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Speech by Michael O'Flaherty
Council of Europe Commissioner for Human Rights

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Merci beaucoup Madame la Présidente.

Dear members of the Venice Commission, thank you for the invitation.

I am very happy to be back. I was here some years ago in my then-capacity of Director of the EU Agency for Fundamental Rights. During my eight years in that role, I saw the impressive increasing importance of the work of the Venice Commission for the operation of the European Union. Now I am here in the capacity of Commissioner. And in the experience of just 18 months, I have been struck by how very important and central your work is to the doing of my job.

I have a vast mandate, and it is essential to deliberate to be highly strategic and prioritised.

If you will allow me, I would like to name my four priorities and indicate how your work interplays with mine.

The first is, quite straightforwardly, standing up for the human rights of the people of Ukraine, in the context of the aggression. That takes many aspects, but right now my focus is on seeking to embed human rights in the pathway to peace.

I recently delivered to the government of Ukraine a memorandum outlining ten areas to which attention would need to be paid. And one of those is the pathway out of martial law and towards a fully functioning democracy. For this, your work is absolutely essential.

I acknowledge with respect your adoption, today, of the joint opinion on the Ukrainian judiciary. I draw directly from your work around issues of conscription, military service and alternatives to military service, as well, of course, on your many outputs more generally related to democracy.

The second of my four priorities is about working with others to seek to embed attention to human rights in the great issues of the day. These are the issues that are going to happen with or without us. I could give many examples but let me take just one. The oversight of artificial intelligence. I appreciate your work in this sector. I draw from it. I rely on it. I encourage you to stay focused and I ask you to join with me in pushing back against the increasingly loud voices suggesting that we have too much oversight, too much regulation. To the contrary, if AI is to serve human dignity, then we need to steward it very carefully indeed.

The third of my four priorities, rather different, has to do not with the great issues, but with the forgotten people. The Commissioner is very well suited to seeking out and then standing up for defending the human rights of the people most forgotten and on the margins of our society.

The first group that has received my attention is the 12 million strong Roma community. I published a book, just a few days ago, *The Unheard 12 Million*. And the analysis in this volume, again, draws heavily from your work. In particular, your reports on the protection of national minorities, including Roma.

The fourth of my priorities, is in standing up for human rights defenders in particular and civil society more generally. It is under extraordinary pressure right now in terms of restrictive, abusive legislation, crackdowns, harassment, intimidation, arrest, and severe funding difficulties. These were the subject of a statement I issued just yesterday. And again, in this, the fourth of my areas of focus, I use your work extensively. For instance, in my correspondence with governments, I frequently cite your outputs. To take one example, the guidelines you developed jointly with ODIHR on freedom of assembly are enormously important to my work and our efforts to stand up for these communities.

Let me conclude with a word on methodology. To do my job, law is absolutely essential. It is only a human right for me if it is in a norm or it is in the jurisprudence and the related guidance to the norms. My job is to apply law or to seek the application of it.

I do not research the law. I do not spend a lot of time reporting about it. And I certainly do not do norm development. I mention those three negatives because I think in their negative nature, they indicate the perfect complementarity of your function and my function. You develop standards and guidance. I seek to have it applied and honoured.

I very much welcome that, as the president said, we have already had opportunities to cooperate in this spirit of complementarity. There was the Ombudsman's Conference that the president mentioned, but also a recent appearance in front of one of the committees of the Parliamentary Assembly. And I think there we were able to bring to bear exactly these distinct, but very mutually supportive, ways of working.

I look forward to continuing in this spirit. I look forward to continuing my dialogue with you. And I will continue to offer you my full support.

Thank you.