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Address by

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President of Ireland

on the occasion of the
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(Strasbourg, 26-30 January 2015)

A Uachtaráin, Madame la Présidente,
A Chomhaltaí den Tionól Parlaiminteach, Members of the Parliamentary Assembly,

Is mian liom buíochas a ghabháil libh as ucht na deise a thabhairt dom labhairt leis an tionól seo, tionól a thugann le chéile toscairí parlaiminteach na 47 stáit Eorpaigh – institiúid a bhfuil ról suntasach imeartha aici an daonlathas agus riail an dlí a láidriú ar fud ár n-ilchríoch.

May I begin, Madame la Présidente, by thanking you for your visit to Dublin, in June of last year, and for the kind invitation you extended to me then to address this Assembly. I should also like to congratulate you on your re-election to the position of President, and wish you and all the other Members of the Parliamentary Assembly enduring stamina, imagination and moral courage in continuing to build up European cooperation and the rule of law in response to the great challenges of our times.

It is, for me, both an honour and a great pleasure to be in this Chamber [Hemicycle], in this distinguished institution, the Council of Europe, which conjures up the first steps of Europe's moral and cultural reconstruction after the devastation of WWII. I am animated, too, by a particular sense of urgency and gravity, as all of us, elected representatives of the peoples of Europe, are seeking to make our way through what can be described as a 'fragile moment' for democracy.

Ours are times when, again, we acutely need and appreciate the opportunities offered by the Council of Europe as a unique pan-European cooperation body – and these are times, too, that require us to rekindle the values of human dignity and democratic pluralism that the Council upholds and fosters.

As one of the ten founding members, Ireland is keenly aware of the important role the Council of Europe has played in shaping our own path in European cooperation. The young Irish State had remained neutral throughout the Second World War; it was, in the late 1940s, a poor country, geographically peripheral, and whose foreign policy was very much coloured by unresolved issues with its powerful neighbour and former coloniser, the United Kingdom. Thus Irish participation in The Hague Congress and in the negotiations in London, culminating in the Council of Europe Statute in 1949, represented an important early engagement with the ideas and debates then coalescing about the shape and scope of post-war cooperation.

Over subsequent years, our membership in the Council and our implementation of the European Convention on Human Rights have been fundamental in consolidating the rule of law and supporting positive social change in Ireland.

Today, in the face of the new challenges that overhang Europe, I deem it important to start by reaffirming my country's solid commitment to multilateralism, and to the goals and principles that have guided the Council of Europe's endeavours throughout the 65 years of its existence.

Indeed, ever since its foundation, and with a renewed sense of purpose during the "decade which made History", after the end of the Cold War, the Council of Europe has provided an essential catalyst for:

- Firstly, highlighting the fundamental principles of pluralist democracy, respect for human rights, and the rule of law;
- Secondly, working on the setting of standards in the human rights area through the European Convention on Human Rights system and other legal mechanisms;
- And thirdly, confirming the common goal of a freer, more tolerant and just society in Europe.

This is an overall framework for which we must consciously and pro-actively care, and which we must nurture as an indispensable component of the architecture of stability, peace and trust we have been building on this continent over the decades. It is a legacy of profound ethical significance, one that is admired and emulated across the globe, and which we must be mindful not to let unravel. Rather, we must extend and strengthen it.

Before I come to those destructive currents which, in my view, threaten unravelling our European systems of cohesion and cooperation, may I acknowledge more specifically the Council of Europe's immense contribution to the vindication of human rights, in the fullness and indivisibility of their breadth.

Of course, the European Convention on Human Rights and its Protocol, which my country signed in 1950 and ratified in 1953, and the activities of the European Court of Human Rights, lie at the centre of

the Council's work. I am delighted at the prospect of visiting the Court this afternoon, an institution which is so fundamental, not only to the Council of Europe, but to European democracy in the broad sense.

Ireland's deep regard for the activities of the Court and for its role in strengthening democratic debate is reflected, for example, in our support for the Court's Webcasting Programme. Since 2006, Ireland has voluntarily funded the webcasting of Grand Chamber hearings before the Court. By allowing free access to some of the most important proceedings taking place here in Strasbourg, this project not only enables citizens to better understand the Court's operations and the rights that flow from the Convention itself; it also makes citizens aware of the manner in which the vindication of human rights can inform and invigorate democratic life and societal change in their own country.

In the area of socio-economic rights, the adoption of the European Social Charter was a milestone in suggesting that human flourishing entails the effective enjoyment of social rights, as well as civil and political ones. I am glad to say that Ireland has been a supporter of both the original and the revised Charter, and that it has accepted the collective complaints mechanism presided over by the European Committee of Social Rights. The Irish have also backed the more recent initiatives aimed at strengthening the system of protection under the European Social Charter, including the Turin process.

A further strength of the Council of Europe has been its emphasis on the role of culture in nurturing democracy. For the Irish, a nation attached to the preservation of its ancient Gaelic language, the adoption of the Convention for the Protection of National Minorities, to give but one example, was an important step towards the recognition of cultural rights throughout Europe.

Taken together, the human rights structures of the Council present a model of both efficacy and sophistication in the promotion and protection of rights and liberties, and they also demonstrate a firm commitment to the fundamental principle of the indivisibility of human rights, apprehended at once in their civil, political, economic, social and cultural dimensions.

Our foundations, then, are more than adequate. This is not to say that Ireland is blind to the possibilities that exist for enhancing the efficacy of the Court of Human Rights and the Council at large. My country is supportive of the reform process undertaken by the Court, and we of course welcome the achievements it has secured in reducing the enormous case backlog which, at one point, threatened its very functioning.

More broadly, Ireland endorsed the decision of the 2005 Warsaw Summit to refocus on the Council of Europe's primary mission to promote human rights, the rule of law and democracy in Europe, and it has been a long-standing supporter of Secretary General Jagland's efforts in that regard.

Yet, while recognising the need for qualified, informed and positive reform, I wish to express my disquiet at those endeavours underway in some quarters that risk undermining the very legitimacy of both the Court and the Convention on Human Rights. Some of those criticisms addressed to the Court pertain to a wider political argument about Europe, and given Ireland's particular historical, economic, political, institutional and territorial set up, the terms of this debate about Europe constitute, for us Irish, a very serious matter for concern.

Let me state things very clearly: the European Convention on Human Rights must remain the cornerstone of human rights' protection in Europe. And to those who might suggest that there is a tension between the principles of parliamentary democracy and the international protection of human rights, let us respond unequivocally that parliaments flourish in an atmosphere where rights are vindicated.

These two propositions must, I believe, provide the basis for our collective discussions, as the Council of Europe, and Europe itself, are arriving at a crucial juncture in their history. European cooperation currently faces a range of serious difficulties that are of concern to all European citizens, but in a particular way to their elected representatives. Indeed it is in your capacity as delegates of the national parliaments of Europe that I address you today; and it is by appealing to your experience and sense of responsibility as parliamentarians that I now turn to the alarming trends – some of a new kind; others the recrudescence of old ills – that currently imperil democracy, social cohesion, and our shared future, both within our national communities and at European level.

As a former parliamentarian myself, honoured to have spent over three decades serving in the Irish National Parliament, including some years as a member of this Assembly [from 2001 to 2003], I have

the greatest respect for the work parliamentarians perform to fulfil the needs and aspirations of the citizens who elect them, and for their practice of debating, differing and reaching accommodation on the important issues that shape our public world.

The suggestion I wish to put before you today is that, however grave the challenges we face, they also present parliamentarians with an opportunity to reassert the relevance of parliaments, their discourse, their representations, and their capacity to revitalise the project of European cooperation.

The first challenge we are facing, as the Members of this Assembly are acutely aware, is the disquieting return to our continent of grave geopolitical fractures, carrying disastrous human consequences. As we meet here this morning, armed conflict is continuing on the territory of a member state of the Council, Ukraine, with catastrophic repercussions for its citizens, as the report of Mr Sheridan, debated here before I rose, powerfully recounts.

Putting an end to military violence so as to enable people from all sides to return to their homes and communities and rebuild their lives is at once a pressing and most arduous task. It is a task that calls for the resources and skills of various parties, including those of organisations directly involved in security matters. Yet it is clear, too, that longer-term and deeply rooted differences have to be tackled in a spirit of dialogue and cooperation, founded on justice and a respect for fundamental rights. This is a test and a challenge for diplomacy.

And it is here that the Council of Europe has a clear, and indeed imperative, contribution to make, beyond the important initiatives that have already been undertaken by Members of this Assembly – and also by yourself, Madam President, who have been so exemplary in your endeavours to maintain contact with all delegations, and to uphold the delicate but essential balance between principles on the one hand and, on the other, a readiness to discuss in an open way the necessity of ending the havoc of the present destruction.

A second, profound challenge to democracy and social cohesion arises from new forms of fanaticism and conflict, whose ramifications reach out to the heart of our European cities. These threats were brought home to us most recently in Paris, where – within the space of three days – we saw freedom of expression and freedom of the press assaulted in the most direct and dreadful of ways, through the murder of a satirical paper's entire editorial team, and a further four men coldly assassinated in an act of pure antisemitism.

The task of responding to the root causes of such threats is of immense complexity. This is not just because these new forms of violence arise at the obscure intersection of global geopolitical tensions, individual trajectories and beliefs, and complex structures of social inequalities, but also because there are great risks inherent in both the very responses that might emerge from fear and anger among our citizens, and then too in the obvious potential for political exploitation of these passions.

I know that the Ambassadors of the Council of Europe's 47 member states have agreed, last week, on a decision to step up action against terrorism. The challenge, of course, is not confined to reactive responses; it entails understanding and addressing the motivations of those young people who are drawn to extremism and political violence. The challenge also extends, I believe, to those novel uses of technology and science, such as cyber-attacks and remote, extra-judicial executions performed by machines, that blur the boundaries between war and peace, and risk instilling generalised suspicion between and within our societies.

I sincerely believe that the Council of Europe, and this Assembly in particular, must continue to play an important role in upholding the rule of law in the face of destructive forms of extremism (be they of a religious or nationalistic type), as well as state hubris. The Council of Europe has shown in the past that it had the ability not to lose sight of fundamental human rights, for instance when the general atmosphere in the West had overtones of a new crusade. One example was the 2006 report by Senator Dick Marty documenting the participation – both active and passive – of some of the Council's member states in CIA detentions and transfers, what was called "renditions." Senator Marty's report was of great international significance in recasting debates on the balance between counter-terrorism and the protection of human rights.

I myself referred to this report during debates in Dáil Éireann, our Lower Chamber. This was one instance among many others when I could clearly see the great benefits derived from close interaction between discussions taking place in national parliaments and those in European, and even global, fora.

More broadly, I believe that parliaments offer an important and privileged channel to increase public participation in and awareness of foreign policy debates. The conception of 'professional' diplomatic activity and *raison d'état* as being in conflict with 'emotional' and 'moralist' public opinion is, in my view, a flawed one. Parliaments can and must hold governments accountable for what is said and done, or not said and not done, in the wider world, in the name of their citizens.

This debate on whether foreign policy is an essentially executive function or whether it can genuinely accommodate democratic accountability is by no means a new one. It is interesting to note, for example, that among the issues reported back during the first years of Ireland's membership of the Council of Europe was that of the relative strengths and prerogatives in this organisation of the Assembly and of the Council of Ministers. In 1949, Irish delegate Seán MacBride thus remarked to the Dáil:

"To a large extent the Statute which is presented to the House is designed to shackle the members of the Assembly but I feel that, with the passage of time, the members of the Assembly themselves will take things into their own hands."

Foreign policy is not the only domain where parliaments should reassert their relevance. Economic and fiscal policy is, I suggest, another essential area for proactive parliamentary activity and discourse. Indeed a third, perhaps less directly confrontational, but no less undermining, threat for the future of European democracy is revealed, I believe, in the largely unquestioned leeching of power and authority from parliaments to the apostles of a narrow version of fiscal orthodoxy – an orthodoxy that seems predicated on a de-peopled economy. Today, global financial markets assumed to be self-regulating, and unaccountable bodies such as rating agencies, occupy a far greater space in contemporary media and discourse than parliaments debating the fears and welfare of citizens.

What has happened, we must ask ourselves, to the field of public economics and its discourse, for its decision-making structures, previously located in representative institutions, where differences based on declared assumptions were respected, to have given so much ground to one single version of expert knowledge about the so-called "laws" governing the economy? How have we let rating agencies, for example, who act as a modern panopticon, not bound by any democratic requirement, gain such influence on the lifeworld and prospects of our citizens.

What can be done?

Parliaments, both at national and European level, must urgently claim back competence and legitimacy on economic and fiscal matters. In saying this, I am not negating the limitations which severe fiscal constraints, combined with intense global competition, impose onto our elected representatives' ability to craft a variety of policy options. What I am saying is that no single economic paradigm can ever be adequate to address the complexity of our world's varying contexts and contingencies. The current status quo – whereby decisions which are the legitimate object of political debate and normative arguments have been abandoned to the automaticity of rigid fiscal rules, from a corner of a dominating paradigm – even as economists themselves disagree over the theoretical soundness of such rules – this status quo is a highly perilous one for the future of our polities.

Parliaments matter. Centuries of effort have been invested by European citizens in securing the vote. It is to their elected representatives that citizens look for accountability; for opening up new collective possibilities lodged in policy options; and for connecting them to wider horizons through their work in international fora such as this Assembly. Can we let go these hard-won advances? Have we considered the consequences?

It is my profound conviction that a strong case can be made for the centrality of ethics to our deliberations on economic matters. Indeed questions of political economy never appropriately can be purely technical ones. They have an intrinsic normative dimension, and should, therefore, always be open to political discussion and dissension.

My message is not a pessimistic one: national parliaments, and supranational parliamentary bodies such as this one, can reclaim a central role in preserving the public world that lies at the heart of European democracy, that essential space shared by citizens who must be free to debate in an open and pluralist manner, whose children must have access to a pluralist scholarship, be enabled to imagine alternatives to the ideas and practices that govern their present circumstances, and project their future together, in their national communities, in Europe or at the global level.

The Council of Europe has shown an impressive lead in addressing the fiscal questions of our time from an ethical perspective, as is demonstrated by the recent initiative of the Commissioner for Human Rights on the theme of "*Safeguarding Human Rights in times of Economic Crisis*".

If we are to respond to this crisis of democracy in a holistic manner, recognising the political, economic, social and cultural dimensions to the problems before us, parliamentarians so obviously have a most valuable perspective to offer. Everyday, on the streets, in their clinics, they encounter unemployment, poverty and the feelings of alienation and insecurity expressed by those, who, as Jürgen Habermas put it, "have to pick up the tab for the impacts on the real economy of a predictable dysfunction of the financial system" and who, "unlike the shareholders, [do] not pay in money values but in the hard currency of their daily existence."

"The need to let suffering speak is the condition of all truth", Theodor Adorno once said.

This is, I believe, also profoundly valid for political truth. And the suffering all of us, elected representatives, should endeavour to voice, is not just that in our parishes. We are also invited to seize upon contemporary issues of global significance, such as climate change and the new sustainable development goals currently being negotiated in the United Nations.

The choices that will be made at the end of this year 2015 in relation to both agendas – in New York in September for the post-2015 development agenda; in Paris in December for the climate change negotiations – these decisions will have a real impact, not just on the peoples of "the South" but for all of us on the globe, including in the Western world. We are called upon to revise simplistic, binary definitions of development, not just because elements of "the South" are now in "the North", and, vice versa, some features of "the North" have migrated to "the South", but also because global environmental and social issues, such as, for example, the scale of the refugee crisis in Europe's own neighbourhood, demand a complete shift in mindset and discourse.

These great global challenges require all of us to take part, not just in an old and divisive North-South conversation, but in a conversation about our humanity itself. And they also present our parliaments – should they seize the opportunity, assert their legitimacy, and design clever institutional strategies – with a unique chance to reassert their relevance and contribute to the fundamental task of crafting appropriate and morally grounded responses to our contemporary circumstances.

We, elected representatives, are challenged to respond to the current historical moment, through our best practice in our national and European assemblies, but also as ethical subjects conscious of our shared vulnerabilities, our solidarity and our interdependence with all those who dwell with us on this fragile planet.

Let us not be daunted by the magnitude of the task. Let us, rather, bring as much work and competence to the project as we can. Let us build such bridges as will secure the trust and confidence of all of our people by showing ourselves to be authoritative and responsive on fiscal and economic matters. Let those who have the experience of parliament show that they can negotiate the pathways from national arenas to the complex, supranational structures of decision-making and power we are now faced with. You have the mandate to do so on behalf of your electorates. I wish you well in seizing back the discourse about the defining economic and social choices of our time.

This is an essential imperative if we truly wish to preserve the democratic system created for Europe after WWII, and which held firm as the division of the continent ended 25 years ago. In a way, we are invited to engage in no less than a cultural and ethical refounding of the kind that was completed by the architects of European cooperation, at the mid-point of the 20th century.

Today again, from the flux of our diverse European histories, from our current problems, from our fears and our aspirations, there can emerge a response that will accommodate what our collective memory has made endure, and that which the human spirit has invested with hope. Today again, we are invited to reach back to a fertile tradition, to the rich scholarship, moral instincts and generous impulses of European thought. But, taking from the work of utopian and ethical visionaries, we are also urged to be creative as we construct a realistic strategy for sustaining a culture of peace, democracy and human rights in Europe. We are required to be bold as we work together, in co-operation, open to the world, caring for it, in an inter-generationally responsible way – and all of this is possible.

Mar focal scoir, to finish,

The European Court of Human Rights has, in one publication, been described as “the Conscience of Europe.” Extending with poetic licence that label of honour to the Council of Europe as a whole, we might regard all of you here, in your various tasks and activities, as citizens of the “Republic of Conscience” described by Irish Nobel Prize writer, Seamus Heaney, in the famous poem he wrote to celebrate International Human Rights Day. This poem closes with the following lines:

“The old man rose and gazed into my face and said that was official recognition that I was now a dual citizen.

He therefore desired me when I got home to consider myself a representative and to speak on their behalf in my own tongue.

Their embassies, he said, were everywhere but operated independently and no ambassador would ever be relieved.”

Go raibh míle maith agaibh go léir.