



Norwegian
Helsinki Committee



30 June 2022

Submission to the United Nations Committee on the Rights of the Child

Turkey: List of Issues Prior to Reporting (93rd pre-session)

The right of the child to freedom of thought, conscience, and religion

1. [The Freedom of Belief Initiative](#) is a human rights initiative advocating for the right to freedom of religion or belief for all in Turkey since 2011. The Initiative regularly monitors and reports on the state of the right to freedom of religion or belief and other relevant human rights. The Freedom of Belief Initiative is a project of the [Norwegian Helsinki Committee](#), a human rights organization based in Oslo.

2. We respectfully submit the following for the consideration of the Committee on the Rights of the Child.

3. Suggested Question for the List of Issues Prior to Turkey's Reporting (93rd pre-session)

4. Please report on **the measures taken to ensure that the child's right to freedom of thought, conscience and religion and respects the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions, in compliance with article 14 of the Convention on the Rights of the Child in education in public schools, particularly with respect to the compulsory Religious Culture and Ethics (RCE) course (4-12 Grades), including the exemption option, optional religion courses, permissibility on the religious symbols and clothing in schools.**



5. The RCE course which is compulsory for students throughout 4-12th Grade (two hours a week), includes content and limited and discriminatory exemption mechanism, which interferes with the child's right to freedom of thought, conscience, and religion. As shown below, a human rights-based review,¹ of the RCE demonstrates the incompatibility of the teaching materials with applicable international human rights law norms as well as the Toledo Guidelines on Teaching About Religions or Belief in Public Schools,² (Toledo Guidelines). Toledo Guidelines offer criteria that should be considered in teaching about religions and beliefs in public schools. Accordingly:

- Teaching about religions and beliefs must be provided in ways that are fair, accurate and based on sound scholarship.
- Preparation of curricula, textbooks, and educational materials for teaching about religions and beliefs should take into account religious and non-religious views in a way that is inclusive, fair, and respectful. Care should be taken to avoid inaccurate or prejudicial material, particularly when this reinforces negative stereotypes.
- Efforts should be made to establish advisory bodies at different levels that take an inclusive approach to involving different stakeholders in the preparation of the curricula.
- Where a compulsory programme involving teaching about religions and beliefs is not sufficiently objective, efforts should be made to revise it to make it more balanced and impartial, but where this is not possible, or cannot be accomplished immediately, recognizing opt-out rights may be a satisfactory solution for parents and pupils, provided that the opt-out arrangements are structured in a sensitive and non-discriminatory way.

¹ Yildirim, M., [Türkiye'de Zorunlu Din Eğitimi: Din Kültürü Ahlak Bilgisi Dersi Kitapları Hakkında İnsan Hakları Temelli bir Değerlendirme](#), Eşit Haklar için İzleme Derneği, 2021.

² OSCE/ODIHR, [Toledo Guiding Principles on Teaching about Religions or Beliefs in Public Schools](#), 2007.



Impartial / Non-doctrinal

6. Teaching about religions should be carried out in an impartial, objective, and non-doctrinal manner.³ In the RCE textbooks, information on the existence and nature of God, the Holy Qur'an, information about the Prophet Mohammad, the formation of the world, the purpose of human beings and life, death, afterlife, angels and demons is presented from within the Islamic theological outlook and with reference to the doctrines of the religion of Islam in the form of positive propositions. Some examples include:

We learn about angels from the Quran and from the words of Muhammad. Angels protect and care for people, pray for them and seek the well-being of people. Some angels record people's actions. People who believe in the existence of angels stay away from bad behavior and have peace of mind knowing that the angels pray for them. (Grade 4 p.33)

Allah sent divine books to guide people to the right path and teach them what they do not know. The last divine book sent by Allah to Muhammad is the Quran. The Quran is the word of Almighty Allah from beginning to end. (4th Grade, p.42)

What are the first things that come to mind when you talk about the hereafter?

Every person dies after living the life set for her / him. Because his mission in this world is over. Nobody can escape death. ... Resurrection takes place after the doomsday. All people are resurrected by the order of Allah and gather at the place of Judgment, they are taken into account by Allah. All he has done while in this world is weighed in the scales of divine justice called trial balance. People now have only one road (Sirat Bridge) left. Those who pass the order will enter Paradise with the permission of Allah, and those who cannot enter Hell. (Grade 7 p.23)

7. Similarly, themes such as heaven and hell, the formation of the universe, the existence of God, the existence of prophets, fortune, destiny, angels, demons are conveyed from within religion by referring to an unquestionable authority, Allah or the Quran:

When a person dies, his soul is kept in the realm called the *barzakh* between the world and the hereafter until the doomsday comes and resurrection occurs. The Prophet says that death will be the first stop of the person hereafter life's by stating that "The grave is the first of the stops in the hereafter. If someone escapes from that stop, the next stops are easier to pass. If not, it will be more difficult to pass the next ones."

Every person who dies is questioned by the angels of Münker and Nekir in his grave. (Grade 7, p.24)

³ *ibid.*



Inclusive

8. RCE includes information on different religions and Islamic interpretations in separate chapters.

9. Alevism⁴ is discussed in its broadest form in the 5th Chapter titled “Interpretations in Islamic Thought” in the 7th Grade textbook and in the 3rd Chapter titled Sufi Interpretations in the 12th Grade Textbook.

10. The brevity of the sections devoted to Alevism in all the RCKE textbooks continues to be a matter of criticism.⁵ In addition, it is not stated that the *cemevis*, which are considered places of worship of the Alevi community by this community, are places of worship, and that the Alevi prayer *semah* is a form of worship. According to Yaman,⁶ previous criticisms of the books are still valid:

- Content is not supra-denominational, but sectarian. Among the classes 4-12, Sunnism is covered in different sections under the name of sectarianism but, for example, Alevi worship is not included in the worship sections in those books. After the prayer *cem* and fasting, there are no Muharram and Khidr fasts after fasting are not included.
- After explaining Sunni practices in hundreds of pages, content on the Alevi faith is covered in separate sections in 4-6. grades books and 8-11 grades books and they are at the end of year. The logic here is, "first learn the correct practice of belief in Islam, then you can do *cem*, you can do Khidr fast".
- The subject of *semah* is mixed with the Sunni understanding. The Semah is accompanied by the words of Pir Sultan and Alevi, "It is called one of the beautiful names of Allah and one of the most important practices. *Cemevi* is not called a place of worship, and Semah is not presented as a part of worship.
- The sects, which are considered as prohibited due to Law No. 677, are discussed in a separate section (Sufi Interpretations in Islamic Thought). Since Alevism is taught under this Section, it is seen as a prohibited sect. Considering it as a Sufi interpretation is not enough to put it in the same category with Naqshilik and Qadiriyya. Naqshis and Kadiris basically do not have a Djemevi and a difference of religious understanding like Alevi.

⁴Başdemir, H. Y. (2011). Din dersleri ve Aleviliğin aktarılması (Religious Courses and Instruction of Alevism), *Liberal Thinking*, 16(63), 59- 72.

⁵Yaman, A., “Alevism Education in Public Schools of Turkey”, *Religious Diversity at School*, Springer 2021.

⁶ This evaluation regarding the Alevism-related parts of RCMK textbooks was made by Prof Dr Ali Yaman. February 11, 2021.



11. Although information about Christianity and Judaism is included in the textbooks, according to Christian and Jewish theologians in Turkey, the textbook contains inaccuracies or incompatibilities with the basic teachings of Christianity and Judaism.⁷ In particular, the assumption of the Islamic view that their scriptures which constitute the main sources of Christianity and Judaism, "have been tampered with" has an important place in the book.

(2) Torah: Hz. It is a divine book sent to Moses. It is the holy book of the Jews. After Moses, Torah was distorted by the Jews and could not preserve its original. Jews call the Torah "Tora". There are verses about the Torah in the Quran. In one of them, the following is stated: "We have sent down the Torah even though there is true guidance and light in it. The prophets devoted to Allah have reigned over Jews with it..." (1) The Torah is also called Ahd-ı Atik (Old Testament). The events of Moses and his tribe play an important role. In addition, this book contains religious and moral orders and prohibitions. According to the determination of Islamic interpreters and researchers, the Torah could not keep the state in which he was sent down to Moses.

(3) The Psalm has been distorted like the Torah and could not preserve the form it descended from Allah. (MEB Publications, Grade 7, p.36)

Bible: It was revealed to Jesus. The Bible is also called Ahd-ı Cedid (New Testament). The Bible was written years after Jesus. Therefore, the Bible has not survived until today as it came from Almighty Allah. It has undergone many changes in the historical process. ... However, those who wrote the Bible have never seen Jesus. According to our religion, it is obligatory to believe in the way the Torah, Psalms and the Bible as they were revealed from Allah. (Grade 6, p.22)

In Judaism, Allah, who was named Jehovah, was made the special god of the Jews and Judaism lost its universal character and evolved into a national religion. Christianity has also moved away from the monotheistic belief by placing the trinity (trilogy), consisting of Father, Son and Holy Spirit, at the center of religion. (Grade 4, p.99)

12. The 5th unit of the 11th grade textbook contains the following information about the scriptures of Judaism:

⁷ For information on Judaism, the following sources can be used in the development of RCMK books: Alalu, S., Arditi, K. et al., *Yahudilikte Kavram ve Değerler- Dinsel Bayramlar – Dinsel Kavramlar - Dinsel Gereçler (Concepts and Values in Judaism – High Holidays – Religious Tools)*, 5th Edition, Gözlem Yayınevi, 2018 and/or Gürkan, S., *Yahudilik (Judaism)*, İSAM, 2017. Basic principles included in *Temel İlkeleriyle Hristiyanlık (Christianity with Basic Principles)* written by the Joint Commission of Churches in Turkey may serve as a source for information about Christianity included in RCMK textbooks. Joint Commission of Churches in Turkey, *Temel İlkeleriyle Hristiyanlık*, Kitabı Mukaddes Şirketi, 2015.



The scriptures of Judaism are of two groups, written and oral. Written texts; It consists of three parts: Torah (Torah), Nebiim (prophets) and Ketuvim (books). Of these, the Torah was given to Moses and is called Tanakh. The Torah contains the events that took place until the death of Moses and the laws God sent to Moses. However, today's Torah is not the same as the divine book given to Moses (pbuh). Because the Torah could not preserve its original because it was distorted in later periods. (Grade 11, p.133)

13. In addition, the following information about Judaism is given:

One of the main features of Judaism is the idea of a chosen nation. Accordingly, Jews are different and superior to other people. God chose the Jews among other nations to represent His will on earth and made them superior.

14. Theism, deism, atheism, and agnosticism are discussed in the 4th unit of the RCMK 11th Grade textbook under the heading "Issues Regarding Faith". It is dealt with Islamic explanations / apologetics on these, and its teachings are not presented objectively. Example:

Islam firmly rejects the deist approach. According to our religion, it is Allah who created the universe and everything in the universe. His dominance over the universe continues all the time. Everything in the universe exists and continues to exist thanks to the infinite might, knowledge and creativity of Allah. (Grade 11, p.102)

Atheism is an understanding contrary to human nature. Because in human nature, belief in Allah is innate. For this reason, even those who claim to be atheists take refuge in Allah when they are in a difficult situation and when they are desperate. (11th Grade, p. 111)

The child's right to freedom of religion or belief

15. Every child has the right to freedom of thought, religion and conscience and may exercise this right to the extent of his/her evolving capacity.⁸ The child uses his/her right, not through their parents or anyone else. The examples given below demonstrate that children must give the "right" answers (as accepted by the curricula) to doctrinal matters that are not presented objectively and that children are led to certain behaviors as the "right" behavior.

16. Considering that the RCE course performance of children will be evaluated through exams, homework, or in-class participation and that the grade they will receive will have a significant

⁸ Convention on the Rights of the Child, Article 12.



effect on their academic life, it is evident that the child must perform by doctrinally approving of the information provided within the course. This exposes the child to conditions in which he or she may have to act against his/her thoughts, conscience or religion.

It is the name given to all blessings created by Allah for living creatures. What we eat, what we drink, what we wear, knowledge, wisdom, the air we breathe, in short, material and all spiritual needs are evaluated within this scope.

Which of the following is the concept defined?

A) Sustenance B) Will C) Life D) Accident (8th Grade, p.41)

"O Believers! Alcohol, gambling, idols and fortune-telling are undoubtedly devilish, avoid them so that you can enjoy happiness. " (Maide Sura, verse 90.)

Which of the following cannot be deduced from this verse?

- A) Islam prohibits alcohol and gambling.
- B) It is stated in the verse that fortune telling, and arrows of chance should be avoided.
- C) The religion of Islam wanted people to stay away from things that harm their mental health.
- D) It is okay to drink enough to not get drunk. (Grade 8 p.88)

Islam shapes our life with its orders and recommendations. It wants our words and actions to be in accordance with these orders and recommendations. It reminds us that even our simple tasks in our daily life are carried out with the permission and name of Allah. Therefore, when we start a job, we will mention the name of Allah (c.c.) by using *basmala*. (4th Grade p.13)

17. The child is expected to write a prayer:

Write a prayer based on the prayers of the Prophet (Grade 5, p.27).

Read the *Rabbena* prayer and write a prayer in your own words. (Grade 5, p.55)

B. Answer the multiple-choice questions below.

1. Hümeýra: We should pray with the beautiful names of Allah.

Erdem: We should ask for clean and beautiful things.

Dilek: We just have to pray for ourselves.

İbrahim: We must pray in secret and wholeheartedly.

The teacher asked the class "How should we pray?" Which of the students gave the wrong answer to this question?

A) Hümeýra B) Erdem C) Dilek D) İbrahim (5th Grade, p. 34)

18. The child who does not adopt the idea of creation in her/his own world of belief or is raised in a household where his/her parents reject creation, will experience contradiction in the expected answer to the following question:



5. Which of the following statements is false?
A) Beings in the universe came into being by chance.
B) Allah is the creator of everything.
C) Allah knows everything we do.
D) Allah has power over all things. (Grade 5, p.35)

19. The child is expected to approve statements that amount to accepting religious doctrines:

Ç. Write "T" before the true ones among the information given below and "F" for the wrong ones.

- The names of 35 prophets are mentioned in the Quran.
- The verses of the Quran were sent down to the Prophet in the form of a book.
- The Quran was both written and memorized in the time of our Prophet
- The Quran is the last divine book sent by Allah.
- The Quran is a universal book sent to all humanity.
- All the divine books have survived until today as they were downloaded.
- Nübüvvet and Risalet are two concepts that mean prophethood. (Grade 6, p.31)

20. Although not in all new RCKE textbooks, expressions such as "our religion", "our prophet", "our holy book, the Quran," which are signs of a language that teaches religion from within, continue to be used in many books.

The right of parents to raise their children in line with their own religious or philosophical views

21. The doctrinal information set out above may not be compatible with the religious or philosophical views of some parents. The formation process of the universe and human beings and the purpose of human existence are subjects about which many religions, beliefs or thought systems offer explanations. Therefore, the doctrinal teachings, examples of which are given above, are incompatible with the obligation of states to respect the right of parents to raise their children in line with their religious and philosophical convictions.

22. As demonstrated above, the content of RCE textbooks continues to have elements that do not comply with a neutral, objective, and inclusive teaching about religions in public schools. **Beyond the volume of the "space allocated to Islam or sects within Islam, different**



traditions and to other religions or beliefs" in the teaching content, how they are presented is the most important factor that determines the quality of the course.

23. The content of the RCE textbooks constitutes interference in both the freedom of thought, religion and conscience of the child and the right of parents to raise their children in line with their own religious or philosophical views. Throughout grades 4-12, the child is exposed to this religious education for a significant part of his/her teaching life and must fulfill his/her homework and/or exam responsibilities for course evaluation. The performance requirement increases the impact and prevalence of this interference.

24. As shown above the current teaching materials of the compulsory RCE course constitute religious education/instruction and not objective teaching about religions. Therefore, under international human rights law the course cannot be compulsory. If it is compulsory a non-discriminatory exemption procedure must be adopted. Turkish authorities have not put in place a non-discriminatory exemption mechanism that is extended to all who wish to be exempt from the RCE course without having to declare their religion or belief.

25. The European Court of Human Rights has found in two judgments, *Hasan and Eylem Zengin v. Turkey* (2007) and *Mansur Yavaş and Others v. Turkey* (2014) that Turkey's education system fails to respect the rights of parents to raise their children in line with their religious or philosophical views and lacks objectivity.⁹ These judgments, however, are yet to be enforced.

26. Optional courses on The Life of the Prophet Mohammed, Basic Religious Knowledge (Islam), and The Koran have been listed among the elective courses offered in middle schools and high schools since 2012. There are no options for elective courses on other religions, beliefs or worldviews.

⁹ ECtHR, *Hasan and Eylem Zengin v. Turkey*, Application no. 1448/04, 9 October 2007 and ECtHR, *Mansur Yalçın and Others v. Turkey*, Application no. 21163/11, 16 September 2014.



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27. There are reports of circumstances leading to students and their guardians being forced to select elective religion courses.¹⁰ School principals commonly present students with “elective course packets” which include “elective religion courses.” Other classes that students would prefer to take are closed based on “a lack of teachers”. Forcing students to take religion courses constitutes a violation of the right to education and the right to freedom of religion or belief.

28. Permissible religious symbols and clothing in schools are limited to the use of headscarves. Other religious symbols such as the cross, kippa, symbol of atheism or the use of Alevi symbols are not permissible. Since there are no objective grounds to allow only the use of the headscarf this discriminatory practice favours only students who manifest religion or belief by use of the headscarf.

29. We would like to draw the attention of the Committee on the Rights of the Child to the relevant recommendations given to Turkey in the context of the Universal Periodic Review. In Turkey’s 2015 UPR France recommended that Turkey “put an end to mandatory religion lessons for the alevis”, Italy recommended “to ensure the necessary respect for the beliefs of religious minorities, especially following the introduction of compulsory religious education in Turkish schools” and in 2010 Austria recommended that Turkey “ensure the protection of religious minorities in accordance with international human rights standards and obligations, and eliminate discrimination based on religious affiliation”.

Sincerely yours,

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¹⁰ Yildirim, M., [An Appeal to Move Forward from Aspirations to Actions – Monitoring Report on the Right to Freedom of Religion or Belief in Turkey](#), Freedom of Belief Initiative Norwegian Helsinki Committee, 2022.