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**“Minorities in Turkey Status and Rights of Minorities on the  
Road to EU”**

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# **Minorities in Turkey**

## **Status and Rights of Minorities on the Road to EU**

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### Abstract

After the Ottoman Empire which did not adopt assimilation, Turkey has been established in wide geographical area that had a rich ethnic identity and multicultural nature. The Ottoman Empire was adopted in the National Pact on February 17, 1920 that accepted only non-Muslims as a minority. Turkey has continued this idea and according to the Treaty of Lausanne which was signed in 24 July 1923, only non-Muslims have been accepted as a minority. Turkey has different ethnic/religious groups but the minority definition consists only of non-Muslim groups which are Greek, Armenian and Jewish. Therefore, this definition is far beyond the European Union's minority definition of which Turkey intends to be a member. This paper analyses the status and rights of minorities in Turkey on the road to EU.

### Contents

- I. Introduction
- II. Minorities in the Ottoman Empire
- III. Turkish Republic's attitude towards minorities under the 1923 Lausanne Treaty
- IV. Expectations of the European Union
- V. Constitutions of the Republic of Turkey
- VI. Amendments of 1982 Constitution
- VII. Rights of minorities in Turkey

- 7.1. Education rights of minorities
- 7.2. The right to use language
- 7.3. Media
- 7.4. Political participation

## VIII. Conclusion

### I. Introduction

Turkey has 47 different ethnic/religious groups but the minority definition consists on non-Muslim groups which are Greek, Armenian and Jewish. Therefore, this definition is far beyond the European Union's minority definition of which Turkey intends to be a member. The EU accepts everyone as a minority who is different from majority and thinks of this difference as their integral part of identity. Additionally, the EU states that a country won't be a member of the EU if it doesn't solve the problem about minority issues<sup>1</sup>.

The definition of minority changes from one nation to another. According to the Turkish Language Society, minorities refers to who is less in number than the others in terms of distinctive characteristics in a community.

In a broader perspective, minorities are communities of citizens who are not the majority of a country's population, have a different language, religion, ethnic background they want to protect<sup>2</sup>.

In addition to non-Muslims, there are other ethnic and linguistic groups who qualify as minorities under international standards. The Kurdish community, the Bosnian population, Arabs, Circassians and Laz population can be assumed as ethnic and linguistic minorities. Armenian, Jews and Greek who Turkey recognizes as non-Muslim minorities, also Syriac Orthodox, Yazidis and Alevi can be classified as religious minorities<sup>3</sup>.

In the Lausanne Treaty, there is a definition that only non-Muslims will be recognized as a minority. There is no information about what the name of minorities is. However, today Turkey recognizes Armenian, Jews and Greeks as non-Muslim minorities. Therefore, the protection of minority rights is not enough.

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<sup>1</sup> Murat SARAÇLI, *Avrupa Birliği ve Türkiye'de Azınlıklar*, Lotus Yayınevi, Ankara, 2007, p. 125.

<sup>2</sup> Ülku Bilgin, *Azınlık Hakları ve Türkiye*, Kitap Yayınevi, İstanbul, 2007, p. 17.

<sup>3</sup> Nurcan Kaya and Clive Baldwin, "Minorities in Turkey, Submission to the European Union and the Government of Turkey," *Minority Rights Group International*, July, 2004, p. 7.

Minority rights are protected on two levels, including national and international. In terms of national level, minority rights are protected in the field of the international law and are considered within the bounds of each state's sovereignty. In terms of international level, in recent years Turkey has carried out important domestic law reforms in accordance with preparations for accession to the European Union<sup>4</sup>. An important part of these reforms which are made in the constitution and laws is based on human rights. These improvements, directly or indirectly, influence rights and freedoms of minority citizens.

In 11-12 December 1999, Turkey has been accepted as a candidate country unanimously by the European Council in Helsinki. After the Helsinki Summit, Turkey adopted 8 reform packages entering a very extensive reform process that has led to changes in the Constitution and various laws. In addition, to the parallel of National Programs declared in 2001 and 2003, Turkey made some arrangements for the harmonization to Copenhagen Criteria<sup>5</sup>.

The Copenhagen Criteria are the accession criteria that candidate countries have to put in force to become a member state. The Copenhagen Criteria include political and economic criteria and the acceptance and implementation of the *Acquis communautaire*<sup>6</sup>. For the European Council to decide to open negotiations, the political criteria have to be put in force. Political criteria include "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities"<sup>7</sup>. Turkey has satisfied the political criteria and negotiations have been started in 2005. Following this direction, the rights and protection of minorities in Turkey are, therefore, crucial and essential element in the Turkey's accession process to EU membership.

The process of EU membership has had a significant impact on human rights practice in Turkey. Turkey has made remarkable progress for the adoption of the *Acquis*. However, the protection of minorities is still far behind European standards.

This study aims to evaluate minorities in Turkey and what happened in Turkey about minorities on the road to EU. The primary aim of the paper is to reveal to what extent the EU affects Turkey's behavior towards minorities. To do this, the study will first present historical

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<sup>4</sup> Bilgin, 2007, p. 9.

<sup>5</sup> Saraçlı, 2007, p. 142.

<sup>6</sup> *Acquis communautaire* is "the cumulative body of European Community laws, comprising the EC's objectives, substantive rules, policies and, in particular, the primary and secondary legislation and case law. It includes all the treaties, regulations and directives passed by the European institutions, as well as judgements laid down by the European Court of Justice" (Eurofound).

<sup>7</sup> EC (European Commission), **Enlargement**, 07/09/2012, [http://ec.europa.eu/enlargement/policy/glossary/terms/accession-criteria\\_en.htm](http://ec.europa.eu/enlargement/policy/glossary/terms/accession-criteria_en.htm) (23 April 2014).

process of minorities to understand the concept of minority in Turkey. Secondly, the study will present Constitutional amendments and legal regulations made on the road to EU. Finally, the study will represent the expectations of the EU about minorities from Turkey.

## II. Minorities in the Ottoman Empire

The Ottoman Empire incorporated a wide variety of ethnic groups and did not adopt an assimilation policy. Therefore, it culturally affected people in many countries which were ruled by Ottoman Empire and also was affected by their culture.

“As the empire grew into Europe, more and more non-Muslims came under Ottoman authority. For example, in the 1530s, over 80% of the population in Ottoman Europe was not Muslim. Therefore, Mehmed instituted a new system which is millet system. Under this system, each religious group was organized into a millet”<sup>8</sup>. In the Millet System, the main differentiation was the division into Muslims and non-Muslims. Accordingly, while the Muslim community was seen as a primary component of empire, the non-Muslim community was accepted in the status of dhimmi<sup>9</sup>. Non-Muslim groups consisting of Greek-Orthodox, Armenian and Jews had some rights. The main rights were freedom of worship and religious ceremony, the inviolability of prayer rooms and the assurance of full autonomy in the field of education, communication, social security, population size and health<sup>10</sup>. On the other hand, non-Muslim groups had some obligations. Main obligations were paying the poll tax<sup>11</sup> (Jizya), the ban of carrying weapons, the ban of horse riding, the resemblance of their clothes to Muslim’s clothes and the prohibition of church bells<sup>12</sup>.

The Millet System began to lose practicability after the Ottoman Empire began to weaken. In this period, the Ottoman Empire gave more rights to non-Muslims through the Rescript of Gülhane (1839) and the Imperial Reform Edict (1856). These documents accepted that everyone (Muslims and non-Muslims) was entitled to equal rights. With the Imperial Reform Edict, Non-Muslims passed from Dhimmi to citizenship status. Besides, the Ottoman Empire declared the Constitution as a Basic Law. In the Basic Law, the distinction of religion was abandoned and equality was emphasized. The purpose was to create an unified ottoman

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<sup>8</sup> Firas Alkhateeb, “Mehmed II Institutes the Millet System in the Ottoman Empire”, **Lost Islamic History**, <http://lostislamichistory.com/non-muslim-rights-in-the-ottoman-empire/>.

<sup>9</sup> Dhimmi is referred to Zimmî in Turkish and is non – Muslim subject in the Ottoman Empire. It means that non-Muslims were under the auspices of the Ottoman Empire.

<sup>10</sup> Saraçlı, 2007, pp. 114-116.

<sup>11</sup> Poll tax is a kind of tax payed by non-Muslim minorities in the Ottoman Empire. Non-Muslims payed poll tax to be exempted from military service.

<sup>12</sup> Bilgin, 2007, p. 55.

nation. In 1877 the Parliament contained 69 Muslim and 46 non-Muslim deputies. Nevertheless, especially after the 1912-1913 Balkan wars, the Party of Union and Progress adopted a Turkism policy. The principle of equality lost its importance and non-Muslims were seen as a minority<sup>13</sup>.

### **III. Turkish Republic's attitude towards minorities under the 1923 Lausanne Treaty**

Turkey has been established in a wide geographical area that has a rich ethnic identity of multicultural nature. The Ottoman Empire adopted the National Pact in 1920 that accepted only non-Muslims as a minority. Turkey has continued this idea in signing the Treaty of Lausanne in 1923 in which only non-Muslims have been accepted as a minority.

Section III in Part I of Lausanne Treaty is about the protection of minorities. Articles 38-44 of the Treaty guaranteed non-Muslim minorities equal rights with Muslims.

Article 38 stated that "Turkish government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion. Also, all inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals".

Article 39 is so important for non-Muslims because it includes the rights of minorities. It stated that "Turkish nationals belonging to non-Muslim minorities will enjoy the same civil and political rights as Muslims. All the habitants of Turkey, without distinction of religion, shall be equal before the law. No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings. Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts". In practice, Turkey has some shortcomings by ensuring of the rights which were recognized in Lausanne Treaty. For example, "the right

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<sup>13</sup> Saraçlı, 2007, pp. 117-120.

to make one's defence before a court in one's mother tongue at some stages of judicial proceedings was introduced in January, 2013"<sup>14</sup>.

Article 40 stated that "Turkish nationals belonging to non-Muslim minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein". Today, there are some shortcomings related with Article 40. In 1998, Syrian Orthodox was not recognized as religious minority. They face constraints in religious education. In 2013, the demand of opening a kindergarten in Istanbul made by Syrian was refused because of only consisting of Armenian, Greek and Jewish<sup>15</sup>. In 2013 Turkish Progress Report prepared by the EU Commission, "Formal introduction of an announced arrangement to legalise the provision of public services in languages other than Turkish, notably Kurdish, as recommended by the Council of Europe's Congress of Local and Regional Authorities, is pending".

Article 41 stated that "As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Muslim nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language". There is progress in this direction. In March of 2013, the Minister for National Education accepted the request for the reopening of a Greek minority school on Gökçeada. The school opened in September 2013. "The Ministry also informed all Turkish schools of their obligation to respond positively to requests from non-Muslims to be exempted from compulsory religious culture and ethics lessons"<sup>16</sup>.

Article 42 stated that "The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of minorities. All facilities and authorization will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature".

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<sup>14</sup> EC (European Commission), **Turkey 2013 Progress Report**, Enlargement Strategy and Main Challenges 2013-2014, COM(2013)700 final, p. 15.

<sup>15</sup> European Commission, 2013, p. 61.

<sup>16</sup> European Commission, 2013, p. 61.

There are difficulties in practice. A Directorate for Religious Affairs (DRA) was created in 1924 to provide the religious needs of whole Turkish population. However, in practice, it generally serves the needs of the Sunni Muslims by providing mosques, imams and Koran courses. The DRA excludes not only non-Muslims but also Alevi groups who make almost 20-25 percent of the Turkey's total population<sup>17</sup>. In 2013 Turkish Progress Report, Turkey was criticized about the situation of Alevis. "Cem houses were not officially recognized as places of worship and Alevis experienced difficulties in establishing new places of worship. The Turkish Presidency of Religious Affairs took the view that mosques are the only place of worship in Islam"<sup>18</sup>.

Article 43 stated that "Turkish nationals belonging to non-Muslim minorities shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest".

Article 44 stated that "Turkey agrees that, in so far as the preceding Articles of this Section affect non-Muslim nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations".

#### **IV. Expectations of the European Union**

The Accession Partnership Documents of Turkey (2001, 2003, 2006 and 2008) represent the expectations of the EU. Expectations regarding minorities are summarized as follows:

- ✓ Turkey should be capable of fulfilling the Copenhagen Criteria that includes respect for minorities in political terms<sup>19</sup>.
- ✓ Turkey should ensure cultural diversity and guarantee cultural rights of all citizens regardless of their origin. Also, Turkey should provide effective access to radio/TV broadcasting and education in languages other than Turkish<sup>20</sup>.
- ✓ In accordance with the European standards, Turkey should adopt a law that addresses all the challenges faced by non-Muslim minorities in as comprehensive manner.

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<sup>17</sup> Gareth Jenkins, "Non-Muslim minorities in Turkey: Progress and challenges on the road to EU accession," **Turkish Policy Quarterly**, Spring, 2004.

<sup>18</sup> European Commission, 2013, p. 55.

<sup>19</sup> European Council, "Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey", **Official Journal of the European Union**, 2001/235/AT, March, 2001, p. 3.

<sup>20</sup> Devlet Planlama Teşkilatı, "Türkiye için Katılım Ortaklığı Belgesi", Ankara, Nisan, 2003, p. 9.



Besides, that accordance with principles confessed in the Council of Europe Framework Convention for the Protection of National Minorities and the European Convention on Human Rights and in line with best practice in Member States, minorities should be respected and the protection of minorities should be improved. In accordance with Protocol No. 1 of the European Convention on Human Rights, Turkey should guarantee legal protection of minorities especially regarding of property rights. Also, Turkey should adopt appropriate measures to support the teaching of languages other than Turkish<sup>21</sup>.

- ✓ Turkey should “ensure the possibility of religious education for non-Muslim minorities, including the training of their clergy”<sup>22</sup>.

## V. Constitutions of the Republic of Turkey

Republic of Turkey has 3 constitutions which are 1924, 1961 and 1982. In these 3 Constitutions, there are differences in definition of Turkish citizenship. Article 88 of the Constitutions of 1924 states that “The name Turk, as a political term, shall be understood to include all citizens of the Turkish Republic, without distinction of, or reference to, race or religion”. It means that in Turkey every citizen is a Turk no matter which religion he has or which race he belongs to. Therefore, existence of different religious and ethnic groups is acknowledged. Article 54 of the Constitution of 1961 states that “every individual who is bound to the Turkish state by ties of citizenship is a Turk” and Article 66 of the Constitution of 1982 states that “everyone bound to the Turkish state through the bond of citizenship is a Turk”. It means that everybody who is connected to the Turkish state through the bond of citizenship is a Turk. Therefore, existence of different religious and ethnic groups is not acknowledged.

Second Article of the 1924 Constitution was that the religion of the Turkish state is Islam and official language is Turkish. In 1928, the principle of secularism has been adopted and the phrase that ‘the religion of the Turkish state is Islam’ has been removed from the Constitution. Additionally, 1924 Constitution had an approach of majoritarian democracy, not pluralist. It means that the majority is absolute right to manage; this right should not be

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<sup>21</sup> Avrupa Konseyi, “Türkiye ile Katılım Ortaklığı Belgesinde Yer Alan İlkeler, Öncelikler ve Koşullara İlişkin Konsey Kararı”, 2006/35/AT, January, 2006, p. 9.

<sup>22</sup> European Council, “Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey”, **Official Journal of the European Union**, 2008/157/EC, February, 2008, p. 8.

restricted for reasons of minority rights. Also, rights and freedoms recognized in the Constitution of 1924 was the lack of judicial guarantees, the Constitutional Court had not been established and the independence of the judiciary had not been fully provided. Therefore, all of these had led to the consolidation of majoritarian democracy and the failure to protect the rights of minorities. The Constitution of 1924 was given to end by the 26 May 1960 military coup. After the military coup, the Constitution of 1961 was adopted.

The Constitution of 1961 had adopted the pluralist democracy. The pluralist democracy means that right to govern of majority is limited by the fundamental rights of the minority and all thoughts and beliefs can be demonstrated clearly. The Constitution of 1961 had given wider place for the fundamental rights and freedoms according to the Constitution of 1924. In addition, the Constitutional Court has been established. The Constitution of 1961 was given to end by the 12 September 1980 military coup. After the military coup, the Constitution of 1982 has been adopted.

The biggest difference between the Constitution of 1961 and 1982 is that the Constitution of 1961 was prepared by the National Unity Committee composed of soldiers and Chamber of Deputies composed of political parties, lawyers and various organizations such as unions and bar associations. The Constitution of 1982 was prepared by the National Security Council composed of soldiers. The Constitution of 1982 has adopted the majoritarian democracy. The authority has been strengthened.

Article 3/1 of the Constitution of 1982 states that “The State of Turkey, with its territory and nation, is an indivisible entity. Its language is Turkish”. “The State of Turkey, with its territory and nation, is an indivisible entity” means that nation is one piece (monolithic) and this is the denial of various sub-identities. “Its language is Turkish” is not possible because there is no state language, there is only official language. Citizens in that country use official language in their relations with state and also they can speak a variety of languages in the country and broadcast in their own languages. In the Constitution of 1961, there was the term of “the official language is Turkish”<sup>23</sup>. There is a general opinion about the Constitution of 1982 in terms of minorities. General opinion is that certain rights of minorities recognized by the Treaty of Lausanne are taken back by the Constitution of 1982.

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<sup>23</sup> Baskın Oran, “Azınlık Hakları ve Kültürel Haklar Çalışma Grubu Raporu”, **Başbakanlık İnsan Hakları Danışma Kurulu**, Ekim, 2004, s. 3.

After Turkey became an EU candidate country in the Helsinki Summit, Turkey adopted 8 reform packages, entering a very extensive reform process that led to changes in the Constitution and various current laws.

## **VI. Amendments of 1982 Constitution**

To the parallel of National Programs which was declared in 2001 and 2003, Turkey made some arrangements for the harmonization to Copenhagen Criteria such as the 8th Harmonization Package implementing the Constitutional Amendments of May 2004 (June 2004). Between October 2003 and July 2004, the Turkish Grand National Assembly adopted a total of 261 new laws.

Turkey's first regulation in order to satisfy the Copenhagen Criteria is the amendment on October 3, 2001 under Act No. 4709. With this regulation under Act No. 4709, altogether 34 articles out of 27 are related to human rights, have been changed<sup>24</sup>. Some minority-related changes are as follows:

- Article 26 of Constitution which is freedom of expression and dissemination of thought has been changed. In this context, causes of specific limitations have been introduced. After the 1980 military coup, the Constitution of 1982 prohibited people to speak their languages. Therefore, the phrase that "No language prohibited by law may be used in the expression and dissemination of thought<sup>25</sup>" has been removed from the article. Thus, boundaries of freedom of opinion and expression are expanded and it is accepted that there are no obstacles for citizens to use different languages, dialects and accents in the daily lives<sup>26</sup>.
- Article 28 which is freedom of press has been changed. The phrase that "Publication may not be made in any language prohibited by law<sup>27</sup>" has been removed from the article. In this sense, minorities can have the right to broadcast in different languages, dialects and accents.

In addition to constitutional changes, Turkey has adopted 8 Harmonization Package to amend the law. Harmonization Packages are as follows:

- 1<sup>st</sup> Harmonization Package (19 February 2002): "An amendment to the previous Penal Code on Article 312 abolished the fines stipulated for praising a criminal act, calling

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<sup>24</sup> Saraçlı, 2007, pp. 143-144.

<sup>25</sup> The Constitution of the Republic of Turkey, <http://www.anayasa.gen.tr/1982Constitution-1995-1.pdf> (02 May 2014).

<sup>26</sup> Saraçlı, 2007, p. 144.

<sup>27</sup> 1995 version of 1982 Constitution.

for disobedience to the law or inciting hatred on the basis of class, race, religion, sect or territory”<sup>28</sup>. The fines have been changed into prison sentences between 15 days and 6 months. Thus, punishment of some offensive terms against minorities is provided.

- 2<sup>nd</sup> Harmonization Package (9 April 2002): “The provision prohibiting the establishment of an association "to protect, develop or expand languages or cultures other than the Turkish language or culture or to claim that there are minorities based on racial, religious, sectarian, cultural or linguistic differences" was repealed”<sup>29</sup>. Thus, freedom of association has been extended.
- 3<sup>rd</sup> Harmonization Package (9 August 2002): “An amendment to Articles 4 of the Law on the Establishment of Radio and Television Enterprises lifted the restrictions on broadcasting in the different languages and dialects traditionally used by Turkish citizens in their daily lives, such as Kurdish”<sup>30</sup>.
- 4<sup>th</sup> Harmonization Package (11 January 2003): “Article 1 of the Law on Foundations was amended to replace the requirement for a Council of Ministers decision for the acquisition of immovable property by non-Muslim community foundations with that of the Directorate General for Foundations”<sup>31</sup>.
- 5<sup>th</sup> Harmonization Package (4 February 2003): The fifth harmonization package is about provisions on retrial and on the freedom of association. Article 82 of the Law is amended and it has replaced prison sentences with fines.
- 6<sup>th</sup> Harmonization Package (19 July 2003): “An amendment to Article 16 of the Law on Census removed the condition that children cannot be given names that are not appropriate to the national culture and customs and traditions”. Also, “Article 4 was amended to make it possible for private as well as public radio and television corporations to broadcast in different languages and dialects traditionally used by Turkish citizens in their daily lives”<sup>32</sup>.
- 7<sup>th</sup> Harmonization Package (7 August 2003): “An amendment to Article 2 provided that the learning of different languages and dialects used traditionally by Turkish citizens in their daily lives may be undertaken at the facilities of existing language

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<sup>28</sup> Ministry of Foreign Affairs Secretariat General For EU Affairs, **Political Reforms in Turkey**, Ankara, 2007, p. 6.

<sup>29</sup> Ministry of Foreign Affairs Secretariat General for EU Affairs, 2007, p. 7.

<sup>30</sup> Ministry of Foreign Affairs Secretariat General for EU Affairs, 2007, p. 10.

<sup>31</sup> Ministry of Foreign Affairs Secretariat General for EU Affairs, 2007, p. 12.

<sup>32</sup> Ministry of Foreign Affairs Secretariat General for EU Affairs, 2007, p. 14.

courses, whereas previously such courses could only be initiated in new premises”<sup>33</sup>. In Turkey, private Kurdish language courses are permitted for the first time and six private language schools were opened in Van, Batman, Şanlıurfa, Diyarbakır, Adana and Istanbul<sup>34</sup>.

- 8<sup>th</sup> Harmonization Package (14 July 2004): This package is about abolishing the death penalty and amending various laws.

When considered in the framework of constitutional amendments and harmonization packages, right steps have been taken in the field of minorities and cultural rights but more efforts are required to be.

## **VII. Rights of minorities in Turkey**

The current legal framework, together with implementation by the administration and enforcement by the courts, does not fully guarantee minority rights. In the following section of this paper, minority rights will be discussed within the framework of Progress Reports.

### **7.1. Education rights of minorities**

Article 42 of the 1982 Constitution states that “No language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institution of education. Foreign languages to be taught in institutions of education and the rules to be followed by schools conducting education in a foreign language shall be determined by law. The provisions of international treaties are reserved”. “This article restricts any minority language (with the exception of the minorities recognized under the Treaty of Lausanne)”<sup>35</sup>.

The Democratisation Package that was announced in 2013 allows “the conduct of political activity in languages and dialects other than Turkish, education in languages and dialects other than Turkish in private schools, the removal of criminal sanctions for the use of the letters Q, X and W used in Kurdish and the change of names of villages back to the versions which preceded the 1980 military coup”<sup>36</sup>.

Syriacs can open their own schools. Additionally, with the amendment to the Law on Foreign Language Education, in Turkey, private Kurdish language courses are permitted for the first

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<sup>33</sup> Ministry of Foreign Affairs Secretariat General for EU Affairs, 2007, p. 17.

<sup>34</sup> Saraçlı, 2007, p. 149.

<sup>35</sup> Kaya and Baldwin, 2004, p. 9.

<sup>36</sup> European Commission, 2013, p. 6.

time and six private language schools were opened in Van, Batman, Şanlıurfa, Diyarbakır, Adana and Istanbul.

In the realm of religious education, “The Ministry of National Education issued new textbooks for religious culture and ethics courses, including information on the Alevi faith, and non-Muslim students were exempted from these classes. In February 2013, the Ministry of National Education declared that there would be alternative questions in the university entrance and secondary school final examinations for non-Muslim students, following the introduction of questions on Islam”<sup>37</sup>.

Additionally, “restrictions on the training of clergy remained. Neither Turkish legislation nor the public education system provide for higher religious education for individual communities. Despite announcements by the authorities, the Halki (Heybeliada) Greek Orthodox seminary remained closed. The Armenian Patriarchate’s proposal of opening a university department for the Armenian language and clergy remained pending. The Syriac Orthodox community was able to provide only informal training outside official schools”<sup>38</sup>.

The Greek minority school on Gökçeada was reopened in September 2013 with the permission of the Minister for National Education. “The Ministry also informed all Turkish schools of their obligation to respond positively to requests from non-Muslims to be exempted from compulsory religious culture and ethics lessons”<sup>39</sup>. On the other hand, the Ministry has accepted a new regulation that gives permission non-Turkish children of Greeks, Armenian and Jewish to have education in minority schools. However, non-Turkish children cannot take an official graduate certificate<sup>40</sup>.

## **7.2. The right to use mother tongue**

“Preparations were launched for the eventual provision of public services in languages other than Turkish. Remaining legislative provisions currently restrict the use of languages other than Turkish”<sup>41</sup>.

In March 2011, a court in Izmir has allowed a Kurdish politician to make his defense in Kurdish<sup>42</sup>. “The Directorate for Religious Affairs (DRA) started preparing a Kurdish version

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<sup>37</sup> European Commission, 2013, p. 54.

<sup>38</sup> European Commission, 2013, p. 55.

<sup>39</sup> European Commission, 2013, p. 61.

<sup>40</sup> EC (European Commission), **Turkey 2012 Progress Report**, Enlargement Strategy and Main Challenges 2012-2013, COM(2012) 600 final, p. 31.

<sup>41</sup> European Commission, 2013, p. 62.

of the Quran and Kurdish Quran courses, and allowed prayers to be recited in Kurdish in mosques”. Also, “Turkey made progress on cultural rights with the introduction, notably, of the right of the accused to use a language of their preference other than Turkish at certain stages of judicial proceedings, even if they can express themselves adequately in Turkish”<sup>43</sup>.

“Mardin Artuklu University continued to provide post-graduate education in Zaza and Kurmanjî Kurdish, as did Dicle University in Diyarbakir and Bingöl University. Tunceli University offered graduate courses”<sup>44</sup>.

### **7.3. Media**

The first national Kurdish television channel is TRT 6. However, Greek, Armenian and Jewish, who Turkey recognizes as a non-Muslim minority, don't have a national television channel.

According to legal regulations adopted in April 2010 and March 2011, the use of languages other than Turkish in election campaigns is permitted. Besides, it is permitted that private or state radio and television channels can broadcast in languages and dialects other than Turkish. However, including the Constitution and the Law on Political Parties, there are laws that still restrict the use of languages other than Turkish<sup>45</sup>.

In 2012, with the legislative amendment published in the official newspaper on February 28, “Minority newspapers will have to apply in writing to be able to publish official announcements”. Also, in Turkey, the first Syriac monthly newspaper was published in March 2012<sup>46</sup>. As of February 2013, the Turkish-Armenian bilingual newspaper Agos has been available at the newspaper stand of the Turkish Airlines. “The Anatolia news agency started broadcasting in Kurdish in September 2013”<sup>47</sup>.

### **7.4. Political participation**

The D'Hondt System has been used in the Turkish electoral system since 1961. According to this, political parties have to gain 10% of the national votes to enter Parliament. The 10% threshold hinders some parties, especially Kurdish parties, to enter the Parliament. In the 2011

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<sup>42</sup> EC (European Commission), **Turkey 2011 Progress Report**, Enlargement Strategy and Main Challenges 2011-2012, COM(2011)666 final, p. 39.

<sup>43</sup> European Commission, 2013, pp. 14-15.

<sup>44</sup> European Commission, 2013, p. 63.

<sup>45</sup> European Commission, 2011, p. 39.

<sup>46</sup> European Commission, 2012, p. 31.

<sup>47</sup> European Commission, 2013, p. 60-63.

elections, the pro-Kurdish political party BDP (Peace and Democracy Party) has firstly entered the Parliament.

However, Article 89 of the Political Parties Law on the 'Prevention of the Creation of Minorities' states that 'Political parties cannot claim that there are minorities exist in the Turkish Republic based on national, religious or language differences'. Many political parties have been closed under this Article.

### **VIII. Conclusion**

Minorities in Turkey have been specified according to the religious term, not the ethnic term. However, Turkey has both non-Muslim minorities and ethnic and linguistic minorities. The European Union expects that on the one hand, states respect the rights of minorities; on the other hand, minorities respect the territorial integrity of the states.

The Justice and Development Party (AKP) came to power in the November 2002 elections. The EU has forced the government to reform Turkish political and legal structures. Therefore, the government made lots of Constitutional amendments and legal regulations related to non-Muslim minorities. Also, Turkey has adopted 8 harmonization packages.

However, unlike all of these developments, Turkey has not signed the Framework Convention for the Protection of National Minorities (1995) although repeated requests by the Parliamentary Assembly.

In general, Turkey has progress in the topic of minorities and cultural rights but more efforts are required to be. While Turkey has lots of minorities, their rights should be protected. If we want to live as a whole, one should not comminute the other or should not feel that different from one to another. Turkey should make reforms in the direction of the EU related with minorities. Additionally, it is not enough to have laws, it is necessary to apply in practice.



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