

**Speech delivered by Deputy Prime Minister Mr. Bülent Arınç at the
conference of “Human Rights and the Transformation Process in
Turkey” at the Centre for International Studies and Research (CERI)
in Paris
(15 April 2013)**

Distinguished Guests, Ladies and Gentlemen,

I am more than pleased to have the opportunity to address you at this conference organised by the Centre for International Studies and Research under Sciences Po University, which is among the long-established universities of France. I would like to express my gratitude to the executives of CERI for their effort in organising this conference and providing me with this opportunity.

I suppose there would be no other place as meaningful as Paris for delivering my speech on “Human Rights and the Transformation Process in Turkey”

France and Paris hold a distinct place in main documents declaring human beings free and equal. It is not coincidence that one of the inspirers of the American Declaration of Independence (1776) was the French philosopher Jean Jacques Rousseau and that Thomas Jefferson, one of the drafters of the Declaration was an ambassador in Paris between 1785 and 1789 and a supporter of the French Revolution. The fundamental document of French Revolution, the Declaration of the Rights of Man and of the Citizen is still one of the main reference documents in this field.

The role of Paris in human rights is not limited to these. After decades of bitter experiences and the Second World War, Universal Declaration of Human Rights was adopted in Paris, which actually made this beautiful city a symbol of human rights.

Besides these developments in human rights, one should also remember the changes across the world triggered by the wave of nationalism originating in France. At the background of this wave destructing the empires lies the conflict over the defence of rights between the individual and the monarchs, kingdoms or state. However, acquiring the rights has never been easy. As you would also know, the revolutionaries have not performed well in the issue of access to rights either. I think that the international repercussions of the French Revolution have been more remarkable than the national effects.

When discussing the human rights in Paris, we should also consider the boundaries, shortcomings, and problematic aspects of today's human rights rhetoric. I should mention that I do not agree on the perception that universal human rights norms have been unilaterally interpreted as a westernisation and Europeanization process from the beginning. The French intellectual tradition is one of the significant intellectual traditions in reflecting the shortcomings and problems in human rights issue. Many philosophers have rejected the perspectives that suggest a limited and narrow understanding of human rights and introduced new approaches that suggest a wider scope. They have adopted approaches which a global perspective instead of the ones with white, western and male dominant perspectives. Thus, I believe that among the many prominent traditions that occurred in France throughout history, approaches that assert reasonable and fair interactions with non-Western communities with a global view and political consciousness are valuable as well.

Consequently, nations not satisfied with their rights started independence movements resulting in today's world of over 190 states. We can say that the increase in the number of states and the violent wars of the last century in particular have resulted in an approach focusing on the individual in international law. In other words, human rights have become international and that is for the good of all people. Today, the fundamental human rights principles such as justice, equality and freedom have been embraced unquestionably and put in writing, which proves that they were adopted by all peoples on earth.

Distinguished Guests,

Our country, which has been a part of Europe throughout the history, has been influenced by these developments. In the last periods of the Ottoman Empire, there have been considerable changes in the rights of both nations and individuals. The reforms in citizenship, education and administration failed to prevent the wars and secessions. After the Great War, this change manifested itself in the regime of the new Turkey that was established in 1923.

Well, what is our understanding of human rights?

First and foremost, the fundamental principle is ensuring a life and governance system where all people will be free and equal and not subject to discrimination due to their race, colour, sex, language, religion, faith, nationality and ethnic origin.

In addition, the rights should include a life standard for the individual encompassing health, education, food, shelter and social services; an equal enjoyment of legal protection; freedom of assembly and association; freedom of belief, conscience, thought and speech.

One can see the traces of the human rights principles that I have just mentioned in the American Declaration of Independence and the French Declaration of the Rights of Man and of the Citizen. However, there have been times when those documents lost their function due to the arbitrary manners and the cruel regimes of some rulers. Particularly the destruction caused by the Second World War has prompted the governments to take measures for preventing such grievous incidents and paved the way for international organisations and judicial mechanisms. Organisations such as United Nations (UN), Organization for Security and Co-operation in Europe (OSCE), Council of Europe, UN Commission on Human Rights, International Court of Justice, International Criminal Court, European Court of Human Rights (ECtHR) play an important role in this field.

As a member of those organisations and an EU candidate country, Turkey has been party to human rights related UN conventions, OSCE documents, European Convention on Human Rights and other documents of the Council of Europe and has made legal regulations in this field considering the ECtHR jurisprudence, EU Accession Partnership Document, the National Programme and the Copenhagen criteria. Nevertheless, legal regulations are not sufficient on their own. The disparity between the legal regulations and the practice is a controversial human rights issue worth discussing.

In this respect, we can compare today's Turkey with the Turkey of a decade ago. 10 years ago, the image of Turkey was that of a country which was continuously criticised for human rights issues, blamed for torturing the detainees and prisoners and depriving them of fair trial and where prohibitions and obstructions in education, media and politics were faced. Among the reasons behind this unfortunate image, we can count the interruptions in our democracy by the coups d'état in 1960, 1971 and 1980, the periods of state of emergency in counter terrorism and failures in economy, education and health. However, it is a fact that the will and determination to prioritise the human rights was lacking in the political atmosphere of the same period.

Therefore, when came to power in 2002, Justice and Development Party firstly broke the shackles in minds and made revolutionary reforms in issues that were regarded as taboos.

Before talking about those reforms, I would like you to mention the basic dynamics of our vision. We as the Government projected changes in Turkey in three main spheres which are democratisation, economic success and multidimensional foreign policy. In order to succeed in that, we adopted a principle and that was fighting against poverty, corruption and prohibitions. Our vision of human rights is apparent in all three spheres. We have accomplished revolutionary tasks in these three areas. It has always been on our minds to take the human rights in our country up to the world standards and ensure a peaceful life for our people. Our policies, efforts and activities have been designed in a way to ensure the best practice in human rights.

State of emergency, which allows for the suspension of human rights, exists in the legislations of almost all countries. However, this practice may bring about abuses and bad practices. The 25 years state of emergency, which was declared due to terrorism, was abolished only 12 days after the formation of our Government on 30 November 2002. Indeed, being the first action of our Government, it is a clear sign of our human rights perspective.

As we consolidated the democratic and pluralist politics, the support of our people grew. As we dismantled the tutelage on politics, people from all walks of life demonstrated their support. The demand by our citizens for a free and democratic Turkey strengthened the environment for democratic politics. Relations between the army and the civilians took the form of that of a democratic country. As the rusty wheels of democracy began spinning slowly, success in economy and foreign policy became inevitable.

Turkey has been striving for the last three months to settle the issue of terrorism which has claimed many lives for 30 years. Terrorism hampered improvements in our economy, foreign policy and democratisation process. It is time to stop that now. Efforts to end the terrorism and violence generated great excitement in Turkey. I am filled with this excitement as well because end of violence signifies achieving much higher levels in human rights, democracy, development and foreign policy.

We definitely do not disregard the social and economic problems behind terrorism when silencing the guns. We regard the problems and demands of our Kurdish citizens as a human rights issue, independent of terrorism. We have witnessed that each step we took in human rights issues narrows the fields abused by terrorism. We rejected policies of neglect and alienation. We consider all citizens of our country equal.

Nothing can be achieved with terrorism, guns and violence. Our recent initiative aims to silence the guns for good and let the politics and ideas speak. We are open to all ideas and regard the expression of any non-violent idea as a freedom of expression. We guarantee to ensure the functioning of all democratic methods to allow our citizens enjoy this fundamental right without discrimination.

Distinguished Guests,

Our reform strategy, which aims to establish the infrastructure needed to entrench respect for fundamental rights and freedoms, includes three main elements. These are making the necessary amendments in legislation, accession to international conventions on human rights and ensuring an effective practice of reforms.

To this end, nine harmonisation and reform packages between 2002 and 2006 and a number of constitutional amendments in May 2004 were adopted. Many legal and administrative regulations were introduced as well.

The constitutional amendments adopted with the 12 September 2010 referendum introduced new rights for citizens, expanded the scope of current constitutional rights, introduced mechanisms to protect the constitutional rights, strengthened the state of law, restructured the Constitutional Court and the High Council of Judges and Prosecutors in a way to approximate to their equals in the democratic world, limited the jurisdiction of military courts and introduced individual application to the Constitutional Court.

The Fourth Legal Reform Package including additional improvements in freedom of expression was adopted by the Grand National Assembly on 11 April 2013. This package aims to further strengthen the legal framework concerning the freedom of expression by inserting the related basic parameters of European Court of Human Rights into the penal legislation.

Turkey Human Rights Institution and Public Monitoring Institution (Ombudsman's Office) were established. Ombudsman's Office has been accepting applications since 29 March 2013.

Besides, The Committee on Human Rights Inquiry, which in a way functions as a national monitoring board is actively working under the Turkish Grand National Assembly. The Committee inspects the conditions of the prisons and other corrective facilities in-situ, works in cooperation with NGOs and submits their findings to the Government for taking the necessary measures.

In spite of all the legal reforms, what Turkey indeed needs is a new constitution. We have had three different constitutions until now and neither was prepared in an ordinary process with democratic participation. The post-coup constitutions allow for a limited democratisation and improvement of human rights. Therefore, we started working on a new constitution in 2012. We wish to prepare a constitution reflecting the civilian power and encompassing all the values in the society. Human rights will certainly be our hinge in this constitution.

Distinguished Guests,

In addition, we made comprehensive reforms in cultural rights, which is a significant part of human rights. We prepared the ground for private courses teaching different languages and dialects spoken by Turkish citizens in daily life and broadcasting in these languages in audio-visual media. TRT-6, a public TV channel, has been broadcasting 24 hours a day in Kurdish and Zazaki since January 2009.

Distinguished Participants,

Women's rights and combating violence against women are among our priorities. During our Chairmanship of the Committee of Ministers of the Council of Europe, we spearheaded the preparatory work on Istanbul Convention (Convention on Preventing and Combating Violence against Women and Domestic Violence), which is the first international document concerning violence against women. Turkey is the first country to sign and ratify this convention. The Law on the Protection of the Family and Prevention of Violence against Women was ratified on International Women's Day on 8 March 2012. The law aims to protect women, children and family members who are exposed to or are at the risk of being exposed to violence and protecting victims of stalking and preventing oppression and violence against these persons.

We have been making new projects to bring about a transformation of mentality and raise awareness about violence against women. We have been producing documentaries, short films, TV serials, programmes and organising trainings.

Distinguished Guests,

We have intensified our efforts to improve human rights awareness through education. Today, human rights issues are a part of the primary school curriculum in Turkey and democracy and human rights are part of elective courses at high schools. Various universities opened human rights centres. Human rights are a compulsory course in the Police Academy and a part of the training programmes of the public employee candidates. 52,000 security personnel participated in the human rights training programmes in 2011 and 2012 only.

The intensive process of reform we have initiated in the country at the beginning of 2000's in Turkey includes endeavours pertaining to different religious groups and minorities as well.

We now prefer the words "different faith groups" to the expression "non-Muslim" employed in the Treaty of Lausanne. Our citizens of different faith groups possess their own schools, places of worship, foundations, hospitals and media under the Treaty of Lausanne.

Recently, as part of the extensive reforms in human rights and democracy, we made some regulations that will improve the legislation concerning our citizens of different faith groups. Since issues related to foundations are within my Ministry's area of responsibility, I will provide you with precise information on this subject.

With regulations concerning the foundations of communities dated 2003, 2008 and 2011, we considerably improved the property rights of the congregation foundations. The amendments in the Law on Foundations in 2008 and 2011 allowed for returning the properties of 165 minority foundations that had been seized in the past for various reasons. 111 properties were registered and monetary compensation was paid for 15 properties.

I am following this issue in person and we are returning those properties, not for any reciprocity or expectation, but just for our consideration of these people as part of Turkey. We wish to do what should be done for justice. On the other hand, Directorate General for Foundations has

finished restoring 5 churches while the restoration of 2 synagogues and 4 churches is still going on.

The Greek Orphanage in Büyükada was registered under the Greek Patriarchate. Soumela Monastery is open for worshipping once a year since 2010. Similarly, since 2010, a service is held each year at the Akdamar Church that is much valued by the Armenians. Lastly, we allowed the reopening of the Greek school in Gökçeada and we are still working on the issue of Halki Seminary.

387 places of worship belonging to different faith groups are active in Turkey. There are no work restrictions for foreign clergymen with work visas. It is not a crime for an individual to engage in activities to spread his religious beliefs in Turkey. On the contrary, it is a crime to prevent an individual with threats or coercion from expressing or spreading his religious belief.

I would like to sincerely tell you the following. If the minorities can express themselves freely, we can talk about democracy in that country. We regard the minorities, different faith groups and foreigners as a part and fortune of our country. We do not discriminate, on the contrary, we are being criticised for positive discrimination against those people. We gather often with representatives of different faith groups, listen their problems, try to solve them in accordance with law and possibilities.

In our tradition, we have this principle of Yunus Emre: We love the created for the Creator's sake. We are the inheritors of the idea "Make people live so that the state may live"

Distinguished Guests,

I would like to ask, are human rights only about freedom of expression, faith and demonstration? Of course not. Everyone has the right to food, clothing, housing and medical care for the health and well-being of himself and of his family. (The Universal Declaration of Human Rights, Article 25)

During economic crises, first cuts are directed at social policies. This actually means pushing aside the needy to worse life conditions. I know that the European Union Agency for Fundamental Rights urged EU members to remain on guard against the increase in human rights violations during the EU crisis.

We should not forget that enjoying such rights as health, education, food, housing and receiving social services is among the basic human rights.

Not ignoring these areas, Turkey has undergone some radical changes in the sphere of economic and social rights in the last 10 years. This success has also increased the facilities that Turkish citizens receive in the said areas.

We have constructed a brand new Turkey and have left the image of a country which experienced tremendous crises in 2001, in which conflicts could be created from tiny issues. Today, Turkey is the 16th biggest economy in the world and 6th biggest economy in Europe.

I mentioned before about the fight against poverty. In 2002, the proportion of the population which received less than 4,3 \$ in a day was 30'3%. We decreased this figure to 2,7% in 2011.

While the per capita income was 3500 US Dollars in 2002, in 2012, this figure has passed over 10.500 US Dollars. The inflation rate was 65% in 2002, now we have a single digit inflation rate, which has been observed as %6.2 in 2012.

I mentioned about corruption. We prevented environments from which corruption could emerge. Therefore, Turkish economy, which grew only 3% between the years 1993-2002, grew approximately 6,1% between 2003-2010. Our Gross National Product which was 230 billion US Dollars in 2002 reached 772 billion US Dollars in 2012. Our exports which amounted to around 36 billion US Dollars in 2002 rose to 151 billion US Dollars in 2012.

Those who see these basic economic indicators ask us how we have succeeded it. If you have economic problems, then you will certainly have problems regarding democracy, foreign policy and human rights. In this regard, we think our people deserve good governing.

I know that there are discussions over tax applications in France. We have to accept this fact; economy is the top priority of mankind. When you disturb the economic balance and cannot manage to well govern them, then you can face unexpected actions and incidents. Political power can shift. Patriotism, honesty and human rights can be forgotten within a blink of an eye.

In our 11th year of power, we received the votes of 21 million citizens,

equivalent to 50% of the overall votes. We have been displaying accountability and transparency as a political power to which every one person out of two has voted. In other words, we are pushing our citizens to control us more.

It has been also possible to increase the expenditures in such areas as health, education and housing thanks to economic progress.

While the budget of Ministry of Health was 2.2 billion US dollars in 2002, we have increased this amount to 8 billion dollars in 2011. We have opened 2021 new health facilities to the service between 2003 and 2011. I don't know how the situation is in Europe; however our citizens do not wait in rows for hours any longer, they receive health service in the shortest due and get immediate treatment in emergency services. We have extended the scope of health insurance. We have provided state guarantee in health services until 18 ages.

Before we came to the power, the security and defence sector was receiving the biggest share from the budget. We have raised the budget of the Ministry of National Education, which was 4.2 billion US dollars in 2002, to 19 billion US dollars in 2011; hence this sector has become the biggest one.

We have built 170 thousand new classrooms. The education system in Turkey has gone through a radical change and equipped with the latest technology. Students in primary and secondary education get their course books for free. We have increased 9 times the scholarships granted to primary and secondary education students whose families have financial difficulties.

While the number of public and private universities in 2002 was 76, it has risen to 168 with the newly founded 92 universities during our term.

We have supported the construction of 544,887 housing units through the Housing Development Administration of Turkey (TOKİ). We, in cooperation with TOKİ, have invested nearly 25 billion US dollars with the aim of providing our citizens with affordable and quality housing facilities.

Just as I have said that the difference between the legal regulations and implementations is quite important, we have regarded human rights as comprehensive and inclusive rights of our people. We keep the scope of

human rights as wide as possible and implement one by one what is written down on the papers.

Distinguished Participants,

I see human rights as a fundamental element which shapes our foreign policy. We have supported the Arab Spring from the very beginning since we regard it as fundamental and legitimate demands of people living in those countries. We have especially evaluated the fall of certain oppressive regimes as a positive step for the restoration of basic human rights.

In this context, Turkey has approached the developments taking place in Syria through the same perspective. Some countries, as well as the opposition parties in Turkey, are questioning the change in our stance towards the Assad regime with which we previously had close relations. The reason of it is quite clear; we have warned the Assad regime first in a friendly manner when we saw that the democratic rights and demands of the Syrian people were not met by the oppressive regime; nonetheless we had to change our manner when we saw the situation proceeded regardless of our warnings. Our aim is to help providing Syrian people with their rights. We have opened our borders to these people deprived of their basic rights. Although the international support to these people is highly limited, we have hosted 191.000 refugees and 300.000 Syrian people in total so far.

What is more, we have displayed a similar attitude towards the rightful cause of Palestinian people and exerted efforts with the aim of providing Palestine with the “non-member observer state” status in the United Nations. Our primary objective is to help people live in a world in which they enjoy their basic human rights. For this reason, we do our best to stand against the injustice all over the world. We support human rights in every way that we can.

In this connection, we expect non-discriminatory and objective action from international organisations. We don't think the current structure of the United Nations is capable enough. We have witnessed that the political interests of the permanent members cause the international community to act too late or to remain unresponsive towards the incidents in Bosnia, Syria and during the Arab Spring. Ten thousands of people have died and millions of people have been displaced due to time lost and late intervention. We cannot accept the fact that the final decision regarding the problems faced by the people all around the world

is up to these 5 permanent members while we are talking about human rights.

Distinguished Guests,

I have tried to explain in detail the legal and implementation processes with regard to human rights in Turkey. These are the examples of how the historic transformation is reflected on the daily politics. However, I don't think these developments are sufficient. We will do our best to improve the rights of our citizens. For all these reasons, I don't think it is fair to present the status of Turkey as bad based on false data by ignoring all these steps taken so far. We certainly take these critics into account; however we expect our progress to be taken into consideration, as well.

I think sharing the details of the "arrested journalists" issue with you will be useful.

I speak with you as the Minister responsible from press related issues; here is the fact: The majority of those who are referred as "arrested journalists" have been accused of serious crimes as being members of armed terrorist organisations or supporting these organisations.

The number of terrorist organisations and acts is unfortunately very high in Turkey. The fundamental condition of human rights is to enjoy one's freedom as unarmed, non-aggressive and respectful to the rights of other people and obeying the rules. The above mentioned individuals have been charged with such crimes as extortion, deliberate injury, fraud and supporting terrorist organisations which are not related to the profession of journalism. For these reasons, we cannot say that journalists get arrested in Turkey just because they perform their profession. On the other hand, is it possible to favour a person who has committed a crime against the law just because s/he is a journalist? No, it is not possible, however, if s/he commits a crime through press, s/he is charged with the minimum punitive level set forth by the new law judicial package.

In spite of all these facts, the Committee to Protect Journalists (CPJ) has been issuing different figures and contradicts with itself. First, they have said 76 journalists have been arrested. Then, they reduced this number to 49, which is not true, either. If they had conducted a comprehensive research, they would have seen that the number of journalists who have been arrested of journalism-related issues can be counted on the fingers of one hand.

Apart from this, I would have a guilty conscience even if there were only one arrested journalist. As a former lawyer and a politician who supports the press rights, I feel discomfort by the fact that Turkey is reflected as a country where journalists get arrested. This is not fair at all.

Another criticism is about the long detention and trial processes.

There is a misconception regarding this issue due to certain publicly known individuals.

Statistics show a totally different picture. In 2001, more than 50 per cent of the people in jails were under detention. Today, however, this figure is 23.3 people out of 100. The EU average is 25.2% and it is 25.4% in France where we are holding this meeting. It is 40,6% in Holland. Therefore, Turkey has succeeded to decrease the rate of people under detention by almost fifty percent.

Three fourths of the detainees are released between 0 and 12 months. Almost 75% of those alleged to be kept in prison for so long are released in 12 months and 16% are released within two years. The long detention periods in Turkey are seen in the cases of KCK, Ergenekon and Balyoz. This misperception is stemming from the fact that some publicly known figures are still kept under detention in connection with the above stated cases.

Distinguished Guests,

I expect you to leave aside the cliché beliefs and prejudices when you evaluate the progress made in Turkey. Turkey has been undergoing a radical transformation. Turkey expects to receive the rightful respect in all domains including human rights with its young, educated and globally integrated citizens. For this purpose, I suggest you to monitor Turkey more closely, to ignore the prevailing disinformation and to visit Turkey, if possible, to see all these progress in person.

I would like to thank you all for your attention and extend my heartfelt greetings to you.