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Progress report

Mr MERCAN (*Turkey*). – I congratulate you, Mr President, and your office on the work that you have done since taking office, especially on this session's programme, which is inspiring and which touches on critical issues vis-à-vis the European Union and the Council of Europe.

I congratulate you, too, on bringing some prominent figures to our debate. That increases our responsibility by increasing the visibility of the Council of Europe in our home countries and by increasing the Council of Europe's resources to make it more effective. We all believe in the values of the Council of Europe.

I extend my congratulations, too, to Mr Hammarberg on his election as Human Rights Commissioner. I hope that his contribution to the promotion of human rights will be acknowledged not just within the Council of Europe, but universally. His career in the field gives promising signs for success. I have full confidence that he will perform his task with total integrity and transparency.

Although the human rights situation in most member countries has improved over the years, problems remain. We all face the challenge of struggling against terrorism. The Commissioner's determination in fighting against such problems without limiting human rights will shape the future of our societies.

I also take this opportunity to offer my appreciation of the efforts of your predecessor Mr Alvaro Gil-Robles, who promoted and enhanced the objectives and principles of this institution. I believe that during your tenure, Mr Hammarberg, you will raise the flag of human rights standards even higher. We will always be ready to extend our full support to you and to co-operate with your office.

On the recent election in Ukraine, I extend our congratulations to the people and government of that great country on holding free and fair elections last month. The outcome reflected the democratic majority of the Ukrainian people.

Poverty and the fight against corruption in the Council of Europe member states

Mr CEBECI (*Turkey*) – I would like to congratulate our colleague, Mr Cousin, on his report examining the links between poverty and corruption and the measures to be taken to alleviate these two problems.

Although corruption is not a new phenomenon, it has gained even further magnitude in recent years. Corruption is a threat to good governance, erodes confidence in respect for democratic institutions and emerges as an obstacle to economic development.

The fight against corruption requires concerted action from the international community and a two fold strategy covering supply and demand dimensions of this phenomenon. At the national level, high-level public officials' and politicians' corrupt practices as well as corruption within the justice system should emerge as the priority areas of concern. Bribery, cheating in the public adjudication, defrauding and embezzling are frequent practices of corruption.

Political determination, good governance, transparency, accountability and a solid anti-corruption legal framework are the pillars of a successful fight against corruption at both national and international levels. Countering corruption is an effort that the whole international community, and developing countries in particular, have to face in their way to economic and social prosperity.

Our rapporteur has given a clear and full list of measures to be taken in the fight against corruption. We, the members of this pan-European Parliament, should urge our governments to adopt these measures and create a viable economic atmosphere free from corrupt practices. We should bear it in mind that we risk the future of our children if we ignore this problem or fail to address this issue in a prompt and swift manner.

Within the context of this report, I would like to underline another important aspect in the fight against the corruption. Unfortunately, we should not underestimate the role of multinational corporations in the process of corruption. It is not ethically proper to focus only the receiving end of this equilibrium. The multinational corporations should also do their best to minimise their involvement in corruption. Member states of the Council of Europe should enforce their legislation prosecuting their nationals who are involved in corruption-related offences abroad.

I thank the rapporteur once again for his work. I support his report and the draft resolution.

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Relations between the Council of Europe and the European Union

Mrs ÖZAL (Turkey) – First and foremost, I would like to extend my congratulations to Mr. Jean-Claude Juncker for his speech and the report he prepared on the relations between the Council of Europe and the European Union. I am confident that Mr. Juncker's report and his ideas announced today will be seen as a basis in the preparation process of the memorandum of understanding to be signed between the two organisations.

Why are the relations between Europe's oldest and most developed organisations so vital for us? Why is there a pressing need to put these relations in order? The answer is simple. The Council of Europe and the European Union are highly

complementary in their areas of action and their experiences. Since the end of the cold war, both organisations are deploying efforts in similar areas such as promotion of democracy, human rights and the rule of law. Therefore, the urgent need for greater cohesion and unity in Europe in the context of a partnership is growing every day and that is why we are discussing this issue at length in this Parliamentary Assembly sitting.

While re-defining the new partnership between these two organisations, we should respect the differences in both organisations nature. Both the European Union and the Council of Europe are vital parts of the European architecture, each with its own vocation and its own particular added value. Therefore, we should value each organisation's prerogatives and areas of excellence separately in our efforts to draw the co-operation framework between the two organisations.

That is why, while outlining the important features of the relationship between the two institutions, we should keep it in mind that Europe is not limited to 25 or even 27 countries. It stretches far beyond and it is the Council of Europe with its 46 member countries, representing more than 800 million Europeans that personify a wider pan-European concept. The Council of Europe has unrivalled experience in the fields of its core activities: that is democracy, human rights and the rule of law. It is the Council of Europe that sets the basic human rights standard with the case-law of the European Court of Human Rights. The Council of Europe has considerable activities in cultural and social fields.

Moreover, the Parliamentary Assembly of the Council of Europe is a unique forum with its representatives coming from 46 European states and this makes the Parliamentary Assembly a school of democracy and a model for the rest of the world.

We must take these strengths of the Council of Europe into account while drawing the framework for a future partnership. And, we should refrain from diminishing the strength of this already established and well functioning mechanism by creating parallel structures in different European organisations. The duplication of structures and activities not only weakens the institutions but is also a waste of money.

To conclude, I would like to underline once again that the Council of Europe is a unique institution with its own strengths. It has taken many years to form such an institution and therefore we should refrain from any hasty decisions to weaken this unique institution. That is why, we should be very careful while defining the future partnership between the two organisations.

Situation in the Middle East

Mr ÖZAL (*Turkey*). – I warmly congratulate our colleague Mr Margelov on his constructive and balanced report.

The establishment of a lasting and comprehensive peace in the Middle East, as well as the evolution of its geography into a stable and prosperous region, is the shared desire and goal of the international community. Today we observe once again that the Middle East peace process has lapsed into a period of uncertainty. Nevertheless, we should retain our optimism. There is no reason not to believe that both parties will gradually move towards a more pragmatic stance after the completion of their government formation processes. On the other hand, we should bear in mind the fact that the redefinition of the relationship and the establishment of a *modus vivendi* between the parties will obviously take time.

The results of the Palestinian Legislative Council elections cannot be interpreted as a rejection of the peace process, or as an approval of violence as a means of achieving political ends. Having translated its widespread popularity among Palestinians into a landslide victory in the elections, Hamas should renounce violence. It should also accept Israel's right to exist within secure and recognised borders side by side with a future Palestinian state, and endorse all previous agreements in the peace process, including the road map.

On the other hand, during this transition period we, the members of the international community, should refrain from adopting an uncompromising stance against Hamas. We should remember that the international community showed no objection to Hamas standing in the elections, and we should respect the democratic decision of a people. We should bear in mind that any hasty measure, such as the suspension of international assistance for Palestinians or ignoring the existence of Hamas, might complicate the situation further. We should also bear in mind that a prolonging of the conflict will hurt the people of the region, especially the impoverished Palestinian population.

Turkey, with its strong ties to the region, has always been a strong supporter of the Middle East peace process. It was because of that consideration that the Turkish Government did not turn down Hamas's request to visit Turkey. In February, a Hamas delegation visited Ankara. The Hamas leadership was strongly advised to meet the requirements of the Quartet: to renounce violence, to recognise Israel's right to exist, and to commit itself to previous agreements adopted during the peace process.

I believe that in the meantime – just like Hamas – Israel must not only stop extrajudicial killings, but stop killing innocent civilians including many women and children, such as the 8-year-old girl killed yesterday during shelling of refugee camps. That is no way in which to establish peace and advance democracy. Israel must also comply fully with the pertinent United Nations resolutions, and remember its previous commitments in the road map that it accepted on 25 May 2003.

Apart from those current political issues, the need to address the economic and social problems of the Palestinians remains a priority. Any effort to revitalise the peace process urgently requires the alleviation of the serious economic and social problems of the Palestinians. That will also help to keep alive their hopes for a viable statehood, and it should be adopted as a moral and humanitarian duty by the international community. In that understanding, the international community should give concrete support to the Palestinian side in the framing of a structured plan of action.

I am convinced that, as the main human rights body of the European continent, the Council of Europe could and should contribute to the promotion of democracy, human rights and the rule of law in the Middle East. Unless prejudices are eradicated from people's minds, there is no point in talking about dialogue. I sincerely believe that the Council of Europe should increase its role in the promotion of democratic values, with particular emphasis on intercultural and inter-religious dialogue in the whole region, and that the Political Affairs Committee should continue to follow the matter up.

Mr ATEŞ (*Turkey*). – I thank the rapporteur for an excellent report and the Secretariat for its excellent work.

I want to make one thing clear. This Assembly has passed two resolutions. Resolution 1245 was passed in 2001 and Resolution 1420 was passed in 2005. Both resolutions asked the Political Affairs Committee to organise a Tripartite Forum to which we had to invite two people from the Knesset and two people from the Palestinian legislative council. We did not have the right to choose who should come.

We were very successful in organising the Tripartite Forum, but this time there have been difficulties and the Palestinian Legislative Council was not able to send any representatives or they were prevented from coming. It is not clear what happened and we are trying to investigate the real reason why the Palestinians could not come. However I hope that the forum will meet successfully in the near future in this Chamber.

Social reintegration of prisoners

Mr GÜLÇİÇEK (*Turkey*) said that the social reintegration of prisoners and the question of how to deal with recidivists had been the subject of broad discussions in Europe. Firstly he wanted the Assembly to consider whether prison had anything to do with the social reintegration of prisoners. If people were in prison for a long time, de-socialisation occurred because it was harder for prisoners to retain their ties with the outside world. Reports showed that the situation in most cases was that a prison record was a drawback when it came to reintegrating into society. Prisoners often found themselves ill-equipped for society. The lack of

understanding on the part of those affected; the lack of specialisation of prison officers and the lack of government spending meant that the reintegration was not often successful. Successful reintegration into society needed to be gradual and long drawn out and needed the input of medical and social services. In order to rectify matters, it would be necessary to address what happened in custody, and then what happened afterwards.

During detention, the situation for most prisoners deteriorated because they had no information from outside, no education and no work. In France, for example, 6% of released prisoners re-offended within a year; and 60% returned to prison within six years. It was important that all societies respected the right of prisoners to education, information and work. In particular, prisoners needed to be able to earn some money in order to accumulate savings to use upon their release. It should become general practice that prisons allowed conjugal visits and prisoner leave to help ensure the gradual re-introduction of offenders into society.

Tagging – which had been developed in the 1960s and applied in the United States, Canada and the United Kingdom – eased conditions in prison by keeping the population down. In addition, society saw a decrease in re-offending rates. Prisoners needed to be returned home more quickly subject to stringent supervision.

It was even more important that prisoners were helped after their release. Most of them felt some trepidation before their release. Governments needed to provide the necessary support. In most European countries that did not happen. Support for ex-offenders should include helping them to find jobs.

Mrs BILGEHAN (*Turkey*) said that respect for human dignity was indispensable for a democratic state. The Court of Human Rights had stated that prison conditions must not undermine dignity, nor lead a person to feel degraded. In the past, Commission reports had stated that overcrowding, lack of proper bedding, poor heating, the absence of leisure pursuits and absence of contact with the outside world were all relevant to questions of degradation and inhumanity. The civil rights of released prisoners must be upheld, and the state must help them to resume a normal life. There must be no discrimination, and the report quite rightly suggested guidelines on this matter as well as addressing improvements inside prisons. The Turkish authorities had undertaken a root and branch reform of their prisons in recent times, introducing gyms and exercise yards. The European Court had stated that Turkey's Type F prisons were now of a high standard. It was regretted, however, that large numbers of prisoners still reoffended in Turkey within five years of release and progress in that area was looked forward to. She thanked the rapporteur for addressing the position of women and young offenders.

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Belarus in the aftermath of the presidential election of 19 March 2006

Mr ATEŞ (*Turkey*). – Belarus has been in isolation for a long time – since 1997. Despite all the efforts of the Council of Europe, the Inter-Parliamentary Union and other international organisations, there has been no improvement at all. Democratic values and human rights are violated, but we cannot simply say that we will have nothing to do with Belarus or that we will just forget about it. Whatever we do, we do for the people of Belarus. Writing reports and passing resolutions is fine, but we have to take further steps for the sake of the Belarusian people. I do not care which government will be in power. I do not support the Lukashenko government or the opposition. The Council of Europe had a meeting in Prague before the elections at which we tried to do something for the people of Belarus. We do not take sides in the political race. This is a good report and Mr Herkel worked very hard on it, but that and the resolution are not enough to solve this situation. The Political Affairs Committee and its sub-committee will keep working until we find an acceptable solution for Belarus.

Refugees and displaced persons in Armenia, Azerbaijan and Georgia

Mr MERCAN (*Turkey*) – I would like to thank Mr Boriss Cilevičs for his comprehensive report on refugees and displaced persons in Armenia, Azerbaijan and Georgia, giving an insight into the humanitarian and human aspects of the situation. Those people are one of the victims of the unresolved conflicts in the South Caucasus region. The picture he has drawn continues to give cause for concern. Yet it is encouraging to see some positive signs that the three countries are moving forward with the local integration of their refugees and displaced persons.

The report reveals the fact that we, the parliamentarians, should work hard to mobilise international development aid or financial support to the South Caucasian Governments' efforts in dealing with this serious problem. They are in need of substantial urgent aid for restructuring the lives of those victims - in other words, for providing nutrition, education and health services, job opportunities, infrastructure and housing. Moreover, the economic and socio-political development of these three countries will be severely hampered if the situation does not improve.

Although Mr Cilevičs' report deals mostly with the humanitarian and human aspects of the situation, in the draft resolution, a call is made to the member states to offer their good offices in order to try and achieve a permanent settlement of the conflicts which are still raging and which maintain the entire region in a state of chronic under-development. I think this call is important and should be responded to. We should not overlook the root cause of this endemic problem. Without a

peaceful and permanent settlement, security and stability will never be established and prosperity will never prevail in the region.

It is encouraging to see that the three countries have embarked on programmes for the local integration of their refugees and displaced persons. Yet those Governments should be supported as well in their efforts to adapt their legislation in order to assure that refugees and displaced persons have the same political, civil, economic and social rights as the local population. Such incentives would not only enable these communities to contribute to the development of the regions that they are living in, but also prepare them for voluntary return under better social and psychological conditions.

At this point, I would like to refer to the recent efforts of the Georgian authorities for laying the groundwork of the repatriation of the Meskhetian Turks to their homeland, Georgia. Meskhetian Turks is the only group who were expelled from their motherland in the 1940's and could not return to their homeland. Their repatriation process, if completed successfully, would set a precedent in many aspects to other cases in the region.

In accordance with its obligations and commitments undertaken at the time of its accession to the Council of Europe, the Georgian Government is now creating the necessary legal and administrative conditions for this purpose. Apart from the legal framework, the content of the law bears significance. If the law on repatriation complies with the basic norms and standards of the Council, the Meskhetian Turks would be given the chance to assume their basic rights and be loyal Georgian citizens. This will put an end to their decades long suffering.

With regard to persons displaced by the conflicts in Abkhazia and South Ossetia, the efforts of the Georgian Government to ensure their return to places of their former residence should be acknowledged and encouraged.

A new policy for improving the overall living conditions of displaced persons, launched by the Georgian Government and known as the "New Approach" seems to be useful for the time being and UNDP's support to extend it to other regions is worthwhile.

The largest movement of displaced persons in the region have taken place in Azerbaijan. IDPs enjoy the right to vote in national and municipal elections. Their access to means of production and to property is important as well.

In addition to the displaced persons who had to flee Nagorno-Karabakh and the occupied districts of the Republic of Azerbaijan, there are also Azeri refugees from Armenia. It should be underlined that Azerbaijan has granted full civil rights to its

refugees, starting with the right to Azerbaijani nationality. Yet, the situation of refugees of foreign extraction such as Iranians, Iraqis, Afghans and Chechens seems to need more attention. Improvements in terms of accommodation and infrastructure remain dependent on financial resources. Thanks to the payments from the “Oil Fund”, Azerbaijani efforts in this respect yield positive results.

As Mr Cilevičs stated in his report, enjoying civil, economic, social, and cultural rights in the regions in which they live, refugees and IDP’s regain a certain dignity, which will certainly be complete once they are able to return home. However, to make peace with their past, issues such as investigation into the fate of missing persons or restitution of property should also be settled. To achieve all these, the relevant authorities need our assistance in financial, legal and political terms. If we cannot prevent the conflicts, at least we should try to salve the wounds.