

CommHR(2024)55

**25th Anniversary of the Institution of the
Council of Europe Commissioner for Human Rights:
Facing the future with confidence, building on a quarter century of experience**

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

Strasbourg, 21 November 2024

Royal Highnesses
Minister
Secretary-General
Vice President of the Parliamentary Assembly
President of the Congress of Local and Regional Authorities
President and judges of the European Court of Human Rights
Former Commissioners
Members of the community of human rights defenders
Excellencies
Ladies and Gentlemen

I thank you all most warmly for your attendance this morning.

Your Royal Highnesses, we deeply appreciate your participation and, Sir, we have been encouraged and motivated by your words to us just moments ago.

While acknowledging with deep respect all of you who are participating in this anniversary event, I know you will allow me to identify in particular our former Commissioners, Álvaro Gil-Robles, Nils Muižnieks and Dunja Mijatović. Just Thomas Hammarberg could not be with us, but I know he is very much here in spirit.

Dear Friends,

This anniversary comes at a critical inflection point for the protection of human rights. We have already heard from the Grand Duke and others on elements of this challenging moment. I would gather its features into six categories.

First, we are at a moment in history at which our societies have largely forgotten why we have a human rights system in place. How it was an essential element in the post-war construction of this continent and of our modern world. Those who witnessed or took part in the shaping of the system are mostly no longer with us. And the forgetting is exacerbated by the decline in human rights education in our schools.

Second, today we see a novel willingness of increasing numbers of political leaders to disavow rights, to dismiss the legal commitments, to renege on treaty obligations.

Third, less visible but also pernicious is the pushing of human rights considerations to the edges of governance and the incremental but insidious weakening of its protection mechanisms.

Fourth, all of these developments occur in and are interwoven with populist political tendencies that coarsen discourse and erode both institutions and social bonds of trust.

Fifth, it has become fashionable also to question the validity of human rights within certain intellectual circles – to argue that they no longer serve a useful function for our societies., that they are ‘past their sell-by date’.

Sixth, and finally, this moment of crisis for human rights is exactly the one when they are more needed than ever – a moment when we face an urgent and imperative need to install respect for humanity at the heart of engagement with conflict - in Ukraine and beyond - with artificial intelligence, with the climate crisis, with the tackling of growing inequalities.

Dear colleagues,

These six and the many other related considerations recall how timely it is for us to gather this morning. The anniversary presents us with an opportunity – together - to stock-take, to rally and then to go forward with clarity and resolution.

To stock-take. It is legitimate to look back and assess what has been achieved. It is right to acknowledge the work of the successive commissioners and their staff. I have a deep sense of how – every day – I rest on the strong shoulders of my predecessors.

We must also appreciate the essential role played by the Council of Europe as guardian of human rights on this continent, and how it has delivered its guardianship through a remarkable web of law, institutions and practice.

Beyond Europe and globally, so much has been achieved.

Nationally, the human rights architecture continues to evolve and mature.

In fact, we can conclude that the modern-day human rights system is astonishing, arguably the greatest achievement of modernity. What is more, it is unique – the only road map for the honouring of human dignity that has, on a formal level, been repeatedly affirmed and re-affirmed by all States – most famously at the World Conferences on Human Rights and most recently at last September’s United Nations Summit of the Future.

But now we must rally – imbue each other with the sense of urgency, gather together to defend and strengthen the system. And all of this with outrage about what is being put at risk. As Stephane Hessel put it in his great polemic on the Universal Declaration, “Indignez Vous”.

Hessel and others have also pointed to how we need to go forward with the clarity and resolution that I have referred to.

Quite correctly, we are all challenged, both personally and institutionally to play our part. In that regard I welcome the wide representation gathered here this morning. There is much to say about the diverse and essential roles – of civil society, of national human rights institutions and equality bodies, of courts and parliaments, of educators, of the media and of the private sector. But, on this occasion, allow me to focus on just two communities: international organisations and States.

First, international organisations. We are meeting at the heart of the Council of Europe, and we also have with us human rights leaders from the European Union, the Organisation for Security and Cooperation in Europe and the United Nations. All of our institutions have demonstrated their capacity to evolve and strengthen their work for human rights – for instance, for the Council of Europe, at last year’s Reykjavik Summit.

But there is no room for complacency: renewal must be an ongoing process. It must be informed by the need to deliver respect for the human rights of everyone in our societies in all their extraordinary diversity. Two questions must underlie it: how do we reignite a fire for human rights across society while at the same time never relenting on our defence of the most marginalised and overlooked? And our organisations must never renege on the high principles and standards to which, rightly, they are held to account.

As part of our process of renewal I suggest also that we need to strengthen the cooperation of our institutions. Despite the fact that our organisations share common goals and either common or aligned standards, we continue to operate excessively in self-referential silos. How much stronger we could be if we found better ways to work together! We need a reinvestment in dialogue, close cooperation, mutual reference and support.

Let me turn now to national governments. States are the life blood for the protection of human rights. The entire system is built on and around them. Never has their role been more consequential in terms of the protection of human rights at home and abroad.

Nationally, governments need to embed human rights at the heart of their work; finally, to mainstream them and to interrogate the impact they should have for every aspect of governance, including the economy. To aid them, they should adopt meaningful national human rights plans of action. States, also, have a high responsibility to nurture civil society space and to protect their communities of human rights defenders.

And, of course, when I refer to states I am also referring to regional and local governance where there is still much to do. Remember how Eleanor Roosevelt reminded us that universal human rights only make sense if they have meaning in the 'small places, close to home'.

Abroad, I would encourage governments that believe in human rights to be more sturdy in their defence. I acknowledge that states do much good work in multilateral fora, such as here at the Council of Europe. But I believe we are in a moment when human rights need to be more visible in bilateral foreign policy. I also welcome and encourage those informal coalitions of States around selected human rights issues and themes (I repeatedly see the impact of their efforts). And I appreciate the valuable role that is played by the still small but growing community of national human rights ambassadors.

Be it at home or abroad, we need to hear from our political leaders, repeatedly and loudly, on the importance of human rights. Never have we had greater need for them to be defended in powerful, clear unambiguous words. I appreciate those who do offer us such leadership. And I note with respect how often it is heads of state who lead the way. Again, Your Royal Highness, we thank you for your own powerful words today.

Dear friends,

As all of us – States, organisations and beyond – consider how to engage our own responsibilities I assure you of the partnership and solidarity of the Commissioner for Human Rights. The institution is an individual with modest capacity but with a clear and strong mandate. As its current incumbent I look forward to working with all of you in our shared duty.

And I do so full of hope. Notwithstanding all the impediments and setbacks that we face in standing up for human rights there are solid grounds to believe in a better future. We know what is broken and how to fix it. We have been given too many glimpses of a better world to be deterred. And ultimately, we must never forget that for those of us with human rights leadership roles, hope is not an option, it is a duty.

Thank you.