VOICE OF FUTURE GENERATIONS

CELEBRATING THE WORLD’S BEST LAWS AND POLICIES TO SECURE CHILDREN’S RIGHTS
We would like to express our gratitude to all the experts who gave their insight and time during the evaluation process and to the Jury Members. A big thank you goes to our colleagues, our research consultants and the nominators for their support and contribution. We are also sincerely grateful to IPU for the contribution to the translation and printing of this brochure. Last but not least, a special thank you goes to Janina Otto, Dr. Michael Otto and Jörg Pilawa for their vision, trust and support.

Disclaimer: The contents and views expressed in this publication do not necessarily reflect the views or policies of the partner organisations.

For references please write to fpa@worldfuturecouncil.org

PHOTO CREDITS

The responsibility of all parliaments is to protect the people and ensure their long-term wellbeing. As the most vulnerable to poverty, exploitation, abuse and violence, children need the greatest protection. Parliaments can lead the response by ensuring international commitments on children’s rights are adhered to nationally through laws that are efficiently implemented and monitored. Parliamentary action on human rights is a fundamental part of IPU’s work, with children’s rights a long-term commitment. Innovative solutions on this issue must always be sought. The 2015 Future Policy Award can be an inspiration to parliaments everywhere to redouble their efforts on children’s rights.

Martin Chungong, Secretary General of the Inter-Parliamentary Union

Children are among the most vulnerable group facing a host of the world’s emerging challenges. Securing their fundamental rights as enshrined in the UN Convention on the Rights of the Child is therefore one of our most urgent duties. Through the Future Policy Award, and our ongoing advocacy work, the World Future Council is highlighting some of most exemplary policies offering holistic and long-term solutions to the challenges of our time and protecting the rights of future generations.

Jakob von Uexküll, Founder and Chair, Management Board, World Future Council; Founder, Right Livelihood Award

Children’s rights are brought to life not through pronouncements, but through practical action. Parliamentarians are among UNICEF’s most important partners in driving that action and the results it can achieve in children’s lives. We applaud the World Future Council for spurring more Parliamentarians to leverage their powers on behalf of the world’s most disadvantaged and vulnerable children.

Anthony Lake, Executive Director of UNICEF
Twenty-six years ago, on 20 November 1989, the UN Convention on the Rights of the Child (UN-CRC) was adopted by the International Community. For the first time, it established internationally accepted standards to protect and promote the rights of girls, boys and young people, and particularly the right to voice their opinions in all decisions that affect them. Since then, governments have undertaken a range of measures to align national law with the spirit of the CRC, some of them with outstanding results that have made a real difference to children and their rights. Yet, there is still a long way to go. Climate change, economic limitations, poverty and the exploitation of children, migration, civil wars and displacements remain huge challenges the world struggles to deal with. The future of all children and those of unborn generations lies in the hands of today’s policy-makers.

The World Future Council addresses challenges to our common future by identifying and spreading best policies around the globe. We do this by celebrating exemplary policies that create better living conditions for present and future generations through our annual Future Policy Award. Alongside presenting the award we also work with policy-makers to speed up policy action towards just, sustainable and peaceful societies.
In 2015, the World Future Council’s Future Policy Award seeks to highlight innovative laws and policies that contribute to promoting, realising and securing children’s rights to provision, protection and participation as stated in the UN-CRC and its Optional Protocols. We encouraged the nomination of laws and policies that are successfully overcoming the barriers that prevent children from enjoying their rights to education, participation, and to protection – with a special focus on child labour, child trafficking and child marriage. We also looked into measures that acknowledge the interdependence of environmental rights and children’s rights, and the need to strengthen and spread legislative advances in environmental protection.

One key finding emerging from our research is that while most states attempt to meet their obligations, in many cases implementation lags well behind the (good) provisions on paper – mostly due to a variety of constraints including gender inequality, cultural and religious considerations, competing political priorities as well as financial, economic and technical limitations. This is especially the case when it comes to child labour, child trafficking and forced marriage.

The most captivating element the winning policies reveal is the vision of just societies that some policy-makers have embraced and their strong will to take children’s rights seriously. In conjunction with a range of strong implementation measures, good policies can make a meaningful difference in a child or young adult’s life.

We hope to inspire law-makers worldwide with our 2015 Future Policy Award and to see some elements being spread and implemented in the coming months and years ahead.

Finally, we would like to express our sincere gratitude to the highly renowned international jury and to our partners, the Inter-Parliamentary Union and UNICEF. Special thanks goes to Janina Otto and Dr. Michael Otto for their generous support and trust.

Yours sincerely,
The 2015 Future Policy Award Team
WINNING LAWS AND POLICIES

GOLD: Zanzibar’s Children’s Act, United Republic of Tanzania, 2011

Zanzibar’s Children’s Act is a pioneering comprehensive child rights law covering custody, foster parentage, and guardianship, as well as the roles and responsibilities of professionals and institutions in providing services for children, dealing with children in need of care and protection and those in conflict with the law. The Act lays the foundation for a coordinated child-protection system while also implementing a range of obligations under regional and international conventions on the rights of the child. It serves as a promising model both for its drafting process which involved a pioneering community-level child participation process and its provisions which have led to a marked societal change in attitudes towards children and their rights.

SILVER: Maryland’s Environmental Literacy Standards, United States of America, 2011

In 2011, Maryland became the first state in the U.S. to require students to be environmentally literate as a high school graduation requirement. Stemming from a concern about the polluted state of Chesapeake Bay, the regulation aims to provide a locally developed programme of study throughout the curriculum that catalyses change within the community and builds an environmental stewardship ethic in students. Early results point to positive school-wide changes in knowledge, behaviour and action and broad improvements in student’s learning outcomes across a wide range of subjects, inspiring other states to follow Maryland’s lead.

SILVER: Finland’s Basic Education Act, 1998, and general education policies

Education has been a national priority in Finland for over three decades, with the country developing a unique holistic approach that continues to evolve. Key elements of Finnish education policy include quality, efficiency, well-being and life-long learning with an overarching goal that all people must have equal access to high-quality education and training irrespective of their ethnic origin, age, wealth, language or location. Finland’s holistic and trust-based education system produces excellent results, both in terms of child well-being and international test scores for reading, mathematics and science where Finland has ranked near the top since 2000.
HONOURABLE MENTIONS

Sweden’s Children and Parent Code to prohibit all corporal punishment and other humiliating treatment of children, 1979

It is now 36 years since Sweden became the first country in the world to explicitly prohibit all forms of corporal punishment and other humiliating treatment of children. This pioneering reform is considered to have achieved full prohibition in all settings, including the home. It has fostered a profound change of attitude across Swedish society in relation to violence against children, gaining a very high level of awareness and support, including from children. Sweden is also working with other states to promote universal prohibition of all violent punishment of children. Following Sweden’s example 44 states have introduced legal prohibitions on corporal punishment in the home while 122 states have banned violent forms of discipline in schools.

Argentina’s Supreme Court’s Pioneering Judgement on Environmental Rights, 2008

While three quarters of the world’s national constitutions now include references to environmental rights, few have treated these provisions as legally enforceable. In a landmark decision in 2008 Argentina’s Supreme Court upheld the country’s constitutional right ‘to an environment which is healthy, balanced and suitable for human development’ and ordered a comprehensive inspection, restoration and clean-up plan for the heavily polluted Matanza-Riachuelo river basin in Buenos Aires. While there is still much work to be done to restore the basin, this decision and the resulting clean-up work has led to some impressive results, providing clean drinking water and sanitation to over a million people and directly benefitting local children through access to health care and relocated housing.
Violence against young women, men and children is increasingly recognised as an important human rights, health, and social challenge in the United Republic of Tanzania that includes mainland Tanzania and the semi-autonomous island region of Zanzibar. In 2009, Tanzania was one of the first countries in Africa to undertake A National Study on Violence against Children, which showed that 6% of females and 9% of males in Zanzibar experienced sexual abuse as children and almost three-quarters of both girls and boys have experienced physical violence prior to the age of 18. Almost half of the population are considered to be living in poverty with serious impacts for children’s well-being.

To confront these problems and streamline national child rights legislation a pioneering comprehensive children’s rights law was introduced in Zanzibar in 2011. Zanzibar’s Children’s Act lays the foundation for a coordinated child-protection system to effectively respond to cases of violence and abuse, and to better promote and protect the rights of children in conflict with the law. The Children’s Act enshrines in Zanzibar law key principles of the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child (ACRWC). The Act also covers custody, foster parentage, and guardianship, as well as defining the roles and responsibilities of

WINNER
GOLD AWARD
Zanzibar’s comprehensive child rights approach
professionals and institutions in providing services for children in need of care and protection.

**Engagement of Children**

The act was developed over the period 2009–2011 in a broad national consultative process in which actors from civil society, the legal system and media, as well as community, religious and government leaders, worked together to ensure that the law would reflect the specific needs of children in Zanzibar. A pioneering feature was the child consultation process led by the Government of Zanzibar in partnership with UNICEF, working with Save the Children, which involved an innovative programme of community-level child participation. The outreach work covered

A critical series of consultative workshops were convened with religious leaders and Islamic scholars, revealing the many intersections between Islam and children’s rights.
all districts of Zanzibar’s islands and included peer-to-peer learning by children. It provided many young people with an understanding of the content of the Children’s Act and the legislative reform process, giving them an opportunity to highlight the issues that most affect their lives.

Impressive Impacts

Despite scarce financial resources and the need for ongoing efforts towards full implementation, Zanzibar’s Children’s Act has already contributed to a number of impressive outcomes. The Government of Zanzibar, with the support of UNICEF and the European Union, have developed a 5 year Child Justice Reform Strategy 2013–18 with a view to fully operationalize the Children’s Act. Achievements in the implementation of the national strategy to date include support to several formal institutions responsible for child protection and participation.

- A dedicated and specialised Children’s Court in Stonetown with separate, child friendly facilities was established in 2013 while two further regional Children’s Courts are set to open in early 2016. The Children’s Courts aim to provide children with the support and security that they need when they make their appearance in court either as victims, witnesses or offenders.

- A training curriculum for justice professionals in effectively dealing with
Over 5000 children (mainly boys) have been assisted to return to school from harmful work.

Many schools are now piloting alternatives to the still widespread use of corporal punishment. All public primary schools in Zanzibar now have at least one teacher who has been trained on the use of ‘positive’ forms of discipline.

The Act contains a number of home grown adaptations and novelties (including the clear recognition of the Islamic faith to which 98% of citizens adhere) while containing best practice provisions shaped by law reform in nearby countries in Southern and Eastern Africa. It transposes the UN-CRC’s holistic approach into local legislation, and notably includes excellent provisions on child protection, juvenile justice and child participation.

In terms of transferability the Children’s Act is a promising model for child rights legislation with respect to both its drafting process and its provisions, particularly for other similarly developing countries.
In 2011, Maryland became the first state in the U.S. to require students to be environmentally literate as a high school graduation requirement. The decision by the Governor of Maryland emerged from a widespread concern for the state of Chesapeake Bay, a large estuary surrounded by Maryland and Virginia that had become badly polluted since the 1970’s. It was clear that a failure to educate young citizens on their relationship with the natural environment would lead to a continuing lack of environmental awareness and ongoing degradation of the bay.

The new environmental literacy standards introduced by the Maryland State Board of Education aimed to counter this trend by building an environmental stewardship ethic in young people and providing a programme of study that catalyses change within the community. It mandated that each local school system provide a comprehensive, locally developed environmental education programme taught from Kindergarten to graduation, to be integrated across a wide range of subjects throughout the curriculum.

Get them Outside!

The benefits of connecting and learning in nature have been well documented in numerous scientific research studies which show that children’s social, psychological, academic and physical health is positively impacted. Reduced stress, enhanced creativity and problem solving capacity and improved social relations have all been linked to outdoor learning.
Promising Impacts

- Early results from the Maryland regulation are positive with sustained school-wide changes in knowledge, behaviour and action. Clear evidence of increased knowledge, understanding and application of environmental and sustainability issues by students is now a graduation requirement for all.

- Research undertaken with 460 Maryland ‘Green Schools’ has shown that the introduction of environmental education has had a strong positive impact on student achievement and test scores across many other subjects including science, English, algebra, and social studies.

- Practical on the ground changes are also in evidence with students developing innovative projects including the creation of nature trails, school yard habitat programmes, recycling initiatives and a new wetlands system. In 2014 Green Schools were responsible for the installation of 40,603 square feet of green roofs and 109,044 square feet of rain gardens, the planting of 5,381 trees and the recycling of 1.2 million pounds of paper.

Inspiring change

There is a growing domino effect across other states, with Kentucky and Utah developing environmental literacy plans based on the Maryland model and the ‘No Child Left Inside’ coalition promoting environmental education at the national level.

8 ENVIRONMENTAL STANDARDS

These key topics must be investigated by students: Environmental Issues including a local action project that protects, sustains, or enhances the natural environment; Interactions of Earth’s Systems; Flow of Matter and Energy; Populations, Communities and Ecosystems; Humans and Natural Resources; Environment and Health; Environment and Society; and Sustainability.
Education has been a national priority in Finland for over three decades, with the country developing a unique holistic approach that continues to evolve and has produced significant results; often hailed as a world-class education system. One of the basic principles of Finnish education is that all people must have equal access to high-quality education and training irrespective of their ethnic origin, age, wealth, language or location. The basic right to education and culture is recorded in the Constitution, while education is free at all levels from pre-primary to higher education.

Key elements of Finnish education policy include quality, efficiency, equity, well-being and life-long learning. Education is also seen as an end in itself. Recent reforms aim to further develop schools as learning communities, emphasising the joy of learning and a collaborative atmosphere, as well as promoting student autonomy in studying and in school life.

Top of the class

Finland’s holistic and trust-based education system produces excellent results. In 2013, 86% of 25-64 year-olds had at least completed upper secondary education (against...
an OECD average of 77%) and 41% held a tertiary degree (OECD average: 33%). Results from the international PISA comparing 15-year-olds in different countries in reading, mathematics and science, show that Finland has ranked near the top in all three competencies since 2000.

Focus on well-being reaps results

The all-round classroom experience and development of students into ‘good humans’ with an equal focus on arts, play and ethics is considered a key outcome. Finnish schools are founded on promoting the total well-being of children, requiring by law that each school provide free food, access to health care, and on-site counselling and guidance. Every school must have a welfare team to advance child happiness in school, creating a safe, healthy environment conducive to learning. Unsurprisingly, the most recent UNICEF child well-being report card (2013) ranked Finland in the top 4 globally amongst advanced economies for overall child well-being.

The system also produces notable results regarding equity and equality. The country has one of the narrowest gaps in achievement between its highest and lowest-performing schools and continuing efforts are made to reduce differences in quality between schools.
In 1979 Sweden became the first country in the world to explicitly prohibit all forms of corporal punishment and other humiliating treatment of children. This pioneering reform is considered to have achieved full prohibition in all settings, including the home and has fostered a profound change of attitude across Swedish society in relation to violence against children. One key success factor has been the abolition of any legal justification for physical discipline of any kind.

More than 90% of the Swedish population, including children, are aware and supportive of the law. The government’s commitment to protect children’s rights is also reflected in a range of measures that support parents, raise awareness and have established a well-functioning child abuse reporting system.

Sweden is also working with other states to promote universal prohibition of all violent punishment of children. Following Sweden’s example 44 states have introduced legal prohibitions on corporal punishment in the home while 122 states have banned violent forms of discipline in schools.
The Matanza-Riachuelo river basin in Buenos Aires is considered one of the most heavily polluted urban areas in Latin America. In 2004 Beatriz Mendoza, a local care worker whose own health was suffering, enlisted lawyers and neighbouring residents to file a lawsuit against the national government, the Province of Buenos Aires, the City of Buenos Aires and 44 polluting companies. In a landmark decision in 2008 Argentina’s Supreme Court upheld the country’s constitutional right ‘to an environment which is healthy, balanced and suitable for human development’ and ordered a comprehensive inspection, restoration and clean-up plan on a strict time-schedule.

While there is still much work to be done to restore the basin, this legal precedent on environmental rights has led to some impressive initial results. Three new water treatment plants now provide clean drinking water to over a million people, 11 upgraded wastewater treatment systems are stemming the flow of sewage into the river, 214 landfill sites have been cleaned up and 41% of local industrial establishments reconverted. Many of the impacts directly benefit children who now have access to 12 mobile health units and blood testing for dangerous contaminants such as lead.

Three quarters of the world’s national constitutions (149 out of 193) now include references to environmental rights.
KEY RECOMMENDATIONS

While researching and evaluating the nominated laws and policies for this year’s Future Policy Award a number of key elements that contributed to their successful implementation emerged. Below are some key findings and recommendations with regard to realising children’s rights:

- **Incorporating the UN-CRC and its general principles into national law and implementing it**

  Since its adoption in 1989 a broad range of legislative processes and legal reforms have been initiated by signatory states to the UN-CRC. In its General Comment No. 5, the Committee on the Rights on the Child states that the Convention should not be considered only article by article, but also holistically, recognising the interdependence and indivisibility of human rights. Addressing the general principles, such as the best interests of the child, non-discrimination and respecting the views of the child, is very challenging but essential if children’s rights are taken seriously. Additionally, when drafting a new law – or amending an existing one related to children and their rights – it is important to ensure that it reflects children’s views and their best interests and to make any changes necessary to streamline related laws in order to ensure the effectiveness of the new legislation. Necessary arrangements should also be made so as to ensure that each new law is systematically accompanied by its implementation decrees.

- **The role of Parliament**

  Parliaments and their members have a key responsibility to ensure that national legislative standards offer the best possible protection for children. This may require that existing laws be reviewed and, if needed, amended or that new legislation be adopted. In line with their prerogatives, they should also ensure that a realistic cost assessment is conducted and sufficient financial resources are set aside to ensure effective implementation.

  It is equally essential that legislative reform leads to educational reform so that curricula, teaching and learning materials comply with the spirit of the Convention on the Rights of the Child. Legislative reform should ideally be accompanied by a cost-assessment so as to ensure that it can realistically be implemented.
The role of the Courts

Supreme courts or constitutional courts, as national bodies in charge of ensuring the conformity of domestic laws with the Constitution, can play a pivotal role in highlighting the need for action to align, amend or adopt new laws in accordance with the CRC. They can hold provisions to be invalid because of their incompatibility with the CRC or its principles such as the best interests of the child or non-discrimination. Rulings adopted by a supreme court can have important consequences for how child rights’ legislation is applied.

Involvement and accountability of all relevant stakeholders in legislative reforms and implementation

Civil Society often has specific expertise available and can play a vital role in assisting the development of new laws, supporting their dissemination and implementation, providing an ongoing monitoring role and addressing child rights’ violations. The active participation of civil society groups in law reforms also tends to heighten public acceptance of a new law through awareness-raising campaigns of its relevancy. While the meaningful participation of communities, parents, and especially children themselves in this process might be a lengthy and complicated exercise, it undoubtedly results in a deeper societal understanding and acceptance of the value of promoting and protecting children’s rights. It is also important that communities and the population at large are regularly informed of the efforts that are undertaken to implement new legislation and policies.

A HOLISTIC APPROACH

We came across many impressive policies to protect children’s rights; unfortunately some of them only impressive on paper. These cases often lacked effective implementation, sufficient financial and human resources and/or provisions to assess their potential impact. Law reforms must be part of broader, more holistic and longer-term strategies to develop, finance and implement programmes related to children’s rights. The financial implications of effective implementation must be calculated in advance and sufficiently catered for. Education, capacity-building, training or retraining of those responsible for applying and enforcing new legislation (public servants, law enforcement agencies, administrative, political and judicial bodies) are all essential to obtain buy-in and to change attitudes.

Social values and traditions are often a major obstacle to progress. With due consideration for the diversity represented in society, legislators should support activities designed to foster dialogue and examination of cultural traditions that might conflict with children’s rights, including awareness raising campaigns and sensitising the media.

Systematic monitoring and evaluation of the impact of new legislation should be adequately financed and embedded in the law’s implementation in order to reveal any weak elements over time that might need amending and to measure progress made towards the desired goals.
JURY MEMBERS 2015

Dr. Marie-Claire Cordonier Segger, UK, Canada, Senior Director, Centre for International Sustainable Development Law (CISDL), Affiliated Fellow, LCIL, University of Cambridge and Councillor, World Future Council.

Rogier Huizenga, Switzerland, Head of Human Rights Programme, Inter-Parliamentary Union.

Sanphasit Koompraphant, Thailand, President of the Center for the Protection of Children’s Rights Foundation in Bangkok, Member of Committee on the Rights of the Child until 2013.


Benyam Dawit Mezmur, Ethiopia, Associate Professor of Law, Community Law Centre, University of the Western Cape, South Africa, Chairperson of UN-Committee on the Rights of the Child, Vice Chair of the African Committee of Experts on the Rights of the Child.

David Ponet, USA, Parliamentary Specialist, UNICEF.

Prof. Kirsten Sandberg, Norway, Department of Public and International Law, Member of the UN-Committee on the Rights of the Child, Chair of UN-Committee on the Rights of the Child until May 2015.


Jakob von Uexküll, Sweden, Germany, Founder, World Future Council and Right Livelihood Award.

SHORTLISTED LAWS AND POLICIES

1. Argentina – Supreme Court’s pioneering judgement on environmental rights, 2008
5. Germany – Social Code, Book Eights (VIII) Child and Youth Services, 2005
7. Maryland, United States of America – Maryland’s Environmental Literacy Standards, 2011
8. Nicaragua – Municipal Child Councils
10. United Kingdom – Forced Marriage Unit, 2005
PREVIOUS FUTURE POLICY AWARD WINNERS

2014: ENDING VIOLENCE AGAINST WOMEN AND CHILDREN

**Gold Award** The City of Duluth’s Coordinated Community Response to Domestic Violence, 1981, USA

**Silver Award** Prohibition of female genital mutilation (Law no. 43/96/ADP), Burkina Faso, 1996
Psychosocial and legal court assistance for victims of violence during criminal and civil procedure, Austria, 2006

2013: DISARMAMENT

**Gold Award** Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), 1967, Latin America and the Caribbean

**Silver Award** National Programme for the Voluntary Surrender of Firearms, Argentina, 2006
Nuclear Free Zone, 1987, New Zealand

2012: PROTECTION OF OCEANS AND COASTS

**Gold Award** Shark Haven Act, 2009 and Protected Areas Network Act, 2003, Palau

**Silver Award** Marine Resources Act, 2000, Namibia
Tubbataha Reefs Natural Park Act, 2010, Philippines

2011: FORESTS FOR PEOPLE

**Gold Award** National Forest Policy, initiated in 2004, Rwanda

**Silver Award** Community Forest Policy, initiated in 1995, Gambia
Lacey Act, with its amendment of 2008, USA

2010: BIODIVERSITY

**Gold Award** Costa Rica Biodiversity Law, 1998, Costa Rica

**Silver Award** Australia Great Barrier Reef Marine Park Act, 1975, and Environment Protection and Biodiversity Conservation Act, 1999, Australia

2009: FOOD SECURITY

**Gold Award** Belo Horizonte Food Security Programme, 1993, Brazil

**Silver Award** Tuscan Regional Law 2004 on the Protection and Promotion of Heritage of Local Breeds and Varieties of Interest to Farming, Animal Husbandry and Forestry, 2004, Italy
Urban Agriculture Policy, Cuba
Our “Best Policies” are those that meet the Future-Just Law-making Principles and significantly support fair conditions for future generations. The International Law Association has adopted Seven Principles for Sustainable Development Law. These principles were the result of ten years of academic work and are regarded as the “first blueprint for the emerging field of sustainable development law and policy” for professionals dealing with policy-making and evaluation. The Seven Principles methodology is strictly applied in the evaluation of all policies that are nominated for the Future Policy Award. For further information, please see: www.worldfuturecouncil.org/future_justice_principles.html
BEST POLICIES FOR FUTURE GENERATIONS

The World Future Council consists of 50 eminent global change-makers from governments, parliaments, civil society, academia, the arts and business. We work to pass on a healthy planet and just societies to our children and grandchildren with a focus on identifying and spreading effective, future-just policy solutions. The World Future Council was launched in 2007 by Jakob von Uexkull, Founder of the ‘Alternative Nobel Prize’. It operates as an independent foundation under German law and finances its activities from donations.

HELP US CREATE A BETTER WORLD!

As a charitable foundation, we depend on your support to build a future-just world! You can donate to a specific project or the overall work of the World Future Council to help us to continue our successful work.

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