

BİRİNCİ ARA KONUŞMA GAYRİRESMİ TERCÜME

(27 OCAK 2015, CENEVRE)

Honorable President, Esteemed Ambassadors and Distinguished Participants,

I would like to thank those who took the floor at the first session. In response to some recommendations, I would like to give information in this speech about the current status in Turkey and the latest developments on equality in practice, combating discrimination, education in different languages and dialects, rights of religious minorities and freedom of religion and conscience.

Over the last five years, developing democratic relations with everyone on the basis of equality, regardless of one's identity, has been our basic philosophy. To this end, new efforts have been made to ensure **equality in practice and combating discrimination**. With a view to ensuring everyone's full enjoyment of rights and freedoms and in order to identify the challenges and find common solutions, workshops have been organized with the participation of our citizens and representatives of the State.

Within this framework and for the purpose of addressing the demands related to the beliefs and culture of our citizens who are members of the **Alevite** community, workshops are organized with opinion leaders and representatives of our Alevite citizens. New religious culture and ethics course books, which also include information about the Alevite conviction, were published by the Ministry of National Education in September 2011 and included in the curriculum of the education year 2011-2012. In memory of Hacı Bektaş Veli, an important personality of the Alevi-Bektashi tradition, the Nevşehir University was renamed as Nevşehir Hacı Bektaş Veli University. Consultations are conducted with opinion leaders and representatives of the Alevite community on issues related to **Cemevis**. As a response to **advance questions from Germany and Switzerland**, the judgment of the European Court of Human Rights in the case of *Mansur Yalçın and Others v. Turkey* has been referred to the Grand Chamber of the Court. The Court's judgment in the case of *Cumhuriyetçi Eğitim ve Kültür Merkezi Vakfı* has not yet become final.

Problems of our **Roma citizens** about education, employment, housing, social policy and health have been discussed in many workshops organized over the last five years and solution-oriented approaches have been adopted. "The Strategy and Action Plan for Roma Citizens", which has been shaped as a result of the consultations with the nongovernmental organizations of the Roma, is due to be finalized in the coming period. Moreover, within the framework of the Democratization Package, a Research Institute on Roma Language and Culture was established in Trakya University in 2014.

No discriminatory provisions exist in Turkish law with regard to **LGBTI** persons. Equality before the law, "irrespective of language, race, color, sex, political opinion, philosophical belief, religion and sect or any such considerations" has been laid down in Article 10 of the Constitution. Thanks to the phrase "or any such considerations", the basis for prohibiting discrimination include but are not limited to those listed, thereby ensuring that other reasons cannot be excluded from the scope of this article. The absence of specific provisions in respect of the LGBTI does not mean that the rights of this group are not legally guaranteed. Moreover, pursuant to Article 90 of the Constitution, the international agreements ratified by Turkey bear the force of law. The Council of Europe Convention on preventing

and combating violence against women and domestic violence (known as the Istanbul Convention), which has been ratified by Turkey without reservations, contains provisions which prohibit discrimination on grounds of **sexual orientation**.

As in all other democratic States governed by the rule of law, the necessary investigations are carried out upon cases of **killings and acts of violence towards LGBTI persons and all kinds of hate crimes** for the identification of perpetrators and to bring them to justice and the legal process is conducted with diligence by the judicial authorities. Allegations that criminal liability is regularly reduced on grounds of unjust provocation in relevant trials do not correspond to the actual situation reflected by concrete court judgments.

Honorable President, Esteemed Ambassadors and Distinguished Participants,

Within the context of reforms implemented for the protection and further promotion of human rights, important achievements have also been made over the last five years regarding education in different languages and dialects. In addition to elective courses given in primary schools on Kurdish, Adyghe, Abkhaz, Laz and Georgian languages, Kurdish, Armenian, Zaza, Georgian and Syriac Language and Literature Institutes have been established in a number of universities. In addition to the State TV TRT's Kurdish and Arabic channels, the State's official news agency Anadolu Agency broadcasts in 8 languages including Kurdish, Arabic and Bosnian.

Within the framework of the Democratization Package, **private schools** are able to provide education and training in different languages and dialects traditionally used by Turkish citizens in their daily life. Restrictions on political propaganda in different languages and dialects have been lifted and restoring the old names of villages has been enabled. Moreover, pursuant to another amendment in 2013, defendants facing charges are now able to submit defense statements in a language by which they can express themselves in a better way.

Minority rights in Turkey are regulated in accordance with the Lausanne Peace Treaty in 1923. Pursuant to this Treaty, non-Muslim Turkish nationals are recognized as "minorities". No other definition of minorities exists in Turkey based on ethnicity, race, language or other grounds. Turkish citizens belonging to non-Muslim minorities are entitled to the same rights and freedoms as other nationals on an individual basis and are also able to enjoy minority rights accorded to them under the Lausanne Peace Treaty. Within this framework, non-Muslim minorities have their own schools, places of worship, foundations, hospitals and media organizations. With a view to protecting the rights of Turkish citizens belonging to non-Muslim minorities and to promote respect for them, a (Prime Ministry) Circular was issued on 13 May 2010 instructing State authorities once again to protect these citizens from needless impediments in their official dealings and transactions with any government institutions and prevent any infringement of their rights.

In response to the written question by the USA, there has never been any hostility in Turkey towards Jewish people. **Anti-Semitism** is alien to Turkish society. In fact, throughout history, Turkish homeland provided a safe haven to Jewish people who fled various persecutions. Any isolated anti-Semitic statements are condemned at the highest level and the necessary judicial or administrative steps are taken. Today, the 27th of January, our Foreign Minister will be personally attending the International Holocaust Remembrance Day in

Auschwitz, together with representatives from the Jewish community of Turkey. Also today, a Holocaust Remembrance Day is observed in Ankara with the participation of the Speaker of the Turkish Grand National Assembly and İshak Haleva, the Chief Rabbi of Jews in Turkey, as well as other members of the Jewish community.

No restrictions whatsoever exist on the enjoyment of **religious rights** by our non-Muslim citizens. Non-Muslim citizens are able to carry out religious ceremonies freely – a fact which contributes to strengthening tolerance and mutual understanding. Since the first cycle of the UPR, many places of worship have been renovated and many churches that had been closed to service for many years have been reopened following restoration works within the context of freedom of worship. Moreover, many legal provisions have been introduced in various laws which are in favor of all places of worship.

Furthermore, existing dialogue between non-Muslim nationals and public institutions, including Government authorities, has continued to improve. We have been diligent to ensure that the problems of these groups are handled with priority by the political leadership. In this respect, many high-level contacts have been made with representatives from civil society organizations, associations and foundations and with the spiritual leaders of religious communities where problems and solution proposals have been heard and discussed directly. Most recently, Prime Minister Ahmet Davutoğlu met religious community leaders on 2 January 2015 where he announced that a new Syriac church in İstanbul will be built.

Positive steps were taken in the field of **education and culture for non-Muslim citizens**. Course books published by the Ministry of National Education have been reviewed and statements which might be considered discriminatory were removed. A legal amendment realized in 2012 enables guest students of foreign nationality to enroll in minority schools. Course books in Armenian published by the Ministry of National Education are delivered to students at Armenian minority schools free of charge. The Greek primary school in Gökçeada has been reopened and education has resumed. It has become possible to teach Syriac language on certain days of the week at a kindergarten belonging to a Syriac community foundation in addition to the curriculum of the Ministry of National Education.

In response to a written question by Switzerland, minorities are able to carry out activities which require **legal personality** through the foundations and associations they establish in Turkey and are thus able to acquire movable and immovable property. Following the first cycle of the UPR, on the request of religious communities, foundation status was granted to the İzmir Jewish Community, Beyoğlu Central Greek Girls School and Surp Haç Tibrevank Armenian High School. The legal personality of these foundations have been recognized.

We have the political will for the reopening of the **Heybeliada Seminary**. Having said that, there are several modalities required by the legislation which have to be complied with and work is in progress to find a lasting and sustainable solution. Turkey is taking many positive steps without raising the principle of reciprocity laid down in the Treaty of Lausanne, including the issuance of work permits to foreign clergy and Turkey's attitude in this regard is welcomed by the representatives of the Greek minority. In the same context, based on a unilateral decision, 22 Metropolises of foreign nationality who have been elected to the Holy Synod of the Fener Greek Patriarchate were granted Turkish citizenship upon their application since 2004.

Significant progress has been made in recent years on the protection of the **property rights of religious foundations**. In 2010, the **Greek Orphanage in Büyükdada** was registered under the name of the Greek Patriarchate. Within the framework of the Democratization Package, the land of the Mor Gabriel Monastery was transferred on 25 February 2014 to the Mor Gabriel Foundation of the Syriac community.

Now I would like to give the floor to the General Director of Foundations who will give information on immovable assets which have been returned to community foundations or where compensation has been paid.

Afterwards, we will be happy to hear your recommendations.

Thank you Mr. President.