

**4th Council of Europe Conference on Nationality
(Strasbourg, 17 December 2010)**

**Speaking notes for Mr. Hasan CANPOLAT,
Deputy Undersecretary of the Ministry of Interior,
representing the Turkish Chairmanship of the Committee of Ministers**

Ladies and Gentlemen,

It is with great pleasure that I am here today on the occasion of this important event, to share views with the participants on behalf of the Turkish Chairmanship of the Committee of Ministers.

This 4th Nationality Conference of the Council of Europe is part of a series of specialised events which have gathered together over the past ten years an impressive number of nationality experts, scholars, practitioners and government officials from across Europe. It is a unique forum for discussion and co-operation on a fundamental right - the right to a nationality.

Nationality is a universal and indispensable phenomenon which has come about in the process of the formation of nation states, national borders, national identities and modern societies, and one that is linked directly to constantly evolving legislative, economic, social and political systems.

The factors which have influenced the most this transformation are the globalisation process which has gathered speed from the second half of the 20th century onwards, the evolution of human rights law, global migration and the ongoing supranational integration movement in Europe.

Looking closer into the transformation process, it would not be difficult to predict that developments regarding the removal of barriers before human mobility would be one of the most intensely debated topics that would impact on the century we are living in.

In fact, in a relatively short period in the history of mankind, we have transited from a period where problems regarding mobility and working even within the national borders were encountered, into a period where international borders are being removed, or eased, and where in turn, the concepts of border and nationality are acquiring new meanings.

In that respect, for many decades now, the Council of Europe has through the work of its nationality experts developed a body of international legal principles in the form of Conventions and Recommendations which are responsive to changing trends in society. These legal principles aim at facilitating States' co-operation as well as adapting legal frameworks to changing trends through the promotion of legal reforms; with at their heart the protection of the individual.

Ladies and Gentlemen,

Let me give you brief information related to the latest developments in Turkey in the field of nationality and migration.

In parallel to the developments in the world and in the European continent, comprehensive works regarding the restructuring of nationality and migration management have been initiated in Turkey. In this respect, with the aim to simplify the practices related to the acquisition and loss of nationality and align them with the international developments, the new Turkish Nationality Law was enacted by the Turkish Parliament and put into force in 2009.

During the drafting of the new Law attention was paid to nationality practices which uphold equality, prohibiting discrimination based on any grounds such as language, race, colour, sex, ethnic or social origin, religion or belief, political or any other opinion as set out in the Constitution of the Republic of Turkey, as well as to universal law principles.

In addition, the amendments in the Law conformed to the fundamental principles set out in the European Convention on Nationality adopted by the Council of Europe. The enactment of the new Turkish Nationality Law has now enabled Turkey to becoming a signatory to this Convention.

In addition, with this act, multiple nationality was enabled and the cases of loss of Turkish nationality were extensively reduced by taking into consideration the universal nationality principles that everyone is entitled to a nationality therefore avoiding statelessness and that the individual must have the freedom of changing his or her nationality. For instance, in the new law, non-fulfilment of military service is no longer listed as a reason the loss of Turkish nationality.

Another important issue which is on the agenda in Turkey and is linked to nationality matters is the restructuring of migration management. Long-standing works have been carried out in this area in collaboration with the European Union and other international agencies and a new legislation in the area of migration has been drafted, conforming to international agreements to which we are a party and the EU *acquis*, which will renew completely the legal, institutional and physical infrastructure of Turkey.

One of the most important duties of the new institutional structure to be set up under the Ministry of the Interior will be to facilitate the social, cultural, legal and economic relations with the society of immigrants remaining in Turkey, those who apply for international protection or are under international protection and the victims of illegal human trafficking, and to plan, coordinate and implement with the contributions of public institutions and agencies, NGOs and universities the integration activities which will aim to enable them acquire the skills and ability to act independently in all areas of social life without the need for the mediation of third parties.

In this way, Turkey, which is facing considerable regular and irregular migration flows due to the significant social and economic developments accomplished in the country, is aiming at setting up within the same Ministry an integrated structure to manage all the processes related to migration and nationality that works in compliance with the international law.

Ladies and Gentlemen,

The relevant Council of Europe instruments constitute a solid legal basis which embodies principles and rules applying to all aspects of nationality, whether the issue at stake concerns the acquisition of a new nationality (another one in some cases), the recovery of a former one, conditions of loss of a nationality, procedures governing applications for nationality, and many others.

The prevention and avoidance of statelessness is another core objective of these legal instruments, which are also aimed at facilitating co-operation between States parties.

At the present Conference, we will address these issues, with today's trends and constraints in mind, with a view to identifying areas where the Council of Europe will once again have the possibility to deliver its unique contribution and support its member states in adapting their legislation to ever evolving practical situations.

Ladies and Gentlemen,

In conclusion, let me underline that the Turkish chairmanship attaches special importance to the Nationality Conferences which provide a forum for collaboration and cooperation in the field of nationality between Member States.

Thank you very much for your attention.