

Mr Thorbjørn JAGLAND, Secretary General, Council of Europe

The Secretary General delivered his address without notes. Please see below for the transcript of his remarks.

President of the Storting, distinguished Speakers and Presidents, dear Parliamentarians It is moving for me to be back here, where I have spent so many days and nights, including in the Chair. On many occasions the Assembly hall was nearly empty and I felt quite alone. The Foreign Minister once came here to give his regular presentation on foreign policy. The downhill Winter Olympics skiing competition was on television, so nobody was in the hall, and he began his speech by saying, “Mr President, this must be between you and me”.

Between you and me, dear friends, I had a prepared text, but having read it I realise that much of it has already been well said by Madame Brasseur, so I shall instead remind you that when the Council of Europe was established and the European Convention on Human Rights was drafted, just after the war, Winston Churchill said that peace in Europe had to be built on human rights and the rule of law – that was the starting point.

I very much appreciate that the President of the Verkhovna Rada, Mr Turchynov, is here today. The challenges that he and his colleagues face are incomprehensible to us. Part of their territory has been annexed, conflict is ongoing in eastern Ukraine and there are huge financial problems. Against that background, they have had to undergo a very necessary reform process. We can imagine how difficult that is, so our sympathies go to those in the Verkhovna Rada and those who are leading the country in such difficult times.

My next point goes directly to what Winston Churchill said. The crisis in Ukraine did not start on 29 November or with the annexation of Crimea – it started long before. Ukraine’s not having independent institutions, the separation of powers, an independent judiciary and free media and a parliament that could control the Executive led to corruption and the mismanagement and misuse of power. Can you imagine how poor this rich country is? People took to the streets because they could not tolerate this any longer. We saw the same phenomenon in Tunisia and in Egypt. A revolution became a pretext for the illegal annexation of Crimea and for what is happening in eastern Ukraine.

Winston Churchill was right: an absence of human rights and the rule of law leads to instability and conflict. It would have been much better if the leaders in Kyiv had been able to start the reform process much earlier, if there had been democratic institutions and more opposition, and if there had been free media in Russia to question what was happening.

Political scientists disagree on many things, but on one thing they agree: democratic societies are more stable than others and very seldom go to war with each other. That is why the Nobel Peace Prize Committee has time and again awarded its prize to people fighting for human rights, democracy and the rule of law.

We speak in the Council of Europe about democratic security. What is it? It is that human rights, the rule of law and democratic principles are important parts of a European security concept. Believe me: there is similar potential for conflicts and instability elsewhere in Europe, which is why the European Convention on Human Rights is so important. Without independent institutions and separation of powers people take to the streets in revolutions and create instability and conflict.

Another important thing that everybody should think about is that criticism and free discussion give society the opportunity to change and reform. If everybody agrees, we slide into stagnation. Freedom of speech is therefore fundamental in upholding democratic security. In a world where young people have mobile phones in their hands the scope for unrest and instability is greater than before. They can easily connect and mobilise and gain more information than they would have had in the past, and we must understand such new dynamics.

The values and standards enshrined in the Convention are of the utmost importance to security in Europe today, which is why we have done so much to reform the Convention system. The Court was in deep crisis five years ago. It had been undermined by the number of applications and the fundamental right of individual petition was no longer real. We had to do something, and we began with internal reforms so that the Court could more easily reach faster judgements.

More important, the point I want to make to you is that the thousands of applications are coming not from heaven but from member States, often because legislation is not in place that conforms to the Convention. The most important part of the reform process that I set in motion was to reach out to member States and start work with them on reforming their own legislation, constitutions and judicial practices so that they could deal with human rights problems at home rather than push them on to the Court. This is called shared responsibility for the Convention. I urge all the parliamentarians here to move this process forward because it is the only way to secure a strong Court in Strasbourg. The Court cannot deal with all the small cases that should have been dealt with under countries' home legislation.

I urge you also to look into the process to which Anne Brasseur referred: EU accession to the European Convention on Human Rights. We approach a new phase in the process. If the European Commission forwards the agreement we have on accession to the Council and it forwards it to the parliament, the ratification process starts. This is fundamentally important to Europe and its security because it is the only way to consolidate the pan-European human rights system. If the EU does not accede, we may have two parallel systems and the pan-European system will be weakened. If it accedes to the Convention and the Court in Strasbourg we will consolidate the pan-European system, getting everybody on board. That would be of historic importance for Europe. Please watch this process carefully.

This is a time for political leadership. The British Prime Minister, James Callaghan, said that if you cannot ride two horses you should not enter the circus or politics. We need now not politicians who are riding two horses but those who are observing and protecting fundamental values, principles and standards that are common on this continent.

Social media plays an important role in our democracies and has granted more power to young people, but there is a side-effect. Thomas Friedman wrote in *The New York Times* that politicians today hear so many voices from social media that they tend to forget their own voice. We live in times when we spend so much time on our iPhones and iPads and too little time reflecting. It is time for reflection to foster political leadership. It is said that the brain is like a parachute: it functions only if it is open. But it is not open if you are on the iPhone all the time.