



**PERMANENT MISSION
OF TURKEY TO THE OSCE**

PC.DEL/233/09

2 April 2009

ENGLISH only

**SPEAKING NOTES OF
AMBASSADOR BULUÇ ON THE REPORT OF THE FOM
(757th PC, 02 April 2009)**

My delegation also welcomes Mr. Haraszti to the Permanent Council. His semi-annual presentation is one of the high-points of candid deliberation and peer review in this body, which bears the hallmark of what this organization is about.

Following remarks are inspired more by the contents of the written report rather than its oral, thematic presentation. Mr. Haraszti's report received due attention and careful study by my Mission as well as by my authorities.

It has by now taken on the character of being under constant limelight that our Representative's report, in its section on Turkey, would focus on a certain article of the Turkish Penal Code. There is no surprise in the present report, notwithstanding the radical overhaul that the said article lately underwent.

I have to ask Mr. Haraszti whether it is too optimistic of me to note some acknowledgement, albeit implied, in his report that the implementation of the said article in its current content has resulted in quantifiable change in the right direction. We just might owe this to my earlier submissions on this matter at the Permanent Council including my clarifying remarks at last year's HDIM. My intervention to welcome Mr. Haraszti to the Permanent Council in July last year, covered in PC.DEL/594/08 dated 4 July 2008 remains valid, including the part that questions the discriminating advice by him to eliminate the article altogether, when its versions remain a good and acceptable piece of legislation in the law books of a number of other participating States.

The critical review offered by Mr. Haraszti of a few other developments in his report about Turkey concerns cases that currently undergo judicial processes. The law disallows me as a representative of the executive branch to address these, lest I risk being seen to interfere.

On a more general note, let me underline that the awareness of the Turkish Government of the need to keep the course of reform steady and constant has not diminished. The track record is a testimony to an unwavering political will to transform such awareness into legislative and administrative action.

Lastly, while we look forward to Mr. Haraszti's bi-annual presentation and the ensuing communication between him and my Delegation, our relations with his Office, which we value highly, would, in the interest of both parties, benefit from more frequent contacts in the interim, for exchange of assessments and for comparison and corroboration of data.

Thank you.