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Ukrainian Global Summit

Speech by Michael O'Flaherty

Council of Europe Commissioner for Human Rights

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Thank you very much indeed. It is a great pleasure to be here. I am very grateful for the invitation.

I would like to not only greet you, but I would like to greet those online, including my friend Commissioner Lubinets, with whom I work closely.

I am the Human Rights Commissioner of the Council of Europe. And in that capacity, I have to engage the human rights of everybody right across the Council of Europe member states. But since the day I took up this job, and until now and into the future, my top priority is Ukraine, standing up for your country and for the well-being and dignity of its people. You will remain my top priority, not only because it is so important to remember every person of Ukraine, but also because you are the front line of the Europe we believe in.

This aggression by Russia is not just an aggression against your wonderful country. It is an aggression against every one of us.

As I seek to stand up for the human rights of the people of Ukraine, I am focusing in particular right now on those who are hosted in other European countries.

Back in 2022, I think that those other European countries did a good job. And as many of you know, we have Ylva Johansson in particular to thank for the personal leadership in getting the temporary protection activated.

But here we are four years later, and I think things are rather different. In the first place, the aggression is worse than ever. The attacks, the endless assaults from Russia against your country are at a level of intensity that we have not seen before.

And at the same time, there is a worrying and growing discourse to reduce the welcome for Ukrainians in many countries. And within that diminishing welcome for Ukrainians, I also detect a dangerous thread of far-right populism, which wraps the whole thing up in this anti-migrant narrative, which is becoming increasingly visible in Europe. I would have to say that to the extent that this narrative is accompanied by disinformation, it is self-evident that Russia is playing its own insidious role.

In any case, for whatever the reason, whatever the origins, the reality is that there are a number concrete expressions to the reduction of welcome. We see that, for instance, in the discussion about not providing temporary protection to men of military age. We see it in the increasing mention of the fact that if you come from a so-called safe area, that you would not

benefit from protection. We see it in all of the uncertainty regarding the status of temporary protection.

In some countries, we are into some kind of transitional phase, in which we see such things as a reduction of social welfare benefits, a reduction in accommodation capacity, and an encouragement in some countries to change status from temporary protection to something else, which sometimes is for the better, but not always.

And of course, we see it in the discussion around the temporary protection directive itself. Will it be extended? Despite the announcement that it will end in March of next year, there is an increasing discourse, which I welcome, that it would be extended. But there is great uncertainty over what extension would look like.

I mentioned the issue of men of military age. It is problematic that there might be some sweeping exclusion from protection of such people.

There is this talk of excluding people from so-called safe areas of Ukraine. There is no safe area of Ukraine. And in some countries, not at the EU level, but in some countries, there is also some talk now that you can only stay on if you earn at a certain income level. And if you earn at that income level, fine. But what about if you do not? Think of all those people who have no income at all. Retired people, pensioners.... Think of those who do not work because they have a disability. We must never forget the most vulnerable within the communities.

Let me wrap up by suggesting to you a number of focuses for our attention right now if we are to fix the present and the future.

The first is that European countries and the EU need to be evidence-based in their policy around the issues of protection and return.

Second, we need transparency. We need governments to be clear and open about the decision-making, why they are making these decisions, and on the basis of what ideas, what proposals, what foundations.

Third, very importantly, everything that is done with regard to issues of protection and return must be done with full respect for the applicable international law - international human rights law and international humanitarian law, which have a lot to say about a number of the issues that I just mentioned to you.

Fourth of my five, whatever happens needs to be done with you. Ukrainian communities in the host countries must be consulted. You must have your opinion sought and must be listened to as the policy develops.

And fifth and finally, never forget the vulnerable people. Never forget those on the edges of our communities who cannot speak up well for themselves and who are in danger of being put at risk.

Thank you for the time and attention.

After his intervention, the Commissioner engaged in the following questions and answer session:

Q : What advice would you give to the Ukrainian government on displaced Ukrainians ?

In the first place, I want to acknowledge the extraordinary challenge for the Ukrainian government navigating a very, very difficult moment.

Once that is acknowledged, for me the answer could not be simpler. I would ask Ukraine to do what I would ask any government to do, which is to 100% stand up for the human rights of its people. Its people at home, its people in the temporarily occupied territories, the people who have been taken to Russian territory, the people who are hosted in so many countries of Europe and elsewhere. Nobody, not one human from Ukraine has lost or had their human rights entitlements diminished by this horrific aggression. And we must never lose sight of human dignity at the heart of every decision that is made.

When we ask about how you deliver on human dignity in a moment of crisis when there are so many competing challenges, for me the question is, have we looked after, have we remembered the most vulnerable, the most marginalised and the most forgotten? Our societies will be judged by how they take care of the weakest people in those societies.

Q : Do you think that the EU temporary protection directive will be prolonged ? Raise your hand if yes.

You want me to answer, or you want me to put my hand up? Life is not that simple. No, I don't know. What I do know is that Ukrainians in host countries still need protection.

It is essential that they get that protection. And that protection is nuanced so that it reaches out to everybody in the diversity of their needs and their situations. It is as relevant for the retired person who does not earn a penny as it is for the young architect or the child or whoever else.

And so let us make sure that effective protection will continue to be delivered for as long as it is needed and it is still needed.

Thank you so much.