The Essential Role of Human Rights to Build a Better Future

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Galway, Ireland, 30 October 2025

President of the University,

Friends,

Some 25 years ago, while travelling with Mary Robinson, the then UN High Commissioner for Human Rights, I asked her what she considered was the greatest catalyst for Ireland's social development. She surprised me by responding that in her view, it was the landmark Irish judgments of the European Court of Human Rights.

She had in mind such cases as the 1957 *Lawless* Case, which put Ireland on notice of the rights of individuals in the criminal justice system.

She also had in mind the 1979 case of *Airey v. Ireland*, which opened up the possibility of access to legal aid in civil cases, making Irish justice so much fairer and more accessible. And maybe was also thinking even of *Ireland v. UK* in 1979, which offered to Ireland and the United Kingdom a safe space, a non-violent space within which to consider an interstate dispute in an extraordinarily sensitive moment in history.

I also, of course, have to think of the *Dudgeon* and Norris cases, which began the long pathway to such achievements as marriage equality.

But moving then to a broader framework, I have, of course, seen the extraordinary impact of human rights law across societies during my own career.

I ran the UN Human Rights Programme in Sierra Leone during its dreadful war. And I saw there that there was a direct correlation between attention to our human rights advocacy and the incidence of atrocities. The better the attention, the lower the incidence. And we tracked these patterns over at least a two-year period.

I also saw how individual lives were saved, for instance following the condemning to death of a group of army officers in a court martial proceeding. The executions were imminent, and I supported defence lawyers to seek interim measures from the UN Human Rights Committee. The committee acted swiftly. It was unable to stave off executions – that took place by machine gun in a quarry - but lives were saved – the President excluded some of the condemned from the killings and explicitly said it was out of respect for the UN.

Many years later, I worked in Northern Ireland as head of its Human Rights Commission. And I saw how that Commission – an institution anticipated, envisaged in the Belfast Good Friday Agreement – how that institution played such an important role in the consolidation of peace.

I also saw how the explicit embedding of attention to human rights in the corporate culture of the police force, the PSNI, made such a difference.

And today, right across my engagement with Council of Europe member states, I see more evidence of the impact, the transformative impact of human rights law.

In the first place, in so many places, I see it in the negative. I see it in all the violations that do not occur because of an attention to human rights and an embedding of those rights in laws and constitutions.

I see it in the ever more widespread, albeit not comprehensive, compliance testing of law and practise against human rights obligations.

And to take one further example, I see the extraordinary role and impact of the work of human rights civil society right across the Council of Europe, often in very challenging contexts that require great courage, but nevertheless making an enormous difference for human well-being.

And so, there is much to acknowledge and to celebrate.

But of course, I'm very mindful today that there is no room whatsoever for complacency. We live in a very fragile and volatile world. Let me just take five elements of the current volatility.

The first has to do with COVID, which first emerged in 2020. This, the first global pandemic of its kind and of its nature, capable of spreading so very quickly, has had an impact on our societies that we haven't yet at all fully assessed. We only have the most rudimentary understanding of the extent of avoidable deaths, of damage done to older people and children, the incidence of depression and suicide, the human cost of slow vaccine production and distribution, the impact on GDP, the diminishment of fundamental freedoms, and so on.

I remember in 2020, when COVID first emerged, walking through the centre of Vienna, walking along a square called the Graben and passing the monument that had been erected hundreds of years ago in memory of the plague. And I was struck by how people had left candles and flowers at the plague monument in the context of the current experience of COVID. I thought at the time that it was touching, but maybe a little bit unnecessary and making a false correlation. How wrong I was in terms of the impact of the pandemic.

The arrival of COVID and its aftermath coincides with the second dimension, which is the onset of artificial intelligences.

Digitalisation and artificial intelligence bring enormous benefits, but at the same time, they have led to the multiplication of disinformation and the subjection of vast numbers of people into closed or as we say, separate information systems, the so-called bubbles in which it becomes increasingly difficult to tackle the disinformation. We also see a transfer of unimaginable power and wealth into Silicon Valley. And in fact, essentially into just five companies, each of which has a wealth that far exceeds that of many countries. And then those companies in their turn, commodify life and measure worth solely in terms of economic profit. And of course, we see how technology is increasingly at risk of substituting for human agency.

The third dimension of the crisis is in the context of the climate. We are arguably past the tipping point now of global warming in terms of human capacity to cope. Scientists tell us that a rise of just two degrees centigrade will lead to temperatures not experienced for over 2 million years. And as the human geographer Luke Kemp puts it, and I quote: 'we are playing with the atmospheric life support system of the planet'.

As we confront the global planetary climate crisis, we do so in the context of yet another dimension of challenge. And that is how very deeply unequal our societies are. Today, the 10 richest men in the world own more than the bottom 3.1 billion people. And the World Bank tells us that inequality is on the rise for the first time in decades, and, indeed, that this has a direct link to the impact of COVID.

And finally, in terms of my dystopian view, our world is suffused with violence. Just think of Ukraine and Gaza. And recall that experts tell us that today we are closer than ever to nuclear war, a war with unimaginably devastating consequences. Recall that there are still over 12,000 nuclear weapons held by at least eight states. And both the United States and Russia have recently reiterated that their first strike doctrines continue to be in place, and that they could include responses to conventional attacks.

This is chilling stuff.

My friends, if we were to conflate all of these five global trends and phenomena, we could do worse than to borrow the term coined by the philosopher Paul Preciado, who argues that we are experiencing an historically unprecedented moment of *dysphoria mundi*. Preciado, in his book of that name, supports what any engaged contemporary human rights defender could tell him, that there is a clear correlation of the dystopia with a decline of democracy and a rise of authoritarianism.

Luke Kemp goes further. In his recent book, *Goliath's Curse*, he identifies conditions for civilisational collapse, arguing that they are all present today on our one interconnected earth. He considers that the same conditions give us leaders who are, and I quote, 'walking versions of the dark triad of narcissism, psychopathy and Machiavellianism'.

I see marks of the *dysphoria mundi* more or less everywhere across my work.

I see it very starkly in how Ukraine has become the object of great power politics, of how some would discard everything we know about building sustainable peace in the interest of transactional, even monetised outcomes. This, is the context of my own ongoing efforts to get human rights integrated into the path to peace.

I see it in the decline of multilateralism and the sidelining of the United Nations and of its vital work for peace, development and human rights.

I see it in a resurgence of sovereignism and a diminished respect for law, including international law. This, for instance, is how I see some of the actions to seal borders against those seeking asylum.

I see it no less in the denial of the identity of tiny minority groups, for instance, of the trans communities.

Very worryingly, I see it in the oppression in some countries of civil society, of the disempowering of groups that operate as the lifeblood of democratic and rights respecting states.

And inevitably, everywhere, everywhere I turn, I see a collapse in trust, of trust between citizen and state, of person to person, or in the form of international solidarity. The collapsing levels of trust are

indicated persistently. For instance, a study in 2024 in 19 countries that had recently held elections found that in just half of them did voters have any confidence in the elections being free and fair.

And so then, what are we to do?

One option is to do nothing since the end is nigh. One collation of the prediction of futurologists gives humanity just a two in three chance of surviving into the next century. The UK's Astronomer Royal, Martin Rees, says it is a coin flip between survival or extinction.

Now, regardless of the odds, and I have no competence whatsoever to assess them, I suspect that for you like me, doing nothing is no option. No future is predetermined, and we can help shape our tomorrows.

For me, of course, the question then is how I can work with the toolbox of human rights towards a better future. And in this regard, I am firmly of the view that respect for human rights is always a good thing, whether in a short or in a longer perspective.

After all, human rights law, at least as articulated in the Universal Declaration of Human Rights, is the only universally agreed language to give content to the notion of human dignity. And what's more, our communities persistently demand that we stand up for human rights. Back in 2019, the EU Fundamental Rights Agency published a survey of attitudes to human and fundamental rights. It asked for levels of agreement with the statement: 'human rights are important for creating a fairer society'. The percentage of people who strongly agreed with that statement was startling. The EU average was 88%, with the highest figure in Malta at 96%, and with the lowest still surprisingly high in Hungary at 76%.

That societal instinct in support of human rights confronts and humbles me repeatedly. One unforgettable moment was in Peshawar close to the Pakistan-Afghanistan border many years ago. As a UN representative I was discussing human rights with a group of Afghan village elders. We came around to discuss the concept of asylum. But as I sought to explain the concept, I was cut off by a man who, through the interpreter, reminded me that his people had a deep respect for the principle since it had been taught to them by the Prophet.

Turning to a longer perspective of our future, I'm greatly encouraged by the prescription proposed by Kemp in that book, *Goliath's Curse*. Having studied the collapse of 400 societies over 5000 years, he challenges all of us to do just four things that, if they are embraced sufficiently and consistently by individuals and communities, have been shown, repeatedly, to stave off Armageddon.

- He calls on all of us, first, to be democrats in terms of our way of life and our cultural values.
- Second, be active citizens, demanding transparency and accountability, and always exercising the right to vote.
- Third, oppose domination in all our relationships, be that personal, family or workplace.
- Fourth and finally, and I quote him here, he says, 'don't be a dick'. What he means by that term is that we must be kind, and we must never collude with evil. Or again, to quote him, 'we must not work for, invest in, or support any entity that significantly contributes to global catastrophic risk'.

Maybe you can see why this simple prescription encourages me. For in every one of its precepts, there is the role of human rights, either as core to the idea, or as its enabler or its amplifier. Human rights law can, in other words, be central to our healing of the dystopia.

And you know, honestly, I don't need to rely on Kemp. I can instead, for instance, think back to Pope John Paul II, and that tour de force speech he gave in 1979 at the United Nations General Assembly,

a paen of praise for the Universal Declaration of Human Rights. He described it as paid for by millions of our brothers and sisters at the cost of their suffering and sacrifice, that that cost must not have been paid in vain, and that it is the ignoring of the Universal Declaration that leads to destruction.

By the way, those stirring words remind me of the marvellous polemic by the French public intellectual, Stéphane Hessel, who, contemplating the decline in support for the Universal Declaration, called on us to wake up and get furious – as he put it – "Indignez-vous" about the irreplaceable achievement that we are squandering.

But what does standing up for human rights, for the Universal Declaration mean for human rights actors? How can we best deploy the toolbox?

There is a large and growing literature on this question, much of which has merit. I draw on it as well as on my own experience. Thus, I seek to honour some key principles. Here are just a few of them.

The first is that to be true to human rights, I must always work hard to stand up for the most vulnerable and the most forgotten people in our societies. That's why, for instance I pay so much attention to the situation of the Roma and Traveller communities. It is why I will continue to prioritise defence of the human rights of asylum seekers and resistance of any erosion of the principle of non-refoulement.

But side by side with standing up for the people on the very edges of our societies, the forgotten people, I must also engage the great issues of the world. We must seek to embed human rights at the heart of the great dramas that are shaping our world today and into its future. And that is the context for my own investment to embed human rights at the heart of the oversight of artificial intelligence.

That is why I actively promote ratification of the new Council of Europe Framework Convention on AI. It is why I defend the important, albeit imperfect, instruments of the European Union, the Artificial Intelligence Act and the Digital Services Act. It is why I vociferously oppose those voices currently out there erroneously saying we have too much regulation, it's getting in the way of innovation, and it must be suspended.

The second of my core principles has to do with what I mean by human rights. Because by human rights I'm very clear I mean those human rights to be found in the law, in the standards and in the jurisprudence related to the law and standards. For me it cannot be about my opinion, it cannot be about my ethical perspective, it cannot be about my wish for what should be included in human rights. Because once I plead on those bases, I lose the objective force of the norm and I've seen time and time again in my career how it is invocation of the norm that brings about the biggest change. And, of course, by law I refer to all of the law in its indivisibility. I must persistently seek to honour social rights side by side with the civil and political.

Third, I consider it critical as I think I've already adverted to, to stand up for civil society, as I said the lifeblood for human rights in our communities, under enormous pressure in far too many places, through pernicious law after pernicious law and repeated efforts by policy makers to push to the margins, to exclude, to shut down. The situation is greatly exacerbated by sharp cuts in financing, including with the disappearance of US AID.

Fourth of just five principles that I will mention to you today has to do with a recognition that in standing up for human rights we are not alone. We must work in partnerships including new partnerships. In my areas of work I see at least three areas demanding of attention.

- The first is a partnership with the business world, the private sector. AI is driven and controlled as I said by the private sector. The partnership cannot just be an adversarial one. Serious efforts must be made to find ways of our working together to bring about better outcomes. Some efforts have been made for instance the business and human rights work of the United Nations, but we have a long way to go.
- A second form of partnership is with cultural communities, cultural practitioners. Again, some important things are happening, but the scope and the appetite is enormous. I find in all my engagements with the worlds of the arts be it music, literature whatever else it might be, there is a hunger for more knowledge of the categories of human rights in order for cultural practitioners to be more effective in impacting society for good.
- And then the third example of a partnership which previously existed but has been neglected in recent years is that with faith communities. There may be strong differences between human rights and faith actors but nevertheless there is a vast common space in which we can all work together to achieve common goals. The partnership will be greatly enabled if all sides make the effort to overcome what I term their 'mutual illiteracy'.

And then the fifth and final of the principles I would mention in this highly incomplete list has to do with the prosaic matter of getting our messages across.

We human rights types (people like me) are bad messengers, we are poor communicators and we have lost our audiences in so many places and in so many different ways and all of us in the diversity of our roles have to find new ways to engage our communities, engage our societies, to convince, to bring about change through persuasion and impact.

In my own small way, I'm seeking to work on this issue.

Right now, I'm trying to produce reports that are different. I recently published a report on how we can stand up for the human rights of Roma and Travellers, but in a context where there have been hundreds of such reports in the past, many of which have been ignored or neglected and so I'm trying to find a new way to engage. I'm using a new language, using the first person, using powerful images from photographs taken while I travelled around Roma communities in Europe and I'm hoping that this publication with its associated exhibitions and events can maybe get through in a way that I've failed so far.

But finally, then of course beyond the particular actions of the human rights community, I must acknowledge that human rights needs its champions. It needs champions willing to unflinchingly go above the parapet to defend it, to defend us. And frankly we are low on such champions today, especially in the political world. I see only modest leadership coming from that space and we all in our diverse ways must keep demanding that those who lead us rise to their high responsibility and that we hold them accountable in so doing.

In conclusion, one may ask if there is a genuine basis for hope?

Certainly, I have an optimistic tendency, and, in any case, I consider it is my duty to be hopeful of a better future. Why else do the job I do?

But I also consider that there is a powerful empirical basis for hopefulness. Human rights make a difference.

We should never discount the astonishing achievements over the years since World War II – including those I have mentioned this afternoon. But I accept that these achievements of the past cannot guarantee a better future.

So, ultimately, I resort to the words of Albert Camus. Reflecting on the Greek myth of Sisyphus – not the most optimistic character in mythology – Camus wrote: “a person devoid of hope, and conscious of being so, has ceased to belong to the future”.

I think it is our goal to avoid being that person.

Thank you.