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**THE ROLE OF HUMAN RIGHTS  
IN THE SAFEGUARD OF SECURITY IN EUROPE**

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## **Explaining the Council of Europe and democratic security**

CoE was set up in the aftermath of World War 2. Europe had witnessed the worst excesses of unrestrained state power. To ensure that history would not repeat itself, Europe's leaders established – in law – new limits on governments to protect individuals, minorities and nations from future aggression and abuse. These were enshrined in the ECHR and the CoE was created to act as its political and judicial guardian.

We now have 47 member states – all except Belarus, which still uses the death penalty.

And we continue to be guided by the idea that only democracy, human rights and the rule of law can save us from violence and war – otherwise known as democratic security.

Indeed, the idea that democracies are less likely to go to war with each other, or experience upheaval, is the one thing on which political scientists can agree.

Because democratic states constrain the misuse and abuse of power that leads to instability: through elections; effective opposition; the rule of law; independent judiciaries; financial transparency and checks on corruption; and free media and vibrant civil society to hold the powerful to account.

And because modern democratic societies promote tolerance and inclusion: by criminalizing discrimination; by using the welfare state to spread opportunities; and through education. Some better than others, of course.

## **Current examples of democratic security**

The problem with democratic security is that no one disagrees with it but not enough governments prioritize it.

We should never suggest that democratic security should replace traditional notions of hard security. But it is essential, too.

Don't just take my word for it. Don't just take the word of the many academics and experts who agree.

Look across the Europe we know today.

I will give you three of the biggest threats to European stability in recent years. Each was caused or worsened by an absence of democratic security. Each can only be resolved by strengthening democracy, human rights and the rule of law.

### **Example No. 1: Instability in Turkey**

In July we witnessed an attempted military coup, killing hundreds and injuring thousands. Something which should be unthinkable on European soil.

How was this possible?

Only because the organs of the state – the army, the police, the civil service and the judiciary – had been infiltrated by anti-democratic forces. There is widespread consensus in the country on this point. When I visited several weeks ago, I heard it from Opposition parties and the Government alike: the coup attempt was planned and executed by soldiers, judges and officials who took their orders not from the elected authorities, but from a secret network which sought to overthrow the democratic state.

And how will stability in Turkey now be restored?

Only by strengthening Turkish democracy. As I have repeatedly told the authorities: a widespread purge which undermines rights like fair trial, and which incriminates thousands of teachers and journalists will only make Turkey less safe.

It will give ammunition to those who wish to overthrow the state; it will leave state institutions empty and fragile; and it will have a chilling effect on the media in a country which already suffers from undue limits on freedom of expression.

By contrast, Turkey can come out of this stronger, capitalizing on the rare show of political unity which has appeared since the coup attempt – but only if its response is proportionate, targeted and in line with European standards.

So the Council of Europe is doing everything we can to try to work with the authorities to moderate their actions in this way.

### **Example No. 2: War in Ukraine**

In recent years, we have witnessed war between two of Europe's largest states. Something else which should be unthinkable.

How was this possible?

Russia's illegal annexation of Crimea was and is totally unacceptable. But Ukraine's crisis did not begin and end with events in Crimea. Widespread corruption and disillusionment with state institutions made this country weak.

How, now, will Ukraine find lasting stability?

Not simply by the different forces in eastern Ukraine laying down their guns. Lasting stability also depends on a new constitutional order, which restores faith in institutions and allows for a decentralization of power and the expression of different identities. Without this, sustainable peace will never come.

Here, again, the Council of Europe is working with our member state to help put this new, inclusive political settlement in place.

### **Example No. 3: The rise in home-grown terror**

Some of the most horrific terrorist attacks on Europeans in recent times have been at the hands of our fellow citizens – in Paris, Brussels and elsewhere. Thousands of young Europeans now travel to Syria and Iraq to join the ranks of Daesh and other militant groups.

How is this possible?

Because, in so many cases, these young men and women feel alienated and marginalized by their societies. Because exclusion has made them vulnerable to radicalization.

So how do we pull these individuals back onto a non-violent path?

Yes, through good laws, which is why, for example, the CoE has produced the first ever international treaty to help states clamp down on foreign terrorist fighters.

But also through policies of inclusion, particularly for young people, and particularly in places where we know they are vulnerable. Which is why the CoE has produced new guidelines to help prison staff prevent radicalization.

Through taking action to combat hate speech. Here, the CoE helps our members distinguish between hate speech and free speech, based on the case law of the Court, and we have a long-running campaign with young people to tackle hate speech online.

And through better democratic education, so that all young Europeans understand how to live together, in a society where not everyone agrees with you, but where basic democratic principles must be upheld. So the CoE is leading a ground-breaking initiative to improve democratic education in the continent's schools, and we are teaming up with teachers to empower them to conduct difficult, controversial discussions in their classrooms.

## **Call to arms**

I have given three examples, but there are many more links which can be drawn between democracy and stability.

The refugee crisis has been caused by an absence of security full stop, as thousands have fled war and persecution; but Europe will only absorb the newcomers successfully if we include them as active and empowered members of our democracies.

The economic crisis has been caused by many factors but corruption, abuse of power and weak democratic oversight of financial markets have all played their part.

The list goes on and on.

And yet, is Europe looking at all this and saying, yes, let us recommit to our shared democratic principles for the sake of our shared stability; let us rediscover the spirit of internationalism, human rights and international law – just as the authors of the ECHR did 65 years ago?

No. Instead nationalism and populism are becoming the order of the day.

There are too many cases of countries flouting their international obligations – and here I refer specifically to member states refusing to execute the judgments of the Court; or else introducing new laws which depart from international standards, for example, to stem the flows of migrants and refugees. Rule by my law, rather than rule by law.

We increasingly see xenophobic political parties and mainstream governments attack the Court and the ECHR – asserting the primacy of parliaments or constitutions over international treaties.

And, with the prospect of Brexit now hanging over the European Union, we face a period of further political fragmentation.

I cannot remember a time when it was more important for the forces of openness, internationalism and law to come together and be heard.

If I leave you with one thought today, let it be that every voice for a free and democratic Europe must now stand up – including the smaller voices.

In every meeting and conversation I have had since arriving in Andorra, I have been repeatedly impressed by the vision of a more open Andorra which embraces reform, embraces Europe and holds its head high in its neighbourhood.

It is an encouraging spirit in troubling times, and I urge you to use your place in the Council of Europe to fight for the standards and values of which I have spoken.

We welcome it, we appreciate it. Thank you very much.