



Lecture at the Riga Graduate School of Law
“Europe at a crossroads-Council of Europe and key challenges to democracy, human rights and rule of law”

**Remarks by Marija Pejčinović Burić,
Secretary General of the Council of Europe**

Riga, 17 March 2023

Check against delivery

Director of the School of Law, Ms Rācenāja,

Ambassador, dear Janis,

Dear students,

Ladies and gentlemen,

It is a pleasure to be here as Latvia prepares for its presidency of the Council of Europe's Committee of Ministers.

The title of my remarks is "Europe at a Crossroads" –

And I can certainly understand why many Latvians may feel the urgency of this moment.

It is of course Ukraine and its people who suffer most deeply –

And resist most bravely –

In the face of Russia's brutal, illegal and ongoing aggression.

But countries throughout Europe and beyond continue to feel the various impacts of this terrible violence.

Latvia's geographical position –

Its complex history with Russia –

And its economic exposure to current events –

Are testament to the specific and difficult circumstances faced by your country.

I recognise this –

And the Council of Europe stands with you now and moving forward.

But what do we mean when we speak about being at a crossroads?

We mean that while the Russian Federation's aggression –

For which it was rightly and swiftly excluded from the Council of Europe –

Is an appalling and shocking development –

It is in fact only the most extreme example of a broader and worrying trend.

Over recent years, we have seen the re-emergence of populism and virulent nationalism in various parts of our continent.

This often poses a direct challenge to human rights, democracy and the rule of law –

And to the multilateral institutions that underpin it.

Let me put this in context.

The Council of Europe was established in 1949 –

In the wake of two devastating world wars –

With the aim of securing peace through greater unity among its member states –

And on the promise of “never again” allowing such atrocities to occur.

It has grown from 10 founding member states then, to 46 today.

Each of these has ratified the European Convention on Human Rights and is required to implement it –

Just as they are required to implement and execute the judgments of the European Court of Human Rights –

Which interprets the Convention –

And to which every individual in Europe –

Including of course every individual in Latvia –

Has the ultimate right of appeal.

Because they have done so, judgments from the Court have resulted in higher standards of justice on everything from combating child abuse –

To tackling modern slavery –

And protecting journalists who refuse to reveal the identity of their sources.

Yes, the European Convention was written at a particular moment.

But its principles are timeless.

They can and should be applied to every aspect of Europeans' lives –

So that as our society, economy and technology evolve, they do so in a way that protects our fundamental rights and do not undermine them.

This is what the Court means when it says that the Convention is a living instrument.

The Council of Europe applies the same approach to the specific instruments that we have developed in order to address particular problems.

Drawing from the Convention's principles, these instruments cover everything from the prevention of torture, cybercrime and the trafficking of human organs –

Through to the protection on national minorities, minority languages and personal data.

Our European Social Charter also plays a vital role.

Among other things, it lays out individuals' rights to health, education, and social security.

These were of pivotal importance during the lockdowns required in many countries due to the Covid-19 pandemic.

Looking ahead, we are already at work on new instruments that will apply human rights standards to some of the defining challenges of our times.

There is no doubt that artificial intelligence already has an enormous impact on the way that we live –

That this will only accelerate –

And in many respects make our lives easier.

But it also raises a range of ethical issues.

How do we stop algorithms from discriminating against individuals or groups?

What happens when low-skilled jobs are replaced by machines?

How can we prevent – or determine legal responsibility – for attacks on election campaigns, technology and systems?

These are urgent questions.

And because of that, we are at work on a cross-cutting instrument that will apply human rights principles to AI developments –

To go alongside specific tools that we have already developed.

Similarly, there can be no doubt that increased environmental harms and climate change pose a real risk to our human rights –

Including the rights to life, private and family life, and property.

Some domestic courts in Europe have already cited the European Convention in judgments that require cuts in specific emissions.

That is why we are also in process of developing new tools on the subject of human rights and the environment –

To safeguard the future.

This is of course just a taste of what we do.

I could go into details about the ways in which we acted to prevent discrimination directed against people of a specific faith –

Or ethnic minority –

Or because they are LGBTI –

And I could talk about what we do to fight corruption, money laundering and cybercrime –

And so on.

But the overall point is this.

The Council of Europe –

And the Convention system over which it presides –

Is an established, effective and dynamic means to protect human rights, democracy and the rule of law in the interests of every European.

No other continent has ever built a common legal space –

Or achieved continent-wide legal standards like this.

None has even tried.

And the irony is that now –

At a moment when this system is delivering more than it ever has –

It is under an unprecedented attack that could roll back the progress we have made.

In parts of our continent, freedom of expression is under threat from restrictive laws –

Actions designed to intimidate, undermine and gag the media –

And increased violence against journalists, including murders –

Often with impunity.

Civic space is shrinking as laws are used –

And misused –

To prevent the freedom of association and assembly that are the lifeblood of any healthy democracy.

And in some places, we have seen a reactionary backlash against the hard-won rights of minorities and vulnerable groups, who have sometimes become the targets of horrifying violence.

These anti-rights movements pose a real danger to Europe's future.

Take women's rights as an example.

While true equality between women and men has not yet been achieved –

There have been positive steps in recent years.

Fairer employment laws –

A narrowing of the pay gap in some sectors –

And important work to tackle the terrible reality of violence against women and domestic violence –

Something that exists in every society –

And which ruins lives.

The Council of Europe's Istanbul Convention is designed to address this problem –

With measures to help prevent these crimes –

Protect victims where violence does occur –

And ensure that perpetrators are prosecuted.

37 of our member states have ratified the Istanbul Convention.

And our monitoring shows that where this has happened, domestic laws have been amended, and women have been better protected.

On this, I take a moment to say that I heard the recent call by Latvia's Ombudsman for the 14th Saeima to ratify the Istanbul Convention.

I hope that the members of the Saeima heard it too.

If they take this step, they will do so with the support of the Council of Europe –

And to the benefit of Latvian society.

It would also give a clear signal to anti-rights movements across Europe that the misconceptions and misrepresentations they spread about the Istanbul Convention –

And other instruments –

Can be overcome by reason, resolve and reality.

Certainly, whether we think about politicians or organisations that want to undermine our common European stands –

And the two often feed off one another –

They tend to adopt the same tactic of presenting rights as existing for the benefit of minorities –

At the expense of the average individual.

This is flat out wrong.

Human rights, democracy and rule of law belong to each and every one of us –

They exist to protect the interests of everyone.

Certainly, there are some groups who experience more difficulty in accessing those rights.

We all know for example that Roma and Travellers –

Migrants, refugees and asylum seekers –

And of course, women –

Can be subject to discrimination in the workplace, on the street, and in the home –

In ways that others are not –

And it is absolutely right that we should therefore take specific, targeted measures to ensure that this maltreatment is stopped –

So that these people experience the reality of their human rights –

The same rights –

The equal rights –

That have been the bedrock of democratic security in Europe for over seven decades.

But of course, democratic security has failed when it comes to the Russian aggression against Ukraine.

And on Russia, we need to be clear sighted about what has happened.

The decision to resort to violence was not the starting point of Russia's democratic decline –

But a horrifying staging post in a journey that has been taking place before our eyes for years.

Think about the examples I gave earlier of country's breaking with European standards.

Attacks on media freedom.

Crackdowns on civil society.

The finger of suspicion, prejudice and blame being pointed at minority communities.

We have seen all of this in Russia over recent years.

That country is at the far end of the trend that I warn you about today –

And which brings only misery and despair.

So, that's the crossroads we are at.

Europe needs to decide what direction it will take.

Having moved so far forward on the basis of common standards –

Made possible by common values –

Are we about to deviate?

Worse still, are we about to U-turn and go back to the past, following Russia's example?

Or will we pause –

Breathe deeply –

And drive forward with confidence into the better future that is ours for the taking?

Ultimately, that's a question of political will.

We need the governments of every Council of Europe member state to recommit to Europeans' fundamental rights –

And to multilateralism as the way to overcome common challenges.

They will have the chance to do that in Reykjavik this May –

At our Organisation's 4th Summit of Heads of State and Government.

The decisions will be for the leaders themselves to decide.

But I certainly hope that they will take the opportunity to agree on the role that the Council of Europe will play given the new geopolitical realities.

That they will recommit to the common values and standards on which our work is based –

With the implementation of the European Convention –

And the full and immediate execution of the European Court of Human Rights' judgments as a fundamental starting point.

There are other actions that they might take –

Including making further progress towards the EU's accession to the European Convention –

Which will help complete our continent's human rights architecture.

And of course, they can be clear about their determination to continue standing by our member state, Ukraine.

Because this is a priority for the Organisation, and for me personally.

Over recent months, our support has included a new joint Action Plan on resilience, recovery and reconstruction –

Visits, training and financial support to ensure that Ukrainian refugees arriving in other member states have their physical and psychological needs met –

And specific steps to ensure that the Russian Federation is held accountable for the crimes that it is committing.

That is why we are providing support to Ukraine's Prosecutor General as he gathers evidence of gross human rights violations –

Why I have proposed that our Organisation works on a Register of Damages, as a first step towards a compensation mechanism for the destruction and loss on the ground –

And why I have been equally clear about our readiness to play whatever role is right in any international judicial body addressing the crime of aggression.

It is right that we should signal our willingness to do more as the situation develops –

And as we all work towards a sustainable peace based on justice for Ukraine.

So, I hope that member states will address these and other issues –

And signal their joint determination to overcome the challenges and move forward.

But I end by saying that the future is not theirs only to decide.

Ultimately, citizens can shape their societies.

They can lobby their politicians –

Participate in civil society –

And, of course, they can vote.

In doing so, they can send a clear message what the future they want –

And what they will and will not tolerate.

You are of course such citizens.

And as educated law students, you are better placed than many to make your voices heard –

And go on to play a role in setting the future of your country.

So, I finish by saying this –

Human rights, democracy and the rule of law are a beautiful but delicate inheritance.

Neglect them, or take them for granted, and they will surely wither.

But be mindful of them –

Tend to them –

And nurture them –

And they blossom for you and for those who come after you.

I hope that you will invest your faith and your efforts in securing that future at this critical moment for Europe.

Thank you.