

## ***Budgets and priorities of the Council of Europe for the year 2011***

Mr CEBECI (*Turkey*) – The report that I am presenting today is the outcome of some broad-ranging thoughts on the Secretary General’s proposals concerning the reform strategy in general, and his priorities for the 2011 financial year in particular. With regard to the reform in general, reforms are essential to revitalising the Council of Europe’s political effectiveness and influence in Europe, particularly in this period of economic, financial and, in some cases, social instability.

Mr AÇIKGÖZ (*Turkey*) – First, I want to thank the rapporteur, Mr Cebeci, for his comprehensive report. I welcome the rapporteur’s important comments on the budgets and priorities of our Organisation for 2011. They are all relevant and timely observations. I am pleased to see that the views of the Assembly run in parallel to those of the Secretary General of the Council of Europe. The full involvement of each statutory body and its staff is imperative for the success of the reforms laid out by Mr Jagland last January.

Through 60 years of action, the Council of Europe has served as a lighthouse for its members as well as for non-member countries in reaching and upholding high values. Today, in an era of unpredictable threats to those values in our European societies, our Organisation has a key role to play in making use of its soft power. The economic and financial crisis has created a more challenging environment for our Organisation, with an increased need to monitor threats such as discrimination, xenophobia, corruption and terrorism. We should stand strong by adapting our structures and methods to this new environment through reform.

I am aware that the Secretary General has outlined his reform plan and has adopted an holistic approach with a focus on impact and added value and not on whether activities represent so-called “core activities” or enabling factors. That is the right approach.

The 2005 Warsaw Summit action plan included the themes of social cohesion as well as culture and intercultural dialogue as inseparable elements of its third heading, entitled “Building a more humane and inclusive Europe”. The recent financial crisis and its effects on economic instability in Europe have had serious effects on our societies. In particular, they have aggravated problems with a social dimension. We therefore expect that activities under those themes should be treated equally with all other works of the Council of Europe in the future, both in terms of priority setting and budget allocations.

In that context, I particularly welcome the referral in Mr Cebeci’s report to the need to give more consideration to the issue of migration and, in particular, that

of established migrants in Council of Europe member countries. New concepts should be developed to address the human rights issues of migrants who are resident in Europe through an holistic and rights-based approach, including their social rights and their full integration into host countries.

Mr CEBECI (*Turkey*) – Madam President, dear colleagues, I thank you all for your comments and questions. Everybody knows that reforms require changes and that serious reforms require serious changes, so either we do different things or we do the same things differently. Everybody also knows that change is a difficult process, especially when it is initiated voluntarily; people have choices and they want to start the process so they do not end up in a situation where they have no other choice but to shut things down.

Putting together a budget is not a fun activity during normal times, as I can testify, but it is definitely not easy during these economically turbulent times, when our governments apply fiscal discipline and are forced to do so. Unfortunately, as most of you stated in your comments, during these times of economic turmoil some groups of people in all of our member countries, whose soft security we are trying to protect, need more protection than in regular times. We face a negative feedback mechanism and a Catch-22 position, so this is not an easy thing to deal with. I understand all the criticism and the comments made, particularly by Mr Mignon, that some governments – I believe this and I know that most of you do too, given our private conversations – use this economic instability as an excuse to cut their contributions.

Specific questions were asked about the future and what to cut. I am sorry that I could not answer them specifically, because each year the budget process is one of give and take. So far, we have performed the core business of our Council of Europe activity very efficiently and in line with our core values. As to the future, it seems that with the new Secretary General there is a much better environment in which to co-operate and there is a good chance that we can carry out our core activities. We will be here next year and the year after to see that and to test that.

### ***The situation in Kosovo and the role of the Council of Europe***

Mr TEKELİOĞLU (*Turkey*) – I thank our rapporteur for his comprehensive and thorough report. It makes important observations, as well as drawing conclusions and making recommendations. It is timely that we are discussing the situation in Kosovo, given that the advisory opinion of the International Court of Justice is expected to be issued in the period ahead. Many countries, including mine, have already recognised Kosovo. Irrespective of the question of status, member states of the Council of Europe should aim at raising standards of democracy, human rights and the rule of law, so that all populations in Kosovo enjoy an equal level

of rights as those in member countries. As the region moves forward on its European path, we need to ensure that Kosovo does not lag behind. We must be united in our wish to see a stable economy, functioning institutions and the effective rule of law in Kosovo, in line with the European perspective for the region. We have to assist Kosovo with the necessary reforms in this respect and improve the lives of all people and communities.

I especially subscribe to the opinion of Mr von Sydow when he says that the policy of status neutrality should not be considered an obstacle to direct working relations with the Kosovo authorities at all levels, as other international organisations do. It is only through active co-operation between countries based on the principle of mutual respect that Kosovo will be able truly to come to terms with the past and achieve lasting reconciliation. Regional co-operation, as inclusive as it must be, is more relevant than ever. Open bilateral issues must be addressed urgently.

Turkey attaches great importance to our relationship with the Balkan countries, including Kosovo. We believe that, in line with the guiding principles of “regional ownership” and “all-inclusiveness”, Kosovo cannot and should not be isolated in the crucial regional challenges such as the fight against terrorism, organised crime and corruption. Bilateral conflicts and reconciliation issues can be overcome if countries put more effort into regional co-operation.

It is true that inter-ethnic relations are good. But in addition to the common difficulties of unemployment and an inefficient justice system, the Turkish community faces other important difficulties, including the lack of compliance with the constitution on the use of the Turkish language in official documents such as identity cards and passports issued in municipalities in which Turkish is an official language and the failure to protect the Ottoman cultural heritage all over Kosovo, where it is under threat from suburbanisation and vandalism. I trust that the Kosovo authorities will spare no effort to address those difficulties.

Mrs MEMECAN (*Turkey*) – I would like to congratulate Mr Berényi on his very strong and comprehensive report on the problems of the Roma in Europe and on his recommended measures to make life easier for them.

Roma people are still being subjected to severe cases of discrimination in many Council of Europe member states, as my colleague has described. Generally, they are looked down upon, rejected and excluded from schools, public spaces, health centres and government offices. They therefore remain uneducated, poor and hopeless. The vicious cycle continues and they live in segregation. Roma people have been coping with discrimination and with further persecution by way of migration. They have been on the move for centuries. Continuous migration

contributed to their free-spirited character which made them rather unassertive. Although the majority of them are not on the move as they used to be, they seem to have maintained the spirit and the traditions of travelling.

Roma people are a colourful asset to the diversity of Europe. With a little national attention to the improvement of their situation, the Roma people could be a lively, industrious part of our societies. First and foremost, their safety and security issues need to be addressed. Many Roma residents and the travelling Roma face violent attacks as well as humiliation and discrimination. Many flee from other countries to escape from violence. The cases of violence against Roma comprise not only threats to their physical well-being but also a psychological depressing phenomenon for the whole Roma community in Europe.

When running away from one EU member state to another, Roma asylum seekers are confronted by EU legislation. A citizen of one EU member state cannot be granted refugee protection in another EU member state because the state of origin is considered to be a safe country. They are required to prove their ability to cover themselves financially if they want to stay for more than three months in another EU state as EU citizens. They also encounter language barriers, as well as the other problems common to all migrants. Therefore, their situation gets even more complicated when they decide to run away from violence. The problem of asylum-seeking Roma will be addressed by the report on Roma asylum seekers in Europe being prepared by the Committee on Migration, Refugees and Populations.

The member states should take every precaution to prohibit violent acts against the Roma. The situation of the Roma should be taken seriously, and sustainable, realistic solutions need to be provided to improve their social and economic status in society. I would like to mention the exemplary initiative that Turkey has taken to improve the situation and the empowerment of the Roma in Turkey. Under the leadership of the prime minister, numerous fact-finding meetings have been held with the representatives of various Roma communities all around Turkey. In order to be represented, many Roma communities assembled to start their own associations, debated their issues and elected their representatives. Through many workshops in which I played a part, their needs and demands have been identified and mutually agreed on. The root causes of all the deprivation they have had to suffer were pinpointed as discrimination and humiliation. They felt excluded and shied away from taking part at school, in the workplace, and in public places in general.

In order to restore their pride and confidence, the prime minister of Turkey invited 15 000 Roma people from all around Turkey to a stadium in Istanbul and addressed them last March. There was a lot of joy and mutual appreciation during

that festive event. He launched the project to improve and sustain the situation of Roma by addressing their housing, education, employment and health needs. He stressed that all discrimination against the Roma was unacceptable and that any discriminatory action would be punishable. Just the event itself is a sign of the recognition and respect that the prime minister has for the Roma people, and this will resonate at all levels of public office and social life, from police stations to schools to hospitals.

### *Irregular migrants*

Mrs TÜRKÖNE (*Turkey*) – Thank you, Madam President. Dear colleagues, we do not know how many irregular migrants there are in Europe. There could be about 10 million in Council of Europe member states, some of whom will be fortunate enough to have their situation regularised, even if the large-scale regularisation programmes have dried up across Europe. Many of these people will remain in Europe, living on the fringes of society, facing exploitation, and living in fear and with little in the way of human rights protection. However, a significant number will return to their country of origin. Some will be forced to return through deportation, whereas others will decide to return voluntarily. It is the issue of voluntary returns – or, to be more precise, “assisted voluntary returns” – that we are discussing today.

What are these assisted voluntary returns? First and foremost, they are voluntary returns; they are returns undertaken with the free will of the returnee. Secondly, they are assisted returns; assistance is provided to help the person achieve a sustainable return home in dignity. Of course, sustainability is essential, because if people cannot integrate and make a living on their return, they will seek to leave the country again. Dignity is also essential because one of the main barriers to people returning is the fear that they will lose face in their communities if they return.

Another question to address is the type of assistance offered to returnees. The assistance varies from one programme to another and from country to country, but it mainly includes three phases. Phase 1 is pre-departure assistance, which includes the provision of information and counselling about the whole return process. It can be of assistance to have contact with people in the home country to find out whether the return will be safe and whether economic opportunities exist to allow the returnee the possibility of making a living. The assistance can also include help with obtaining travel documents and identity papers.

Phase 2 involves transportation from the host country to the home country and the home town, city or village. This can include assistance with travel tickets and baggage allowances, and help at the airport. Phase 3 is the post-arrival phase. This

is essential if the return is to be sustainable and the person is not to leave again. In some countries, cash can be provided, but there is now a move towards providing assistance in kind. This can include options such as education, employment, business training and business set-ups. Assistance in kind is more useful, and it also avoids accusations of paying cash rewards to irregular migrants.

In the report that I have prepared, you will see much more detail on how the assisted voluntary return programmes have been set up in countries such as the United Kingdom, Switzerland and the Netherlands, and how those countries have developed the assistance they offer and the monitoring that is undertaken to ensure that the programmes are effective and sustainable.

The arguments in favour of assisted voluntary returns are powerful, and I can give five reasons for promoting them. First, they are much less harrowing for the returnee than forced returns, and they also allow the returnee to return in dignity. The Committee of Ministers of the Council of Europe has recommended in its 20 guidelines on forced return that voluntary returns be favoured over forced returns. Secondly, they provide the returnee with the possibility of integrating in their country of origin and ensuring a sustainable return. One of the problems with forced returns is that the persons returned often simply leave again. Recent statistics for Roma returns to Kosovo – which we debated earlier – show that 75% of returnees leave again because the return is not sustainable. The International Organisation for Migration has monitored the sustainability of certain return programmes. In the United Kingdom, for example, only 4% of voluntary returnees sought to leave their home country again, and of those 4%, most sought to leave through regular channels.

Thirdly, assisted voluntary returns are much less costly for the host country, compared with systems of detention and deportation. In fact, according to UK statistics, they cost a third of the amount needed for a forced return. Most recent UK statistics show that a forced return costs between £11 000 and £25 000, whereas a voluntary return costs between £600 and £5 000. Fourthly, they can also contribute to improved relations between the host country and the country of origin. Many countries of origin do not favour the forced return of their nationals and will even block returns directly or indirectly. Fifthly, they can promote development in the country of origin. In this respect, it is interesting to note that most returnees opt for assistance in setting up small businesses. The IOM has monitored these businesses, and the large majority remained in operation, often employing additional persons and contributing to the local economy.

I have concluded in my report that these different programmes have been successful in ensuring an effective, humane and cost-effective mechanism for

returns. I shall stop now and listen to the comments that my colleagues wish to make.

Mrs TÜRKÖNE (*Turkey*) – I thank my colleagues who have contributed to the debate. When I was preparing the report, I experienced much criticism of assisted and voluntary returns, so it is good to hear from colleagues about approaches similar to mine.. We have also heard some criticisms and questions about how voluntary the returns are. We should bear in mind that there will always be push and pull factors. Push factors include fear of deportation and pull factors include missing family and friends. There will always be questions about whether returns under such schemes are voluntary, especially if there is no legal option to stay. If a person is in detention, they have even less of an option. Mrs Reps asked about whether such returns were voluntary and we must always be careful in that regard.

Mr Santini raised another issue when he pointed out that the percentage of such returns is very small, compared with programmes of forced return. It is true that the number of assisted, voluntary returns is small compared with the total number of migrants, but in the United Kingdom some 30 000 persons returned under such a scheme in the last 10 years. That may be a small number, but it is not negligible. More could be done to increase the number of voluntary returns, but they will never be the total answer to the issue of irregular migrants, failed asylum seekers or persons stuck in transit.

Another concern is re-entry bans. When I made my fact-finding visit to the United Kingdom, I discovered that the re-entry ban following a voluntary return funded by the public purse is five years, whereas forced deportation carries a 10-year re-entry ban. Many returned persons may retain strong links with the host country, including relatives living there, so a re-entry ban may weigh heavily against a decision to return voluntarily. Therefore, member states should keep such bans to a minimum.

Other concerns include the cost, the idea that some people are serial beneficiaries or that reintegration assistance is a kind of bribe. These are urban myths, such as the one that people flock to take the benefits and return to claim again. There is little evidence that migrants will enter a country several times in order to take advantage of its mutual assistance packages. According to recent studies, migrants are motivated to return to their home countries primarily by factors other than financial incentives, such as the desire to see family or friends or to have better opportunities than in their host countries. That is why member states are encouraged in the draft resolution to open up these programmes as much as possible so that as many people as possible can benefit from them, whether they are asylum seekers, failed asylum seekers or irregular migrants.

The Committee of Ministers is asked in the recommendation to promote such voluntary programmes further in the context of their guidelines for member states on voluntary returns to complement their guidance on forced returns. I want to put on record the excellent co-operation we had from the International Organization for Migration in preparing this report. I also want to thank those involved in my UK visit and those who organised the conference in the Netherlands last year on this issue.

Voluntary return is not an answer for all irregular migrants. It is one of a number of measures that need to be supported by member states to tackle irregular migration. I hope that you can support the draft resolution and recommendation.

### **The situation of Roma in Europe and relevant activities of the Council of Europe**

Mr ÖZDEN (*Turkey*). – I would like to thank Mr Berényi for his informative and eye-opening report on the position of Roma in Europe. It is a real wake-up call to all of us.

In this report, which is the latest proof of the alarming position of 10 to 12 million Roma, we see once again that there is a lot to do. Unfortunately, Europe as a whole has failed in its handling of Roma issues so far.

We have to admit that the efforts undertaken so far by European countries as well as international organisations, in particular the Council of Europe, have not been sufficient to make a significant change with respect to the improvement of the position of Roma in Europe. The Roma people still face serious problems in the fields of education, employment, health services and housing as well as social integration. In the simplest terms, this is a deplorable situation.

In addition, perhaps the gravest finding in the report is the tragic fact that there is an increasing trend in Europe towards anti-Gypsism of the worst kind. It is indeed high time, as noted in the report, for a careful assessment and for us to face up to our responsibilities.

Discrimination against Roma in employment, housing, education, healthcare and politics is detrimental to the future of Europe and to the sustainable development of our societies.

I agree with the points in paragraph 14 of the draft resolution that the Roma issue primarily falls under the responsibility of national authorities. Living conditions of the Roma or the perception of Roma by the public vary from one country to another. In some countries Roma may want to maintain their traditional

way of life, while in some others they may wish to be fully integrated into the society, while preserving their identity and culture.

We should not disregard the fact that dire conditions, poor living standards and the poverty of the Roma are quite often confused with their traditional way of life and cultural heritage. We should not forget that it is those unacceptable conditions that foster the stereotypes about Roma. Therefore our priority must be to raise living standards for the Roma, as equal and dignified individuals in our societies.

In this regard I would like to commend the Council of Europe's work on Roma issues and say how pleased I am that the situation of Roma in Europe will be kept high on the agenda even after the reform process. My country will continue to support and actively participate in the Council of Europe's efforts to this end.

I would also like to thank Ms Nursuna Memecan and Ms Elvira Kovács for their valuable contributions to this report.

Ms Memecan's opinion paper shows us another surprising fact that Roma are vulnerable also in EU countries. It is hard to believe that Roma in some EU countries are granted refugee status by Canada. Let us not forget that in the United Nations Convention, refugee is defined as any person who has well-founded fears of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

In concluding, as my fellow colleague Ms Memecan mentioned in her opinion, I also would like to draw your attention to the recent initiative of the Turkish Government regarding the Roma community in Turkey. Last March, the Turkish Prime Minister addressed a large group of Turkish citizens of Roma origin and launched an ambitious project.

This project will include measures of positive action aimed at enhancing the opportunities of Roma, such as free transport to schools, special support for studies, and improving housing conditions as well as measures to eradicate discrimination against the Roma.

I would conclude my statement by saying "dosta". Thank you for your attention.

**Readmission agreements: a mechanism for returning irregular migrants**  
**Voluntary return programmes: an effective, humane and cost-effective mechanism for returning irregular migrants**

Ms KELEŞ (*Turkey*). – I would like to congratulate the rapporteur on writing a comprehensive and realistic report. Asylum seekers and irregular migrants in Council of Europe member states are one of the challenges of the present time. Their numbers, especially the number of irregular migrants, are increasing very rapidly and their detention and readmission to their countries or to a third country creates problems. The need for a young labour force in some developed countries encouraged migration from the developing countries years ago, but it turned out to be a social and economic problem. Now the developed countries that had encouraged migration are having readmission agreements to send people back to their own countries, to their transit countries or to a third country if available.

It is normal to have readmission agreements that reiterate and define the obligations of a country to readmit her citizens, but to have readmission agreements that set out conditions under which transit countries are obliged to readmit citizens of third countries that have passed through their territory is not fair. It is not fair because it will make transit countries pay for a problem that they have not created. A transit country may not be able to afford to protect her shores and borders efficiently enough to prevent the entrance of irregular migrants. When the shores and the borders are long, to make the necessary changes to prevent such migration may be expensive. If the transit country is on the way to the target countries of irregular migrants, then she should not be obliged to readmit all the irregular migrants. If she spends money better to protect her shores and borders then that expenditure should be shared by the countries that benefit from these changes, or by some international organisation.

As is written in the report, there is another aspect of readmission agreements. Readmission agreements may pose a threat directly or indirectly to the human rights of irregular migrants or asylum seekers. If they are sent to a third country, there is the possibility that they may be shuttled back to their country of origin without even submitting an asylum application. Sometimes irregular migrants, as soon as they reach a transit country, tear up their identification cards or other documents that show their country of origin. This makes things more complex and complicated with regard to readmission agreements. It will also worsen the situation of the transit country. Actually, it will create a great problem for the transit country because item 6.7 of the draft resolution says that “a sending country always first tries to return a person concerned to his or her country of origin before requesting readmission by a country which is just a transit country”.

This is a very positive point but when the identification card that shows the country of origin is destroyed, it is hard to make the irregular migrant give the name of their country of origin. This prevents the implementation of item 6.7. Unless the necessary measures are taken, the situation that arises will be very unjust, and the financial burden it will create will be unbearable for the transit countries.

### ***Islam, Islamism and Islamophobia in Europe***

Mr KUMCUOĞLU (*Turkey*) – Mr Jensen has taken up the task of producing a report on an important and controversial topic that affects the daily lives of many Europeans. During our discussions on the report in the Committee on Culture, Science and Education, I had the opportunity to see Mr Jensen's meticulous work from its inception. His efforts to cover all aspects of the issue have resulted in a report that manages to strike a fine balance on a sensitive subject.

The report highlights fundamental dangers to European societies in the form of intolerance and discrimination, two agents that corrode the foundations of our society. I believe that the Council of Europe, in its endeavour to promote our core values of democracy, human rights and the rule of law, should combat intolerance and discrimination wherever they emerge. In recent years, it has been the Muslim communities that have increasingly become the object of intolerance and discrimination.

Aspects of the issue are intertwined. The manipulation of religious beliefs for political reasons and religiously disguised extremism in the form of Islamism as well as discrimination and extremism against Muslims in Europe in the form of Islamophobia are both reasons for concern. In his report, Mr Jensen explains how Islamophobia and Islamism can fuel each other. In that respect, it is interesting to note his conclusion that Islamophobic manifestations such as the social exclusion of Muslims and the association of Islam with extremism cause frustration and further alienate the Muslim population, thus paving the way for Islamism as a form of religious extremism.

The encouragement of fear and the negative depiction of Islam by certain political groups in Europe foment the problem. That unfounded fear of the Muslims of Europe sets in motion a chain of events that culminates in incomprehensible outcomes. In that context, the regrettable ban on the construction of minarets in Switzerland is an example that we must note. There is no doubt that it has a negative impact on our efforts not only to combat discrimination and intolerance, but to bolster intercultural and inter-religious dialogue. In order to overcome the problem, we must address the cause of this irrational fear and we must distinguish between Islam and extreme religious views. Furthermore, we must open lines of

communication and encourage contacts between Muslim and non-Muslim Europeans.

We should not overlook the fact that although extremists can find their way into any religion, moderate believers in general far outweigh them. Furthermore, we must remember that, throughout Europe, Muslims and people with other beliefs have lived together in peace and harmony for centuries and still do. So, the EDG believes that the Council of Europe, with its vast experience in this field, can create significant synergies to tackle the issue.

I wish to conclude by thanking the rapporteur, Mr Jensen, for his report. The EDG supports it, because it provides valuable recommendations and guidelines to member states in combating intolerance and discrimination, as well as extremism disguised as religion.

Mrs KELEŞ (*Turkey*) – Thank you, Mr President. Distinguished members of the Assembly, I would first like to thank Mr Hancock for his excellent statement. “Islam, Islamism and Islamophobia in Europe” is a well-prepared report and I would like to congratulate the rapporteur on his efforts to be objective. However, because of some statements and paragraphs, I cannot say that he was successful.

The word “Islamism” is defined as a “religiously disguised form of political extremism” but no corresponding words are used for other religions. To use the word “Islamism” and to use the terms “radical” and “fundamentalist” only for Muslims gives the impression that those terms are valid only for Islam. That is not fair because radical and fundamentalist people are present in every religion and every country. In addition, to define Islamophobia simply as a “fear of Islam” and not to relate it to terrorist activities and discrimination against Muslims cannot be accepted as an unbiased attitude.

The draft resolution contains some positive proposals, such as inviting member states to be proactive in dealing with social, economic and political inequalities. On the other hand, some statements are not compatible with equality. For example, the sixth paragraph of the draft resolution states that “Islamic organisations active in member states have been initiated by governments abroad and receive financial support and political guidance from those governments.” However, nothing is mentioned about the organisations in some member states that give both financial and political support to terrorist organisations in other states.

To say that many Muslims consider Islam to be incompatible with secularism is not true in every case. Turkey has been a secular state for nearly a century. When it was established as a republic during the early 1920s, secularism was the

decision of a parliament whose members were chosen by free elections. Since then, there have been some changes to some of the articles of the constitution, but the principles state that “Turkey is a democratic, secular and social state that applies rule of law”. Article 4 states that Article 1 – which says that the Turkish state is a republic – Article 2 – which states the principles of the republic that I have just mentioned – and Article 3 – which contains provisions on the unity and integrity of the state – and the official language, flag, national anthem and capital cannot be changed.

Turkey has been a perfect secular state for nearly a century. Sometimes, there are changes in practice because of governments that use religion for internal politics, but that does not change the fact that Turkey accepted the merits of secularism and behaved accordingly long before some of the countries where other religions are accepted by the majority. Banning certain types of clothing in public places is a natural resort of being secular.

I also want to point out paragraph 9 of the explanatory memorandum, which states that “Muslim immigrants seem to integrate slower than non-Muslim immigrants.” That might be true because of the attitude of some Europeans towards Islam and towards Muslim immigrants. As the values of people in Turkey are not much different to European values, the whole nation adopted secularism in an unbelievably short period during the establishment of the republic. I also think that integrity is very important for a country, but I do not understand why some Europeans who talk of the importance of integrity in their countries try to create minorities that are dependent on the ethnicity and religion of other countries, such as Turkey.

Mr TEKELİOĞLU (*Turkey*) – I thank Morgens Jensen for his well-prepared and well-balanced report and extend to him my appreciation. In recent decades, the creation of new fault lines on the basis of people’s most intimate notions, such as religious faith, has, unfortunately, opened a Pandora’s box. Relations between nations, as well as among peoples, have been adversely affected by the recent surge in intolerance and polarisation. Intolerance is also taking hold of European societies, undermining and threatening our shared values of democracy, human rights, democracy and the rule of law. That is why the Council of Europe needs to tackle this upsetting phenomenon.

I am concerned that individuals are being stereotyped due to their different religious and cultural backgrounds. Unfortunately, in Europe, that is the case mainly for immigrants who follow the Muslim faith. They face increasing discrimination and often feel excluded. A simplified and degrading conception of

“the Muslim” is forming. On the other hand, the manipulation of religious beliefs for political reasons is equally disquieting, and I agree with Mr Jensen that both phenomena reinforce each other.

We must deal with the situation that has resulted from the encouragement of fear and the negative depiction of Islam by certain political groups. Islamophobia, so instilled in societies, paves the way for grave mistakes such as the ban on the construction of minarets in Switzerland – a country held in high esteem for its democratic tradition. I strongly welcome the call for Switzerland to enact a moratorium on, and to repeal, the ban – that call was rightly made in the draft recommendation. Such regrettable measures not only contradict human rights, but they endanger our joint efforts in the Council of Europe to fight discrimination and intolerance. Whereas respect for religious beliefs is the key to overcoming intolerance, the ban on the minarets undermines our endeavours to strengthen intercultural dialogue among peoples.

Dear colleagues, let there be no doubt that Islam preaches peace. The distinction between Islam and radical religious views has to be made clear. Furthermore, necessary steps must be taken to ensure that this distinction is grasped by the populations of member countries. In order to combat intolerance and discrimination, we must provide adequate knowledge of faith and open lines of communication, and encourage contacts between Muslim and non-Muslim Europeans. To that end, I support the call for co-operation with the United Nations Alliance of Civilizations, which aims to encourage greater cross-cultural understanding and to foster an atmosphere of mutual respect. The Council of Europe already has a memorandum of understanding with the UN Alliance of Civilizations, and I am pleased to see that Mr Sampaio is taking part in our debate today. The Council of Europe and the Alliance of Civilizations have common goals and the means to co-operate, and the Alliance of Civilizations initiative is already making a difference. The strong global interest in the initiative proves that the international community prefers an environment of co-operation, rather than confrontation.

With those thoughts and feelings I fully support this report, which can guide member states in combating intolerance, discrimination and extremism. Colleagues, at this point, I ought to say something in Turkish to you and to Mr MacShane.

Mr CEBECI (*Turkey*). – Mr President, dear colleagues, I would like to thank the Rapporteur Mr Mogens Jensen for addressing a matter of huge importance and relevance for the future of Europe. I also would like to thank all the rapporteurs who wrote opinions for their respective committees.

Let there be no misunderstanding. The title of this report is “Islam, Islamism and Islamophobia”. We are getting a lot of criticism and pressure on this issue: how come an Assembly known for its tolerance and respect for diversity is discussing our religion? So this report should not discuss what Islam is and what Islam is not, or what are the right or wrong bits of Islam and what are the good and bad parts of Islam. It should not discuss how Islam, as a religion, is in harmony or in confrontation with some values. We have to be careful to separate Islamism from Islam, and if I give you an example, this would be better understood. This report “Islam, Islamism and Islamophobia” is no different from or is exactly the same as a report entitled “Judaism, Zionism, Anti-Semitism”.

In this world there are people who use terror and claim that it is ordered or encouraged by Islam. That is wrong and this is an injustice to Islam and Muslims. Those people who say that are ordinary terrorists who are trying to reach their objectives and using Islam to that end.

Also there might be organisations that are political in nature, and have political objectives and which are using Islam to reach their political objectives. They are ordinary politicians who are using Islam. I am sure that in the history of mankind’s religions, Christianity, Islam or Judaism have been used both to justify wars and to reach political objectives.

I also have to warn that in Europe, especially in western Europe, it is in the relatively more advanced democracies such as Denmark, Netherlands, Austria and Switzerland that politicians whose entire political arguments rely on being anti-Islam and/or Muslim-bashing, have been gaining ground and they are of a size to influence these countries. So just think about the future. Mr Kox has mentioned the material that they are using.

Burqas and minarets are mainly symbolic. Yes, they are part of Islam but not things without which Muslims cannot be Muslims. What I mean by saying that they are symbolic is this: how many new mosques are constructed in Switzerland? Two, three or five. How many women use the burqa in France and Belgium? The answer is 1 000 or 1 200 in 50 million.

There are politicians who fight against minarets and the burqa, but it is not the case that Muslims are trying to build a mosque with a minaret in every town or village in Switzerland, or that there are veiled women all over France and Belgium. Those politicians are trying to ban the minaret or the burqa because it is most convenient to start from there and it is very easy to get popular support from citizens for these bans. My European friends, once they start with the minaret and the burqa, where do you think is the appropriate place to stop?

As politicians, it should be our responsibility to speak up firmly, consistently and with clarity. Europe is not only entitled to be free from discrimination, xenophobia and racism, but has the burden of responsibility to history to be so.

Allow me to repeat that we do not want privileges for Muslims but we want rights and freedoms as equal citizens of Europe.

I would like to conclude my words by thanking our rapporteurs once again for preparing such a difficult report of huge relevance. And thanks to Mr Sampaio for his contributions. Thank you.

Mrs TÜRKÖNE (*Turkey*). – Mr President, distinguished parliamentarians, I would like to thank our Rapporteur, Mr Mogens Jensen, for addressing an issue of considerable significance for the future of Europe.

The future – for which we strive so diligently to build upon the core values of the Council of Europe, so that every individual can live a dignified life and exercise his or her fundamental rights – is in jeopardy. As the consequences of intolerance and discrimination negatively affect the lives of the Muslim communities in Europe, we cannot stand idly by. We must not forget that intolerance can take many forms and can prey on any group that is in any way different from the majority.

I am very worried to witness Islam demonised and Muslims become the victims of abhorrent stereotypes. This mentality which sustains offensive generalisations and misperceptions about peoples of other cultures or faiths – in this case Islam – seeks cultural uniformity by keeping out the “other”.

Societies with rigid boundaries of intolerance quickly become sterile. Where there is no tolerance and no vision for peaceful coexistence, societies perish. So bridges must be built to straddle communities of different religious and cultural backgrounds.

I am also concerned about Islamism creeping into Muslim communities. This religiously disguised form of political extremism comes into conflict with the principles we support. On the other hand, Islamophobia, with its hideous depiction of Islam, is no less a source of concern. It is an agitating factor for the Muslims. Even more distressing is the fact that both trends play into the hands of each other. Mr Jensen’s report explores the delicate interplay between these two phenomena.

Both of these trends must be tackled. However, in our efforts to prevent Islamism from spreading, we must make sure not to harm Islam and offend the faithful. We are politicians not theologians. We must stick to what we know best. It is not up to us to discuss what a religion requires its followers to do, and what

interpretations a believer should abide by. People should simply be free to decide what to wear and how to practice their religious faiths.

Respecting the religious faith of individuals is a key in this regard. That is why I strongly support our call against the imposed ban on constructing minarets in Switzerland. Our goal is to create a peaceful and harmonious society. In order to accomplish this goal we must Islamophobia and extinguish fears.

Close co-operation between the Council of Europe and the Alliance of Civilizations initiative will go a long way towards attaining this objective. The Council of Europe has extensive experience in fighting intolerance and discrimination, as well as in the promotion of human rights. Joining forces with the initiative will help us further our cause, especially on the religious dimension of intercultural dialogue.

Finally, I would like to thank the rapporteur once again for his work.

### ***The state of democracy in Europe***

Mr KUMCUOĞLU (*Turkey*) – First, let me thank all three rapporteurs for their excellent reports. We are discussing an important topic that affects our daily lives. The state of democracy in Europe is naturally a serious concern for us politicians. At the outset, I would like to draw your attention to the correlation between the state of the economy and democracy. In addition to the erosion of democratic openness in political life, the recent global economic crisis is also having a negative impact on the minds of people in Europe. This in turn is causing a decline in the democratic trust towards representative institutions. Dissatisfaction with the democratic workings of state machinery in general, and with the economic performance of the ruling parties in particular, tends negatively to affect turnout rates at elections in certain countries, and that trend also works in favour of extremist thoughts and approaches.

It is a fact that, these days, non-competitive, slow-growing economies, huge budget deficits, overwhelming public debt figures and low employment rates are common denominators in many of our countries. However, we cannot attribute the economic difficulties that we are now facing only to the recent financial crisis that started in the United States. We should not overlook the structural deficiencies and policy imperfections that Europe in general, and certain EU countries in particular, have been experiencing for quite a long time. We have to deal with those issues seriously and extensively.

In this context, I believe that, while working on its new reform package, the Council of Europe, through its long-lasting experiences and its accumulated stock

of knowledge, can make a valuable contribution towards the better functioning of existing European or Europe-based economic and financial institutions.

Furthermore, developing the culture of democracy in our respective countries is an important challenge for us all. So we must also consider getting rid of some of the imperfections in our democracies. In this regard, the Council of Europe naturally has a significant role to play in identifying and curing the deficiencies in our democracy. The contribution of the Council of Europe in respect of standard setting in the field of democracy, human rights and the rule of law has been well established. However, our Organisation could be made more visible at international level. Having said that, I find very interesting the proposition presented in the report by Mr Gross to set up a Strasbourg democracy forum to tackle new challenges to democracy. This forum could indeed represent an appropriate means to disseminate the Council of Europe's message on major common interests related to democracy. This initiative could also take into account the link between economy and democracy.

### ***Debate under urgent procedure: flare-up of tension in the Middle East***

Mr CEBECI (*Turkey*) – Thank you, Mr President. Distinguished parliamentarians, I wish to express our gratitude to our two rapporteurs, Mr Fassino and Mr Pourgourides. On 31 May, the entire world witnessed an unacceptable defiance of the fundamental principles of international law, and a human tragedy caused by the use of brutal force against unarmed civilians. By its ruthless military raid on an international humanitarian aid convoy on the high seas, the Government of Israel has shown to the entire world how far it dares to go in its blatant disregard for international law and human rights, as well as in its defiance of humanity. All the more regrettable is the fact that this unacceptable tragedy, in which nine civilians were deliberately and ruthlessly shot dead, was carried out by a state whose parliamentarians are represented in this body as observers.

The aid convoy's objective was to deliver humanitarian aid and, yes, it was also to make a political statement – I think that each one of us can understand this. Approximately 600 volunteers from more than 30 countries, including members of parliament from European Union countries, were on board the six vessels that comprised the flotilla. Although the Israeli Government has made countless efforts to legitimise its military attack by twisting facts and making up stories, which go as far as daring to portray the civilians on board the ship as “terrorists”, nothing about this brutal attack can be justified.

Dear colleagues, I repeat that no excuse can be made to justify this unlawful act. How can a military attack in international waters be justified? What possible justification could there be for a military raid on a humanitarian aid convoy? How

can Israel defend a pre-planned military attack? We know the Israeli Army; it knows how to deal with civilians after 60 years of invasion. If it had wanted to do things properly, it could have done so. If what the Israelis are claiming is true and they have nothing to hide, why are they not allowing an international investigation of this raid?

Instead of acknowledging the crime that it has committed, Israel has been making up stories, the first of which was that the ships were full of guns. When that could not be proved, even after Israel had the ships, Israel said that it had been provoked. When that could not be proved by the videotapes that the Israelis had doctored, they said that these people were terrorists. The Israelis have told an ever-changing story.

Israel has come up with a proposal to establish an inquiry commission, but as Prime Minister Netanyahu said in *Ha'aretz* when establishing the commission, "the main goal of the Gaza...probe is to prove to the world that the Israel Navy operation on the Gaza-bound aid ship was appropriate and met international standards". Do you see the arrogance, colleagues? Is this not a mockery of the system? The whole world deals with this Government of Israel, and we have expectations for peace. I come from a country that lost nine of its sons, and I thank both the President and the Chair of the Committee of Ministers for the statement they have issued.

I firmly believe that our Parliamentary Assembly has to say what we must say: that this is a breach of international law, that it is unacceptable and that we cannot condone such illegal acts on the part of the Israeli Government or the illegal blockade of Gaza. Thank you.

Mr AÇIKGÖZ (*Turkey*) – First, I want to thank the rapporteur for his valuable report.

On 31 May 2010, the whole world was shocked by the Israeli military operation against a civilian aid flotilla, namely "Free Gaza". So-called elite Israeli soldiers killed nine people and wounded many innocent, unarmed civilians on the high seas. The raid occurred in international waters, 72 nautical miles off land. It was even 64 miles off the illegally imposed blockaded area. There were no arms or weapons on the vessels. This represented unprecedented violence against civilians, as it was rigorously planned and carefully implemented. Indeed, the world has witnessed worse civilian casualties in military operations that have often been followed by an official apology or an announcement about friendly fire.

What makes this brutal action unprecedented is the tragic fact that the perpetrators are extremely satisfied with the result and show no sign of remorse or regret. On the contrary, they have unashamedly tried to justify their actions, setting in motion a propaganda campaign and displaying some personal belongings that the people had desperately used in self-defence. I strongly condemn this murder conducted by a state. It has no excuse, no justification whatsoever.

This Assembly represents the noble values of democracy, human rights and the rule of law. For more than half a century, our Israeli colleagues have been following our work as observers. The flotilla that was brutally stormed was carrying approximately 600 volunteers from more than 30 countries, most of them Europeans, including parliamentarians. They were representing many faiths: Christianity, Islam, Judaism, all creeds and backgrounds but they were together for the same end: to help the suffering people of Gaza. As the representatives of our respective nations, it is our duty to defend the fundamental rights of European citizens. It is our responsibility to protect our people's right to life.

This is not an issue between Turkey and Israel, nor an issue with the Israeli people. It is an issue between the Israeli Government and the international community. Israel's responsibility is evident. Human rights and international law have been violated.

In the face of such reckless brutality and such a blatant violation of international law, we should remain united around the noble values that this house represents. We should send a strong and clear message to the perpetrators of these killings: such an action will not go unpunished, and using force to achieve political objectives is not acceptable.

We must do everything that we can to ensure that such a hideous act cannot be repeated. Israel should be held responsible for what happened. Many countries have condemned this violent act, and major international bodies have taken a firm position against it. As the representative of a benchmarking body in respect of democracy, human rights and the rule of law, we must join without further delay with the international community in condemning the Israeli Government.

To that end, I urge all colleagues to come together to send the following key messages: a strong condemnation of the Israeli criminal act, the immediate need for an inquiry by an international, impartial and transparent group; and a call for the removal of the blockade of the Gaza strip. Let us not be silent about violence.

Mr ÜNAL (*Turkey*) thanked the rapporteur for an excellent report, and said that he wished to treat the issue as one of international law. The Israeli Government had launched an attack on a ship, 72 nautical miles from the Israeli coast, and had

killed and injured many people. The flotilla of ships was carrying politicians, clergy, Nobel Peace prize winners and others whose sole aim was to bring aid to the people of Gaza, who were living in difficult circumstances.

This was not only unlawful but disproportionate. The 1949 Geneva Convention prohibited attacks on civilians, even in times of war. It was a long-established principle that no ship could be stopped and boarded without the permission of the captain. Only pirates violated that principle. People had been murdered. International law been violated, and the Israelis had given inadequate explanations. Their actions had breached international law, including Article 3 of the European Convention on Human Rights, and the provisions of the Hague Convention.

Assembly members should feel the violent impact of these raids deep in their hearts. The international community had to deal with the situation according to the principles of democracy, human rights and the rule of law. An urgent international investigation was required.

Mrs TÜRKÖNE (*Turkey*) – So many things have already been said, and I do not want to repeat them. I was really disappointed by the speeches by the two observers from Israel, because they confused two things. We are not discussing today anything to do with Hamas or Iran's uranium enrichment programme. Members of this Assembly can have different approaches to these debates, but today we are talking about the illegal blockade of Gaza, human rights and the death of nine civilians. Those are our concerns and we should not confuse these issues.

My country, Turkey, has always tried to contribute to the peace process. We tried to mediate between Syria and Israel. Our colleagues from Israel will know better than me what happened. We were so enthusiastic about mediating between Syria and Israel, but after the bombing of Gaza we had to stop.

Turkey has always been careful of the security concerns of Israel until the tragic events that unfolded in the early morning of 31 May 2010, when Israeli forces attacked civilians aboard the flotilla of six ships. I stress again that these vessels were on a mission to deliver humanitarian aid to the needy in Gaza, which Israel subjects to an illegal blockade in violation of UN Security Council [Resolution 1860](#). Whenever we use the term “blockade of Gaza”, we should not forget to add the adjective “illegal”, because that is what it is, as determined by the UN Security Council in many resolutions.

I am very pleased that the draft resolution and explanatory memorandum cover the key points that should come out of our Assembly. The committees of the

Assembly have done important work in the report and I thank both rapporteurs. The resolution clearly condemns Israel and confirms the illegality of its actions, in violation of the customary law of the sea as well as international human rights and humanitarian law. We especially welcome the references to international law, added by amendments in the Committee on Legal Affairs and Human Rights. Israel explicitly breached the principle of free and safe navigation on the high seas and has grossly violated international law.

### **Debate under urgent procedure: Flare-up of tension in the Middle East**

Mrs MEMECAN (*Turkey*). – I would like to thank and congratulate the rapporteur, Mr Fassino, and Mr Pourgourides for their objective and constructive reports.

Turkey's diplomatic efforts in the region not only improved its relations with its neighbours but also resulted in positive developments among nations in the Middle East, contributing to peace and stability in the region. However, sustainable peace and stability in the Middle East are contingent upon the settlement of the Israeli and Palestinian conflict. Israel's violent attacks to Gaza last year, which killed over 1 000 people, were contrary to peaceful developments in the region. Israel's latest violent attack on the humanitarian flotilla was a show of hostile defiance.

The humanitarian aid flotilla was sailing to deliver basic human needs and hope to the people. Through this civil disobedience campaign the human rights activists would not only distribute goods but also make a political statement to end the illegal blockade which has been suffocating millions of people in Gaza. Israeli commandos, belonging to the Israeli military – not pirates, not gangsters – attacked the unarmed ship in international waters, not in Israeli waters. Nine civilians were killed by gun shots and many were wounded. Israel has to be held accountable for its violent attack and those responsible have to be brought to justice.

I wholeheartedly urge the Assembly to demand a real, serious, independent, impartial and international investigation into the violent attacks. I do not want the world to be ridiculed by a "self-investigation". I am sure this Assembly will insist on putting an end to the illegal, inhuman blockade in Gaza and make sure that Gazans live in dignity.

Turkey has always had good relationships with Israel, and never had a problem with the existence of the state of Israel or with the Israeli people. We are genuinely all aware of Israel's legitimate security issues and concerns, but resorting to violence is not the way to deal with them any more. The current

Government acts as though it lives in the same world they lived in 20 to 30 years ago – expanding settlements, building walls, checkpoints and illegal blockades, and using bombs. It has been acting like a bully. It has been able to get away with it so far, too. It always has some kind of immunity. It somehow does not have to comply with international requirements or resolutions. This is no longer sustainable. For the safety and security of the Israelis and the people in the region, Israel has to integrate into the new world order, and start acting like a responsible member of the international community. Israel has to reconsider its policies. It immediately has to learn to listen and to understand.

Although I am very disappointed with the irrelevant arguments, misinformation and hostile tone of Israeli colleagues here, I am hopeful. I am sure this Assembly's efforts will help Israel to find the right way forward.

Mr TEKELİOĞLU (*Turkey*). – Mr President, dear colleagues, I really thank Mr Fassino for his very good report and for his co-operation and understanding. The Gaza Strip has been under Israeli blockade since June 2007. This is an illegal blockade in violation of United Nations Security Council [Resolution 1860](#). As UN officials have said, the situation in Gaza is “grim”, “deteriorating” and the blockade turned into a “medieval siege”. The description of it as an “humanitarian crisis” is not sufficient; the Israeli blockade is truly a “collective punishment”.

Under such circumstances, when the border is reopened, only basic humanitarian supplies are allowed into the Strip, but no specific list of what is and what is not allowed in has been published, and items gaining entry vary over time. Canned meat and tuna fish are allowed, but not canned fruit. Mineral water is OK, but not fruit juice. Tea and coffee can go in, but not chocolate.

The UN Relief and Works Agency for Palestinian refugees, UNRWA, has published a list of household items that have been refused entry at various times. It includes light bulbs, candles, matches, books, musical instruments, crayons, clothing, shoes, mattresses, sheets, blankets, pasta, tea, coffee, chocolate, nuts, shampoo and conditioner.

Dear Colleagues, I can give some figures showing us why the “Freedom Flotilla” was heading for Gaza some three weeks ago. The “Freedom Flotilla” was an international initiative by non-governmental organizations. Six hundred people were on board. They were nationals of more than 30 countries, including several members of the European Parliament. The objective of this civilian mission was to deliver much needed humanitarian aid to the people of Gaza who have been suffering under the illegal blockade.

In the early morning of 31 May 2010, Israel carried out in the international waters of the eastern Mediterranean a brutal military operation against the “Freedom Flotilla”. When the raid by the Israeli forces started, the main vessel first attacked in the flotilla was 72 nautical miles off the Israeli coast and 64 nautical miles from the nearest point of the blockade area. As a result of this attack, nine civilians lost their lives, and many have been seriously wounded. The total number of 30 bullet marks on nine dead bodies is a horrifying manifestation of the brutality committed by the Israeli soldiers.

Following Israel’s abhorrent action, many countries across the world expressed their condemnation. While three countries either cut diplomatic ties with Israel or recalled their ambassador, more than 100 countries made official statements condemning Israel. Moreover, national or local parliaments of 23 countries adopted statements or resolutions in connection with the Israeli attack.

International organisations, including the UN, OSCE, EU-EP, NATO, Council of Europe, OIC, Arab League, Organisation of American States, Union of South American Nations, MERCOSUR and the IMO all made statements against the action. First of all, firm condemnation of the Israeli raid on the humanitarian aid flotilla is crucial. The Israeli attack constitutes a deliberate violation of international law, resulting in tragic loss of life. Being an observer in this parliamentary house of ours, the Israeli Government should be held responsible for what happened.

Secondly, we have to call for the prompt establishment of an independent, impartial and transparent investigation in line with international standards. Israel’s declaration that it will itself establish a commission composed of Israeli citizens and two foreign observers does not in any way meet the international community’s expectations. Israel does not have the authority to assign a national commission itself to investigate a crime it perpetrated in international waters. An inquiry to be conducted by such a commission cannot be impartial, fair, transparent or credible. Of course Israel can investigate the issue but this is a separate issue and not to be confused with the international one.

Thirdly, we have firmly to renew our call in our [Resolution 1700\(2010\)](#) to “lift the siege of the Gaza Strip, allow humanitarian aid to enter and guarantee the lasting reopening of access points”. That this blockade resulted only in a humanitarian disaster is a fact.

Last but not least, it is important that we reiterate our call for the recognition of “the Palestinians’ right to have an independent, viable and contiguous state”

and the support for a two-state solution with reference to most recent PACE [Resolutions 1493](#)(2006), 1520(2006), 1550(2007) and 1700(2010).

***The handling of the H1N1 pandemic: more transparency needed***

Mr ÜNAL (*Turkey*) was glad to have an opportunity to discuss a report on an issue that had long dominated the health care agenda. He thanked Mr Flynn and Mr Wodarg for their work in putting the issue on the agenda.

Potential pandemics such as swine flu demonstrated the importance of having a body such as the World Health Organization, able to respond to major health threats. It was important that countries were prepared for pandemics and primed to act should there be an outbreak. It was important that countries should take preventive measures but it was wrong to force people to take such measures under the pretence of a pandemic.

Countries had borne a high cost in preparing for the pandemic, and the decision-making process that led to their purchasing vaccines could have been more transparent. That fact that it had not been had caused questions to form in people's minds. The dangers of the pandemic had been exaggerated by the authorities, and public health had been endangered by the actions of pharmaceutical companies. That was a global scandal.

While the WHO was an effective organisation, there had been too much doubt and insufficient information about the dangers posed by H1N1. He wanted to know whether such mistakes could be prevented when dealing in future with pandemics, such as bird flu.

Some countries had bought large quantities of vaccines in anticipation of the pandemic, and no one would compensate them for these unnecessary costs. The WHO was the international organisation best placed to give guidance on health but recent events had had raised questions about on its processes. To answer such questions would strengthen, not weaken, the institution's credibility.

More ethical regulation was required of the relationship between pharmaceutical companies and the WHO. National health care organisations also needed to learn lessons from how they had responded to the pandemic

Mrs TÜRKÖNE (*Turkey*) – Distinguished parliamentarians, I would like to start by warmly thanking our co-rapporteurs, Mr Herkel and Mr Debono Grech, for their detailed and balanced report on the situation of democracy, human rights and the rule of law in Azerbaijan. Since January 2001, when Azerbaijan became a member of our Organisation, it has undergone an overall transformation and made remarkable progress. Many political, economic and social reforms have been

carried out in line with that goal. This has been a long and difficult process, as could be expected in any young democracy. As members of the Parliamentary Assembly, we should welcome the sincere efforts of the Azerbaijani authorities to honour the obligations and commitments resulting from their membership.

I am confident that the Azeri authorities are aware that the forthcoming general elections in November 2010 will be interpreted as a test of the level of maturity of Azerbaijani democracy. In that regard, I believe that the calls in the draft resolution to ensure that the conditions necessary for the full compliance of the general elections with European standards will be duly considered by Azerbaijan. I have full confidence that the Azerbaijani authorities will do their utmost to achieve that end.

The Council of Europe is not a club of perfect democracies. In fact, no country can be considered impeccable when it comes to human rights and democracy. There is constant work to be done by all member states to do better and to go further towards meeting the obligations and commitments resulting from their membership. We must acknowledge the fact that some member states face more difficulties than others in their efforts to achieve further democratisation. We should openly and boldly voice our concerns in those circumstances, but always in a constructive manner, as a friend would do to another friend in need. Let us always remember that we are here to achieve the collective goal of raising democratic standards across the entire European continent.

As a Turkish parliamentarian and a friend of Azerbaijan, I am confident that the Azerbaijani authorities will make every effort to address the constructive criticisms voiced in the report. I am sure that they will do that with a view to preventing the recurrence of any shortcomings and to ensuring Azerbaijan's full compliance with the obligations and commitments resulting from its Council of Europe membership. In that regard, it is essential that all political groups in Azerbaijan work together and join forces for the sake of their country's future.

### **The functioning of democratic institutions in Azerbaijan**

Mr KUMCUOĞLU (*Turkey*). – I very much welcome the balanced tone in the report of Mr Herkel and Mr Debono Grech. Their work emphasises the progress achieved by Azerbaijan in strengthening its democratic institutions on the one hand and points to some shortcomings on the other.

While acceding to the Council, Azerbaijan opted, as others did, for European standards with respect to our Organisation's common values and norms, notably in democracy, the rule of law and human rights. I understand that the report before us today takes as its focal point the upcoming elections, to take place in

November, the date of which nearly coincides with the 10th anniversary of the country's accession.

As rightly pointed out in the report, democratisation is a long and difficult process. I believe that Azerbaijan, after a decade of membership of the Council of Europe and a few months ahead of its second elections since then, has attained an overall positive record in that field. The upcoming parliamentary elections will provide Azerbaijan with a new opportunity to display its growing confidence in its democratic institutions and its ability to reach higher democratic standards. Our Chamber thus rightly attaches great importance to the establishment of the conditions which would enable these elections to comply fully with European standards.

The willingness of Azerbaijan to continue its constructive dialogue and active co-operation with our Chamber in order effectively to address the remaining shortcomings should be underlined and appreciated by us all. I trust that Azerbaijan will make the best use of the significant opportunity presented by the next elections.

I note the report also dwells, in paragraph 17 of its appendix, by putting the section on the democratisation process in a broad context, on the conflict in Nagorno-Karabakh. I have the impression that the wording therein argues that a solution to this regional problem is solely the responsibility of Azerbaijan.

One could recall the lists of commitments set out in our [Opinions 221](#) and 222 that we adopted in 2000 on Armenia's and Azerbaijan's application for membership. These commitments are crystal clear as regards the conflict in Nagorno-Karabakh: the two countries jointly committed themselves to pursue efforts to settle this conflict by peaceful means only, and to settle international and domestic disputes by peaceful means according to the principles of international law. As set out in these opinions, Armenia has an additional third outstanding commitment: Armenia has to use its considerable influence over the Armenians in Nagorno-Karabakh to foster a solution to the conflict.

I am aware that this report is not on Armenia but, in assessing the democratic maturity of a given country, I believe we have to take into account with all their sub-components the geopolitical realities and the historical background of the region as a whole that this particular country shares with its neighbours.

Mr ÖZDEN (*Turkey*). – Mr President, dear colleagues, Azerbaijan has been undergoing overall transformation since its accession to the Council of Europe in January 2001. This has proved to be a long and difficult process as would be expected in any young democracy. The effects of such transformation,

accompanied by various reforms, created numerous challenges not only in the state structures but in all spheres of social, economic and private life in Azerbaijan. But Azeri people have made admirable progress in the right direction in this process.

The economic growth of recent years has speeded up the pace of this transformation while adding new challenges to be faced by the Azeri authorities. Azerbaijan's success in turning its economic upswing into sustainable social and political development depends very much on the functioning of its democratic institutions. Azerbaijan may become the engine power of the whole region if it succeeds in transforming the country into a genuine democracy fully respectful of the rule of law and human rights. Azerbaijan has the human potential and economic means to do so.

I am sure that the Azeri authorities are well aware of the fact that the upcoming elections will constitute a litmus test for the level of the maturity of Azeri democracy nearly a decade after its accession to the Council. They have to take every necessary measure to prepare the ground for fully free and fair elections. I have full confidence that the Azeri authorities will do their utmost to this end.

In this respect, the better strengthening of the freedom of the media will definitely help restore the climate of confidence and create a better atmosphere of pluralism and transparency in the country.

Second, voluntary contributions by several member states for the training of the electoral administration, with the Venice Commission's participation, should be confirmed in the coming weeks.

Last but not least, raising voters' awareness and public discussions on electoral matters should be ensured. In particular, women's participation both as voters and as candidates would be welcome. These are the main areas where the Council of Europe can provide invaluable assistance with the soft power it can generate.

On the other hand, I wish to urge all my fellow colleagues in our Assembly not to prejudge the outcome of the elections. While we express our concerns regarding certain possible shortcomings, we also have to be fair enough to adopt a neutral stand at the moment. It is in the interest of us all if we voice our criticism constructively and encourage Azerbaijan in its sincere and courageous efforts to lead the progress further.

Before concluding, let me also tell you that we cannot turn a blind eye to the fact that in the absence of a definitive settlement of the Nagorno-Karabakh conflict, it is impossible to achieve not only peace and stability but democratic

governance in the region as well. I therefore appreciate the encouragement of this Assembly to the peaceful settlement of the conflict, a commitment both Armenia and Azerbaijan have undertaken while acceding to the Council of Europe.

### *Decent pensions for women*

Mrs KELEŞ (*Turkey*) – The “Decent pensions for women” report brings into focus an important problem. Because of the low level of their pensions, it is not only the women but the young and the elderly who are dependent on them who suffer. The inequalities and discrimination that confront women during their working lives are reflected in their pensions. It is almost a worldwide reality that equal pay for equal work is not practised when one of the two workers is a woman. In every country, in general, women are the ones who raise children and care for elderly people. They take leave during pregnancy, and they are the ones who lose their jobs first when there is an economic crisis. Usually, the low-paid, temporary or part-time jobs are left to women. As a result, their income while working and their pensions when retired are lower than the income and pensions of men.

I thank the rapporteur for writing a comprehensive and realistic report. It states that the pay gap between women and men should be eliminated, and that pension schemes should be reformed to eliminate the existing inequalities. The report also rightly mentions that simply revising the pension laws will not be enough to end discrimination between women and men, and that there should be positive discrimination in favour of women. To achieve that, the career breaks that women take and the different career patterns of women and men should be taken into account.

Decent pensions for women are an important subject at present, because it is an undeniable reality that the number of divorces, remarriages and single parent families headed by mothers is increasing more and more among younger people. The fact that pensions are directly related to the income of women while they are working also brings into focus the importance of education. In some countries, most women stop going to school while still in the early stages of their education, or prefer to attend schools that do not have a heavy curriculum. This means, however, that when they want to work, they will not be able to find jobs with high salaries. We therefore need to deal with education if we are aiming to achieve equality between women and men.

Since the last quarter of the last century, the equality of the sexes has been a popular subject. Women now have the right to be in politics and in decision-making bodies in a ratio that is comparable to their ratio in the population. The realisation of that aim is important because, when the number of women in politics and decision-making bodies increases, it becomes much easier to remove the

discrimination against women and to implement positive discrimination in their favour.

Education is also important in relation to women's presence in those spheres. Families should therefore be sensitive on this subject and encourage their daughters to continue their education so that they will be able to enter a well-paid profession. Governments should also have a responsibility to provide scholarships for girls who want to study but who do not have the financial means to do so because of the low income of their families. If we really believe in the merit of pluralistic and participatory democracy, we need to realise the equality of women and men in every field. As a first step, this Organisation should stop scheduling important reports that deal with women's issues for debate on Fridays, as my friend Ms Kovács has just said.