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**INTRODUCTION**

The demand for peace cannot be judged.

Turkey is experiencing one of the most critical periods in its history. In the last two years, things gone backwards in most areas. One of them was about the peace that came at the forefront of the most indispensable values ​​of humanity. We even fell away from “the dream” of peace. Violence, conflict, separation and polarization dominated political and social life.

In the world the libertarian quests and approaches that emerged after the Second World War were replaced with security policies and future concerns.

The opportunity we missed in the 2013-2015 Resolution Process in the ancient Kurdish issue was further understood after the developments in our region and in Syria. Peace is now being addressed together with the problem of the region.

In this environment, the diminution of hope and search for peace in the society and the weakening of the idea of ​​peace lead to an uncertain, chaotic political process. Our people were worried about the future.

The idea of ​​peace and Kurdish issue, require attention and the responsibility of all segments of the civil society organizations, opinion leaders, citizens. We need to look the ways for peace together. Everyone's ways of demanding peace can be different. But we can meet in the common denominator that the peace we seek is the “essence of life”.

This brochure was prepared to facilitate such a quest and to revive the idea of ​​peace in society. We wanted to remind the political, national and international legal basis of the demand for peace and its legitimacy. The strong political, social and ethical structure of the demand for peace was emphasized.

We stressed our objections to the punishment of those who demanded peace by the judiciary, security bureaucracy and political authority. We tried to explain that the demand for peace cannot be judged.

We would like to thank our members; Hüsnü Öndül who is a lawyer and the Director of the Human Rights Academy and Murat Çelikkan who is a journalist and the Director of the Memory Center, for their hard work.

Peace Foundation Board of Directors

October 2018

Istanbul

**PEACE’S HANDBOOK**

The Peace Foundation, in its foundation certificate, has referred to the Universal Declaration of Human Rights and the international conventions on the subject for its purpose and its works (1st Annex). The bill includes the right to life and the protection of fundamental rights and freedoms. It has been announced that the Foundation will work for the establishment of democracy and social justice for all and to ensure lasting peace, and to develop stimulating, encouraging and supportive suggestions to achieve this aim.

**Definition and scope of peace**

The most general definition of peace can be made as the absence of violence. Struggling for peace means fighting for diminishing violence. The supranational and international institutions define peace as a negative peace and a positive peace and strive for the fulfilment of positive elements of peace for a sustainable peace.

Negative peace means no physical violence. Positive peace means the absence of all forms of physical, economic, political, cultural or structural violence and accompanied by justice for nonviolence.

According to international human rights law, peace is both an individual and a collective human right. It is a solidarity rights. There is an irrevocable link between other human rights and the right to peace.

With this feature, the right to peace has a connection with the rights such as the right to life, the prohibition of torture, freedom of person and security, freedom of expression, freedom of religion and conscience, economic, social and cultural rights.

It is possible and necessary to think about peace together with the concepts of non-conflict, culture of reconciliation and mutual recognition of individuals, communities or peoples.

Peace refers to mutual harmony, equality, justice, freedom and, of course solidarity.

As emphasized in the declaration adopted by the United Nations General Assembly dated 15 December 1978 and numbered 33/73, “ (...) every human has the right to live in peace without regard for race, religion, language or gender.

It is the duty and responsibility of every state to ensure that peoples live a peaceful life.

**Peace is a right for individuals and peoples**.

Despite the demand, the desire and the right to live together in peace, war and conflict and the preparations for war and conflict all over the world continue to be a source of constant anxiety and fear for all the people of the world.

Peace requires mutual empathy, cooperation and solidarity. Peace is a state of wellbeing.

Peace, understanding someone else's pain, hearing each other, being aware of difference,

The perspective and language of peace are positive. Peace perspective does not otherise another because of its mutual recognition, freedom and equality. It doesn't discriminate.

Peace is based on respect for differences. Respect for identity or differences such as social class, ethnic identity and language, religion, belief, gender constitute the basis of peace.

Peace is also humanitarian security.

It should not be forgotten that different people in different layers of society will have different distrust. National security policies generally focus on the distrust of states and country rulers and are called national or civil security in many countries of the world. These policies, unfortunately, do not always focus human security, on people living their daily lives in peace and security.

In the aforementioned situation, it is clear that the security of man and society can only be provided in peace conditions. Human security is an conception of security related to the protection of human rights and freedoms.

Peace is a tranquillity, repose and conciliation with such a concept of justice, equality, freedom.

**Peace must be based on socialization**

There is a need for contributions from various segments of the society to ensure the establishment and sustainability of peace. For this reason, ‘peace journalism’ is very important for society and for journalists, who, inform the society about what the truth is.

Peace journalism should use non-violent methods for conflicts in the society and a language of peace should be preferred.

Peace journalism focuses on what truth is. It does not broadcast or publish according to war, violence and the propaganda needs of the parties.

**Militarism’s anti-peace**

Militarism is to ask countries and the world to be managed according to their own interests and expectations by means of weapons, tools and materials that harm human and natural life based on killing/dying. Inevitably, it has a perspective of power. There is no perspective of human rights and freedoms in its power. It rejects pluralism. It dislikes criticism and forbids it. It is concealed behind concepts such as “state secrets “or “the problem of perpetuity”. Militarism is the rejection of democracy.

However, as emphasized in the United Nations Declaration on the Right to Peace of the People, a world without war is a prerequisite for the countries to progress materially and to implement human rights and fundamental freedoms.

Peace processes can become institutionalized if it is based on pluralism, freedom of expression, transparency, and the rule of law.

For this purpose, freedom of expression must be protected. Freedom of expression is the sine qua non of pluralist democracy. Freedom of expression is essential for transparency, accountability, talk of differences and reconciliation.

Accountability is made possible by the adoption and realization of the rule of law.

**Ensuring social justice**

The social and economic dimensions of living in peace cannot be neglected. Poverty can often interfere with the use of social rights and human rights (for example, lack of rights to work, housing, health, education, nutrition, etc.), and this may be a source of violence. The issue of peace has also been associated with the income distribution between the regional, class and social strata in the country. Social justice is a principle, but the injustice of distribution income is a condition.

Income distribution in every country should be adapted to the principle of social justice.

Peace education is a vital issue for everyone, as in the case of journalists mentioned above. These training activities should start from schools and should be given in with a wide range of tools and methods, ranging from various age and gender, occupational groups in society.

Peace education should be directed at the rejection and prevention of all forms of conflict and violence in all settings and relationships, including family, workplace, school, both at home and abroad.

**Peace in national and international documents**

More than 40 armed conflicts continue to exist in the world. The humanitarian, social, environmental, political and economic consequences of these conflicts are very big, very destructive. While the number of compulsory emigration figures within and outside the country is growing, the prospect of peace appears to be a very difficult target to reach in many parts of the world, but the need for peace is increasing day by day.

If the first half of the twentieth century is to be said to be very bloody because of two world wars and genocide, it can be said with the same right that in the second half, the search for peace and human rights in the face of war destruction is strengthened. First of all, it is worth mentioning that the search for a world order based on peace and human rights against the destruction of the two world wars was made with the formation of the League of Nations and then the United Nations.

The UN Charter, the founding document of the United Nations, was formed in 1945 on the principles of prevention of war in general, ensuring peace and strengthening the concept of collective security. In addition to these principles of initiation, with the process of exit from colonialism, approaches such as development, international fair communication, ecological balance, space affairs, etc. have all been added to achieve peace. From the perspective of the latest transitional justice, it is among the proposals of the UN secretary-general to approach truth, justice, repair and removal, memory of victims' experiences, and approaches to achieve lasting peace on the basis of reforms.

Another peace project created by the bloody history of the 20th century was the European Union. Economic co-operation and the full political integration with the Maastricht Treaty in 1992, at least in the beginning, are aimed at peace at the outset in order to prevent war between Germany and France. With the Schuman Plan in 1950, which was the basis for the European Union, there was a sustainable peace to be achieved.

In the United Nations Declaration, the right of people to peace is described as follows:

1 Declares that peace is a sacred right for the peoples of the world;

2 Declares that every state has a fundamental obligation to guarantee the right to peace of peoples and its effective implementation;

3 Emphasizes that the implementation of the right to peace of peoples should be directed towards the elimination of the policies of the states, the threat of war and the threat of nuclear war; Emphasizes the abandonment of the use of force in international relations on the axis of the UN Treaty and makes the peaceful resolution of international disputes necessary;

4 It calls upon all States and international organizations to make every effort to ensure the realization of people right to peace, by taking appropriate measures at both national and international level.

This Declaration was adopted by the UN General Assembly in 1984 as the Declaration on the Right to Peace of Peoples in 39/11. A breakdown of the United Nations other contractual and plenary resolutions on peace is as follows:

1) The Charter of the United Nations (Beginning, m.1 / 1 and m.55) (1945),

2) 1948 UN Universal Declaration of Human Rights (Beginning and Article 28),

3) African Charter of Human and Peoples' Rights (1986, Article 23),

4) The Declaration on the Right to Peace of the Nations (1984, 4 articles),

5) UN Declaration on the Right to Economic Development (1986),

6) UN International Covenant on Civil and Political Rights (1966, Article 20)

7) Rio Declaration of the UN Conference on World Environment and Development (Articles 1992, 24 and 25). In this paper, it is emphasized that wars have a devastating effect on development. It is emphasized that peace and development and protection of the environment are mutually interdependent and that these rights constitute a whole.

8) The UN Copenhagen Social Development Summit (1995).

At the summit, the relationship between social justice and peace was highlighted. Social development has a very close relationship with the development of peace, freedoms, economic stability and security both nationally and internationally. (M.4)

Governments should take special measures to eliminate the root causes of displacement of refugees and displaced persons. Governments should make special efforts to promote conflict resolution, peace and reconciliation, respect for the human rights of all people by respecting the human rights of persons belonging to minorities, and respect for states independence, territorial integrity and sovereignty. States and all other institutions concerned should protect and respect the human right to remain safe in their homeland; states should avoid policies and practices that require people to flee from their homeland. (M.76)

To solve conflicts in peaceful ways, to re-establish the integrity of the society after the conflict resolution, to make efforts to create reconciliation between the conflicting groups and to create mutual trust, to provide training in the resolution of conflicts at all levels of educational institutions without resorting to violence, to rebuild the destroyed social institutions, the development of practices aimed at the reintegration of the people who have suffered or been injured, with the re-integration of the sovereignty of the laws, developing practices aimed at the peaceful resolution of mechanisms and conflicts to create respect for all human rights. (M.79)

9) Resolution of the United Nations Security Council of 1325 (2000):

**Women, Peace and Security**

This resolution, adopted by the UN Security Council on 31 October 2000, the importance of the role of women in the paragraph is emphasized: “Reaffirming the important roles of women in the prevention, resolution and peace-making of conflicts and the importance of full participation and equal participation of women in efforts to protect and promote peace and security by focusing on the necessity of increasing their role in making decisions about conflict prevention and resolution..”

10) Resolutions of the UN General Assembly (Prof.Dr.Gemalmaz M.Semih, *Introduction to the General Theory of Supranational Human Rights Law*, Legal Publications, Istanbul, 6th edition, sahife 1465-1503)

a) Measures to be taken against a new propaganda and incitement to war (3.11.1947)

b) The requirements of peace (1.12.1949)

c) Decreasing armament (Decisions of 1957-1960 period)

d) Urgent need for an agreement to prohibit trials of nuclear weapons under effective international control (8.11.1961)

e) Declaration on the prohibition of the use of nuclear and thermonuclear weapons (24.11.1962)

f) Declaration of allocation of resources to be provided by disarmament to peaceful needs (18.12.1962)

g) Decisions on disarmament and the discontinuation of nuclear weapons in 1963-1970

h) The necessity to immediately suspend nuclear and thermonuclear trials (16.12.1971)

ı) Declaration on the prevention of nuclear disaster (9.12.1981)

i) Condemnation of nuclear war (15.12.1983)

j) Some documents produced during the period 1957-1970 on the friendly relations and the peaceful solution of disputes

k) Declaration of principles of international law on friendly relations and cooperation between states

l) Manila Declaration on the Peaceful Settlement of International Disputes (1982)

m) Declaration of strengthening international security

n) Draft notice of rights and duties of states, prepared by the International Law Commission (6.12.1949)

o) Requirement of economic rights and obligations of States (12.12.1974)

ö) Declaration on the reinforcement of the effectiveness of the use of force or the avoidance of use principle in international relations

p) Vienna declaration and action program (25.6.1993)

s) United Nations Thousand Year Declaration (8.9.2000)

ş) Declaration on the development of the ideals of peace, mutual respect and understanding among the peoples in youth (7.12.1965)

t) Declaration on the preparation of societies to live in peace (15.12.1978)

u) Peace culture declaration and action program (13.9.1999)

**The right to peace in national law**

When we look at national law, in the beginning of the Constitution;

The right to peace has been articulated as, “Collectively, Turkish nationals in national pride and gratification, national joy and sorrow, rights and duties to national existence, blessings and burdens and the manifestation of all kinds of nation life that they have participated and with mutual respect for each other's rights and freedoms, mutual sincere love and brotherhood and with the belief in ‘Peace at home, peace in the world’ have right to live a peaceful life.” This, as one of the founding mottos of the Republic found the expression as “Peace at home, peace in the World ‘.

**Conflict resolution**

In Turkey, despite everything, peace is still possible.

1- Turkey witness internal armed conflict more than 30 years

2-World experiences show that the first step for peace is the acceptance of the existence of armed conflict as a fact.

3- The issue called "Kurdish problem" is the basis of internal conflict of Turkey. Therefore, a holistic approach to all issues related to the Kurdish issue is needed to solve the conflict.

4-Citizenship, democratization, electoral system, representation, central, local management and decentralization are issues related to the democratization of Turkey's constitutional and legal system.

5-Due to the existence of armed conflict, it is necessary to think about how to silence weapons and how to ensure lasting peace, to produce ideas and to make attempts before further death and destruction occur.

6 - Peace is not about ending the conflict. Peace, along with the silence of weapons, also includes economic, social, political, cultural and environmental issues.

7-The peace or solution process is a dialogue between the parties seeking solutions. The parties of dialogue should have the will and will to terminate the conflict.

8. The interviews must be based on a methodology and basic principles. Road map should be determined and principles should be established. The security perspective should be replaced by a peace approach. As well as human rights / security equation cannot be acceptable, the approach of peace/ security is also unacceptable. The security of people and societies can only be achieved through the maintainability and sustainability of the peace environment.

All parties who come together to overcome the conflict, who choose dialogue, meeting and negotiation, have finally chosen the path of nonviolence through a process of mutual trust and this strict principle must be adhered to. This is a point that should be taken as a basis when the methodology and basic principles of the negotiations are formed.

9. The language which will be used by the parties shall not be inciting and provocative. The polarizing language should be abandoned.

10-Peace processes in the world have revealed that the role of facilitator institutions, people and states. Any means to ensure a lasting peace can be tried, and no method that would facilitate the solution should be categorically rejected.

11-World experiences show that disarmament should be considered as a target and as a result of negotiations rather than as a prerequisite.

12- World peace experiences offer different and various examples about the institutions to be formed in peace or solution processes, benefiting from these can facilitate the solution.

13-Peace processes need to be socialized. Fears, threats and perceptions in various parts of society should be understood. there should be an effort for various segments of society empathize with each other pain.

14- The processes of “confrontation with past” with all extent (abandonment of impunity policy, restorative justice, criminal justice, compensation, apology, recognition of violations) should be on the agenda. Moving from “the truths” of the wartime to the facts where the victims are taken to the centre are the important means of ensuring the persistence of peace. For this reason, in the examples of transition from conflict to peace and democracy, Truth Commissions were used as an important tool and contributed to social consensus on peace.

15- World experiences and UN resolutions demonstrate the importance of women's representation in conflict resolution / processes. Therefore, effective representation of women has to be provided.

16- With regard to conflict solution confrontation with the past and peace, the political actors, civil societies, local and religious opinion leader’s initiatives, their positive contributions, suggestions and advices should be make possible.

**APPENDIX**

1.ANNEX: **Foundation Act, Purposes and Events**

In the Peace Foundation's founding document, the Foundation Act, the foundation's aim, in Article 3 defined as "The purpose of the Foundation is to protect the right to life and other basic rights and freedoms secured by international conventions, Constitution and law, particularly the Universal Declaration for Human Rights and establish social justice and democracy for indiscriminately everyone in Turkey by universal human rights principles and ensuring a lasting peace that is the basic condition for all these. In this context, the foundation contributes to building the peace in fair, equitable and democratic way; development of culture of peace and reconciliation in the community; the strengthening of the social foundation for coexisting.”

The activities to be carried out in line with the purpose of the Peace Foundation are also regulated as follows in Article 4:

a) Develops stimulating, encouraging and supportive proposals for establishing the peace. It works to ensure that the public obtains direct and accurate information and it supports existing work in this context. For this purpose, it contributes to work towards restorative justice.

b) Carries out studies for the development of peace vernacular in society,

c) Carries out academic studies for the removal of all obstacles to the development of confidence among citizens to take place in the social sphere with equal rights and responsibilities; organizes stimulating and informative events in the community,

d) Creates social and cultural grounds in which people from different walks of life can contribute to peace; organizes panels, workshops, conferences and academic events to strengthen the demand for peace and contributes to the formation of a libertarian democratic political environment,

e) Conducts studies for forming and applying democratic participation programs to ensure and guarantee permanent peace, by which everyone can participate public and political life,

f) Popularizes the Foundation’s objectives by publishing periodical and non-periodical publications. Publishes books. Translates and publishes books from foreign languages. May set up web pages and publish on line. Exploits the possibilities of social media effectively. All kinds of technical information and its ways and methods can be used for the purposes of the Foundation.

g) Sets up awards to promote and encourage peace workers. Awards may only have nonmaterial sentimental value.

h) Planning and carrying out the foundation's work for positive discrimination for women, in the election of organs and at all levels of assignment and conducting studies reinforcing positive discrimination in society is fundamental.