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“Human Rights – major challenges ahead”

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A jubilee is a perfect excuse for taking stock, summarizing the lessons learnt - and looking forward. On my part I will focus on the importance of human rights for all in the struggle for a deeper democracy.

Our Europe today is essentially unified behind the values of democracy and human rights. All our Member States have ratified the European Convention, incorporated this treaty into their own legislation and take part in the administration of the Court – this unique super national institution of justice.

Most Member States have also ratified the Protocols to the Convention as well as the other crucial Council of Europe standards for human rights and they cooperate constructively with the monitoring mechanisms.

In other words, the standards are agreed and the procedures set up.

Of course, this does not mean that there are no human rights problems. The tens of thousands of submissions every year to the Court is an indication both of remaining problems and of the fact that ordinary citizens have a hope that their claims will be heard.

The great challenge now is to **IMPLEMENT** the agreed human rights, to ensure that they are made reality.

In this endeavor we need to focus on all those who tend to be forgotten or marginalized; those who have lost their homes; those who are displaced; those who do not have the contacts or the means to seek legal advice; those who face language barriers when they want help; those who are repressed by their own cultural group or squeezed between two life styles; those who are underground and fear exposure; those who are isolated in their disability; those old who have lost everything and are too fragile to start again; those belonging to minorities targeted by xenophobes or homophobes...

All those who tend to be excluded. The World Bank study on poverty some years ago – published in the report “Voices of the Poor”- clarified that poverty was not only a



question of low income but mainly of powerlessness. Those who needed the parliamentarians, the court system, the ombudsmen and the media – they did not reach through, and were not reached.

We have this problem in Europe as well. When we talk about ‘equal opportunities’ - this is the reality behind. We cannot be satisfied until those who need human rights protection the most can benefit from our standards and procedures.

What can the European community do to encourage this development on local and national level? What have we learnt?

The fact that we are inside the same honorable organization – with such an honorable history – is important in itself. Also that we demand a certain level of decency before accepting newcomers is essential. This has encouraged fundamental reforms. That we monitor one another is also of help.

However, the interplay between the European and national level is delicate. Of course governments should relate constructively to the Council of Europe mechanisms, execute the Court decisions and accept cooperation with my office. However, I believe we who represent the Council of Europe in different capacities have also to be self-critical.

- We must realize that outsiders can never decide on the necessary changes inside a country; reforms have to be decided by the domestic authorities. We can be a dialogue partner, tell what we see, refer to the agreed standards, inform about solutions in other countries – but it is the role of the national, and the local, authorities to take the decisions.
- We have to learn as much as possible about the situations we act upon. Ignorant advisors are of little help. We have to be as professional as ever possible.
- We should be diplomatic but also able to call a spade a spade. Our loyalty is to the agreed standards and to the people they are intended to protect.
- We must keep in mind the risk of negative politicization. Human rights messages are often controversial and can be used or misused in the domestic political debate. This should not make us silent, but we need to be conscious about this risk.
- We are not aiming at regime change. We are working with those who are members of our organization whatever personal opinions we may have of these governments.



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- We should clearly avoid any stereotyping of countries or governments. We should be factual and honest – which sometimes means to be inopportune.

With such a principled and result-oriented approach we can contribute to the genuine implementation of our standards and to the empowerment of those who otherwise might be excluded and neglected. With that attitude we will strengthen democracy all over our continent, our Europe.

Thank you.