



**PERMANENT MISSION
OF TURKEY TO THE OSCE**

**STATEMENT BY AMBASSADOR TACAN ILDEM
PERMANENT REPRESENTATIVE OF TURKEY
(Working Session 2: Freedom of thought, conscience, religion or belief)
(27 September 2011, Warsaw)**

Mr Moderator,

The freedom of thought, conscience, religion or belief is one of the foundations of a democratic society, and as such constitutes one of the cornerstones of Constitutional values of the Republic of Turkey. Due to its secular characteristic, the Turkish State acts as the neutral and impartial organizer of the exercise of various religions, faiths and beliefs, a role that's conducive to public order, religious harmony and tolerance in a democratic society.

The idea of creating a society in which equality is granted to all citizens without distinction on grounds of religion, denomination or sex was the driving force behind the modernization efforts in my country dating back even to pre-republican times. Drawing on this traditional legal culture, discrimination based *inter alia* on religion or membership of a religious sect is prohibited by the Constitution.

Notwithstanding its unique historical aspects, secularism as exercised in Turkey may offer ideas to the Muslim societies for them to consider during the historical transformation process that they are currently undergoing. These countries, some of which being our partners, may consider examining the Turkish experience. Indeed, during his recent visit to Cairo, Prime Minister Erdoğan shared his thoughts with the

friendly people of Egypt. While advocating a secular constitution he emphasized that secularism did not mean renouncing religion. In an interview to an Egyptian TV, Prime Minister Erdoğan said “Turkey defines secularism as the principle that the state is equidistant from all religions”. We see that the call by the Prime Minister has generated a debate in the Muslim world on how to ensure pluralistic democracy based on rule of law where fundamental freedoms including freedom of thought, conscience, religion or belief are best respected. Opinions are abundant and divergent concerning the relationship between State and religions, and a compromised solution may vary from one country to another depending on cultural and national traditions of respective countries. Turkish model, however, is a genuine manifestation that neither Islam nor Islamic sensitivity of a nation contradicts with democracy.

The call by Prime Minister Erdoğan also deserves to find an echo in the West. At a time when we review implementation of the OSCE commitments on fundamental rights including the freedom of religion or belief, we cannot turn a blind eye either to the imposition of bans on erection of minarets or the prohibition of construction of mosques in some European countries. We all have to make an assessment on whether such practices are compatible with the OSCE commitments on freedom of religion or belief. In this vein, we have to reflect on whether such imposition of bans on minarets or other religious symbols, in particular in private sphere, is a legitimate limitation on freedom to manifest one’s religion or beliefs since it falls short of corresponding to a necessity in pluralistic democracies.

Mr Moderator,

As I indicated in my opening statement yesterday, no country holds the perfection in the field of human rights. Neither does my country. However it bears importance if a state takes steps towards implementing its human rights commitments more effectively albeit with imperfection. During the OSCE Review Conference held in this room last

year we had heard words of appreciation for the encouraging developments attained in Turkey. Measures taken by the Government since then deserve recognition. In addition to recent developments such as the approval of a comprehensive constitutional reform package promising a more democratic state as well as granting authorizations for Armenian and Greek Orthodox church services in Sümela monastery and in Van, an amendment has been made to the Law on Foundations which governs religious community property rights. The amendment aims at further improving the situation of the non-Muslim community foundations in relation to the registration of their immovable properties. The Law which already had been amended in 2008 to the effect that non-Muslim community property rights be returned to the owners accounts now for properties that were sold to third parties as well as those expropriated by now. The decree amending the Law on Foundations was published on 27 August 2011 in the Official Gazette.

In conclusion, I would like to emphasize the need to make use of best practices available in the OSCE region. Therefore we will be open to constructive recommendations relating to freedom of thought, conscience, religion or belief.

Thank you.