

Information on State responses to anti-Semitic hate speech by politicians, governmental officials or media professionals.

It is often politicians, governmental officials and media professionals who use anti-Semitic hate speech. They are met with no reactions from representatives of the State.

Information on State action to counter advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, including on the internet, and whether State responses respect the right to freedom of opinion or expression.

State action on countering advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence has not been effective.

Information on remedies provided by the State to victims of anti-Semitic acts.



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Anti-Semitic acts are seldom sanctioned and when they are it is under different legal provisions such as damaging places of worship. They are not recognized as anti-Semitic as such.

Information on the degree to which victims of anti-Semitism have access to justice and support mechanisms and are aware of their rights.

Many Jews have internalized anti-Semitic attitudes and do not make formal complaints. Jewish organizations' formal complaints have not been successful in the past and this has led to reluctance to make new complaints to prosecutors. When other human rights organizations made complaints, these have been rejected since they have not been viewed as direct or indirect victims.

Information on the willingness of members of the Jewish community to report anti-Semitic incidents to the authorities, and best practices by States in encouraging this.

Members of the Jewish community have made efforts to report anti-Semitic incidents including hate speech to relevant public authorities. In cases of attacks to places of worship these have been generally followed through however the remedies in relation to hate speech have not been effective. This has led the members of the Jewish community to refrain from reporting to prosecutors. More recently, the Avlaremoz Platform has been raising awareness on anti-Semitic incidents including anti-Semitic propaganda. It has to be noted however that more often than not more prominent incidents are subject to reporting whereas incidents that are viewed as “minor” are left unreported.

Best practices for States regarding Holocaust education and the promotion of tolerance, inclusion and non-discrimination.

The Ministry of Foreign Affairs has been organizing annual meetings in partnership with a university to commemorate the International Day of Holocaust Remembrance with participation of Turkey's Chief Rabbi and representatives from the Jewish community.

IV. Good Practices by Non-State Actors

Examples of effective strategies by non-state actors, in particular media, internet, and telecommunications companies, and by civil society, to respond to and combat anti-Semitism.



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Avlaremoz (Let's Talk) is an online platform focusing on problematizing anti-Semitism and creating awareness on anti-Semitic attitudes and visibility of Jews and their history.

Hrant Dink Foundation's Project on Monitoring Hate Speech in the Media provides systematic reports on how different groups, including the Jewish community, are targeted in the media.

SEHAK (Civil and Ecological Rights Association) has raised awareness about the Holocaust through the traveling Anne Frank Exhibition as well as by creating teaching materials and organizing "memory walks" in different parts of Turkey.

Insan Hakları Derneği (The Human Rights Association) has monitored trials that dealt with anti-Semitic incidents thereby increasing public awareness of the trials as well as outlining human rights issues that have been at stake. It is important to note however that petitions, which the Human Rights Associations made for third party intervention/involvement have been refused by courts.

Dur-De (Say 'Stop') had organized Holocaust memorials on 27 January since 2015. Following the 2016 memorial ceremony, the Office of Chief Public Prosecutor initiated an investigation with regards to six people including the president of the organization, the one reading the statement, three participants and one passing by claiming that the statement violated the Anti-Terror Law. Two of the suspects were Jews. After the second trial, three participants and one person passing by were acquitted, whereas the president and the woman reading the statement were found guilty and sentenced to two years in prison, however it was not enforced.

The Norwegian Helsinki Committee Freedom of Belief Initiative published annual monitoring reports on freedom of religion or belief in Turkey and these include reporting on attacks on places of worship and other sacred places, including Jewish synagogues and cemeteries.

Examples of effective intra- or inter-religious or multi-faith dialogues and social action campaigns to promote tolerance and combat anti-Semitism.

We are not aware of any intra or inter-religious or multi-faith dialogues and social action campaigns to combat anti-Semitism.

Sincerely yours,



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