



Speeches delivered at the inauguration of the Human Rights Building

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Directorate of Human Rights
Council of Europe

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DANIEL TARSCHYS

Secretary General of the Council of Europe

It began under the open sky. In the agora, in the forum and under the oak trees, learned elders would recite the law and free citizens would mete out justice.

Then came the possibility of redress, at the king's court, the supreme court or the court of appeal.

And now we are here. With the European Commission of Human Rights and the European Court of Human Rights and with the individual right of appeal, the defence of human rights has taken another dramatic step forward.

Above our national legal systems, above our national courts and authorities, we have established common European standards and common institutions of appeal.

By acceding to the European Convention on Human Rights, a state takes upon itself international obligations, but above all it makes important pledges to its own citizens. From then on, there can be no talk of "internal affairs" when human rights are violated. Ensuring full respect for these rights in all countries of the Convention becomes our common European concern.

The Human Rights Convention has created a common legal space in Europe, and other agreements, such as the Social Charter and the Convention against Torture, have extended the scope of this legal space.

Today, we have come together from all corners of Europe to give a new home to the guardians of these conventions. In a few years' time, our principal guardian of human rights will be a full-time, permanent single court.

The magnificent building around us is completed and can now be taken into use. But the building of Europe continues, the construction of our common policies, our common institutions and our common future.

This enterprise is no longer confined to a few states in western Europe, it now unites the whole continent. At long last, we all subscribe to the same principles.

But subscribing to these principles is one thing, living by them is quite another. That is why mutual supervision and mutual support are so indispensable for attaining a Europe united around the fundamental values of democracy, the rule of law and respect for human rights.

We no longer meet under the open sky. But the architect has done everything to ensure that as much light as possible will be cast upon the proceedings of the Court of Human Rights. May the quest for justice prosper in this propitious setting.

CATHERINE TRAUTMANN

Mayor of the City of Strasbourg

When plans were being made to build this new Human Rights Building, to the East, in central and eastern Europe, no changes seemed possible.

When French President François Mitterand laid the foundation stone in May 1992, he was accompanied by the representatives of all the member states – a mere twenty-one at the time. By December 1994, when the building was ready for use, staff and delegates from the then thirty-two member countries of the Council of Europe were gradually moving into their new offices in the Human Rights Building.

Today, inauguration day, the Council of Europe is a family of thirty-four members and more states are expected to join later this year. It is as if the spread of human rights across Europe has been in unison with progress on the building itself.

The more Europe grows, the greater the need to refer to the principles of rights and the values that are its foundation. Attachment to human rights is, after all, the cornerstone of the European edifice.

Europe's founders staked all on human virtues, the desire to offer European citizens the guarantee of peace for ever and prosperity for everyone.

We in Strasbourg have opted to accompany the Council of Europe with loyal zeal from the beginning. We are aware of our responsibility and are happy to act as a modest but pioneering laboratory – throughout history our city has always been at the forefront of European development.

Through the partnership linking us to this European institution we want to play host to an architectural style that reflects this role as a human rights reference. This does not rule out – on the contrary, it demands – perfect symbiosis with the urban environment. The new Human Rights Building has given Strasbourg another architectural masterpiece – the materials chosen and the building's aesthetics suggest flowing transparency, a gossamer-like quality and a general feeling of openness towards its surroundings.

The new Human Rights Building is now the third vessel flying the flag of Democratic Europe to berth in Strasbourg, alongside its prestigious neighbours, the *Palais de l'Europe* and the European Parliament.

Sir Richard Rogers and his contemporary architecture combine the coherence and ambition shared by the Council of Europe and the City of Strasbourg.

Solid and powerful, facing the Council and European Parliament buildings, the new Human Rights Building completes the three-sided pyramid that is European democracy – serving as its base and apex alike.



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The base, because Human Rights are the inspiration and guiding principle of both assemblies. The apex, because Europe needs to guarantee all its citizens balanced social and cultural progress.

This trilogy is the perfect symbol of Strasbourg's European vocation and worldwide reputation as a city of peace.

May I take this opportunity to say how grateful I am and express my thanks to the designers of this building. But let us not forget all those who have worked on this masterpiece, 1500 men and women, 50 companies and their 125 sub-contractors. It took more than 800,000 work hours over three years to complete the building.

I give my blessing to this ship and all who work in her. May they make full use of the new facilities at their disposal to defend our fundamental freedoms and transport them into new waters.

ADAMA DIENG

Secretary General of the International Commission of Jurists

Remembering is an art. In 1983 the Council of Europe honoured the International Commission of Jurists (ICJ) with the award of the first European Human Rights Prize. And now in 1995 the ICJ, which I have the honour of leading has been invested – by Amnesty International and the International Federation of Human Rights Leagues – with a formidable mission: to deliver a message from our three organisations on the occasion of the inauguration of the new Human Rights Building.

The reason why our three organisations attach the greatest importance to this ceremony are obvious. Not only do we have the privilege of enjoying observer status on the Steering Committee for Human Rights but we also make a daily contribution to the work of all the Council of Europe bodies dealing with human rights matters, including the Parliamentary Assembly. Today's event is an opportunity for us to reassert our devotion to the human rights cause on one hand, and to pay tribute to the Council of Europe's steadfast efforts in this field and the successes it has scored, on the other hand. There is still much to be done. There is often a yawning gap between what countries pledge and what they do, often revealing many an ulterior motive. It is therefore more important to undertake new and constant efforts than to pay tribute to past achievements. In European countries fundamental rights are probably respected overall but we should not be satisfied too soon. Now that a closer look is being taken some dark stains can be seen on the European human rights map. You only have to mention the threats and attacks against the rule of law, including the legal protection of refugees, on the increase in Europe. Indeed the perspicacity and sensitivity shown towards human rights in other countries all too often lose their edge when we examine the situation closer to home. It must be reiterated that all

member states, old and new, must be subjected to the same thorough scrutiny by the Council of Europe.

The new Human rights Building symbolises, in the view of the international civil society that we represent, an edifice undergoing continuous construction that we should never tire of consolidating and embellishing. Europe has shown the way in plenty of fields: from standard-setting to the creating of human rights legal machinery. After all, the case-law of the European Court still inspires many a judge throughout the world. It is also in Europe that the first international NGOs for the defence of human rights came into being. But let us not delude ourselves - the work is not complete.

What is happening in Chechnya shocks human conscience to the core. We should not be reproached for interfering in the internal affairs of Russia. Do we really need to reiterate that for the Council of Europe, the principle of non-interference does not apply beyond a certain threshold of violation? Those who believe in the rule of law are devastated by the war in the former Yugoslavia where human rights violations and serious breaches of the rules of humanitarian law of new kinds can still be observed. The novelty does not lie in the violations *per se* but the "expertise" of their perpetrators in manipulating the media, international rules and the "status" implicitly granted to them through the endless negotiations. In these talks Europe has made concession after concession, forever side-stepping the issue, and in the end has lost a lot of credibility. Perhaps the Council of Europe could come to the rescue so that the issue of human rights can be properly addressed in the peace talks.

The upsurge in racism and xenophobia, ethnic and religious intolerance, social exclusion and arms proliferation – weapons are easier to come by than bread – prove that the worse demons can threaten the most stable of democratic institutions.

The Council of Europe can still do a lot to ensure that human rights are respected inside its frontiers and out. It has, after all, recognised that it is not enough for its member states to have democratic institutions but that it is vital for the rule of law to be observed and human rights respected, if it is to achieve its aims and succeed in its quest.

Europe must make a resolute commitment to setting up a new economic order based on fairness so that aid – often misleading – can be replaced by Justice in terms of exchange, by partnership in development and reciprocal transparency when informing the peoples of Europe and the countries concerned. Many an observer acknowledges that the challenges in the field of economic and social rights are far from being accepted. May I point out in passing that the distinguished members of the International Commission of Jurists will be in India, from 23 to 27 October, to discuss the questions of subjecting economic and social rights to law.



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We are all acutely aware of the need to take urgent measures to defend mankind. We must therefore defend the rules that are so often flouted. We must do all we can to impose the respect of the law, something increasingly treated with scorn. To succeed we must be combative, brave, but also concerned.

That is why Amnesty International, the International Federation of Human Rights Leagues and the International Commission of Jurists pursue their untiring efforts to create an international criminal court able to judge crimes against humanity. We are doing everything in our power to ensure that all states co-operate with the *ad hoc* International Criminal Court for the former Yugoslavia since it is a vital step on the road to the rapid creation of a more-than-ever vital International criminal Court. Our respective organisations are convinced that if the authors of serious human rights violations go unpunished the consequences will be even more tragic. Serious and repeated human rights violations make it very difficult for human beings to co-exist and are consequently a huge obstacle to peace.

To conclude, it is our fervent wish that this building should act as a stimulus for the creation of a new world, with more justice and equality, from which nobody shall be excluded. In other words, a world based on the rule of law, without which there cannot be a peaceful world.

CARL AAGE NØRGAARD

President of the European Commission of Human Rights

The inauguration of this magnificent new Human Rights Building takes place at a most appropriate moment in time: the European system for the protection of human rights is becoming more and more effective and the number of states having ratified the convention is increasing rapidly.

Since the planning of the building began the number of states parties to the convention has increased from twenty-one to thirty-one and further accessions are expected in the near future. At the same time the number of cases which European citizens and others have brought before the Commission has tripled. This year there will probably be more than 10 000 applications.

Against this background it is obvious that everybody in the Council of Europe engaged in the human rights field has been looking forward to this day, when they would have at their disposal the localities which they needed.

On behalf of the European Commission of Human Rights and its secretariat I would like to express our most sincere gratitude to all those who have made this building a reality, either by giving their financial support or by their work.

I can mention only a few of those whom we would like to thank. The first important step for the realisation of the plans for a new building was taken when the city of Strasbourg, on the initiative of its former mayor, Monsieur Rudloff, and later on its present mayor, Madame Trautmann, offered the area on which the building now stands.

Successive Secretaries General, Mr Oreja, Mrs Lalumière and Mr Tarschys and their staffs have given many hours of their precious time to promote the project, and the member states of the Council of Europe, led by our host country France, have generously provided the indispensable financial means.

Last but not least, we would like to express our admiration for, and thanks to, the architect Sir Richard Rogers and his staff, to the architects from the Council of Europe and to all those who with their hands and with their skill and hard work have been involved in the actual construction of this impressive building.

Due to the work, the support and the imagination of all those involved, it has been possible to create this home of European justice offering outstanding conditions and surroundings for those who in the years to come shall have the privilege of carrying out the important and sometimes difficult task of protecting human rights in Europe.

In the old and more modest building a number of attributes were essential for all those engaged in the work, judges, members of the Commission and secretaries, namely the devotion to the cause of Human



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Rights, the enthusiasm, the legal skill and the spirit of helpfulness and cooperation.

We now have an ideal setting for our tasks and I am convinced that these fundamental features – the devotion to the cause of Human Rights, the enthusiasm, the legal skills and the spirit of helpfulness and cooperation – will live and flourish here.

It is my sincere hope that the future activities in this new Human Rights Building will be a cornerstone in the creation of a Europe with peace, justice and *"amour d'autrui"*.

ROLV RYSSDAL

President of the European Court of Human Rights

Fifty years after the end of the second world war, we have come together to inaugurate the new Human rights Building in Strasbourg, a city which itself symbolises the dramatic events that have riven our continent for more than a century. Ravaged by a pitiless machine of death, Europe managed to retrieve from the depths the idea which had made it great, its concept of the intrinsic dignity of the human person. René Cassin and Eleanor Roosevelt, Pierre-Henri Teitgen and David Maxwell-Fyfe transformed the idea into precepts for the international community, the first two on a world scale with the Universal Declaration of Human Rights, the second pair in Europe with the European Convention on Human Rights. This needs to be stressed, because it was then that the foundations of the new international order that we hope to see established in the world were laid. The message of those pioneering women and men, survivors of the war and the Holocaust, is clear: war and misfortune will not disappear if the international community disregards fundamental human rights.

The member states of the Council of Europe have acknowledged that message by putting it at the forefront of their work within the Council. Their concern and their efforts to stay faithful to it have yielded concrete results which have often exceeded the most optimistic expectations. There can be no finer evidence of that than this magnificent building which the Council of Europe's authorities are handing over to us today, nearly thirty years after the ceremonial opening of the first Human Rights Building, which has become too small for a Court and a Commission whose responsibilities have never ceased to grow.

In officially taking possession of this second building together with our friends from the Commission, I should like to express on behalf of the Court my deep gratitude to the City of Strasbourg, and in particular its mayor, Catherine Trautmann, to the former President of the French Republic, François Mitterand, who laid the foundation stone three years ago, to his successor, President Jacques Chirac, to the French

Government, to the Committee of Ministers and Parliamentary Assembly of the Council of Europe, and to the three Secretaries General of the Council of who have each supported the project: Marcelino Oreja, Catherine Lalumière and Daniel Tarschys.

Our thanks go particularly to Richard Rogers, who, by a stroke of genius, succeeded in meeting our ideas and wishes straight away and has designed for us this building, which we wanted to be open to the outside world, transparent and welcoming.

This building will now house the Court and the Commission but it is at the same time a meeting-place, a forum for the Convention institutions and the constitutional and supreme courts of our states, which under the Convention have primary responsibility for ensuring respect for human rights in Europe. It is for that reason that the Court wished to have the presidents of the national supreme courts invited to this ceremony and I thank the Council of Europe authorities for having accepted that proposal.

This new building is of course first and foremost the home of those who consider that their rights and freedoms have been infringed and who turn to it in the hope of finding a European response to their questions and difficulties.

Thanks to the increasing awareness of the scope of the protection afforded by the Convention, the Court and Commission have been able to develop a substantial body of case-law, at the heart of which there are several hundred judgements relating to nearly all the guarantees in the Convention. The complexity of the supervisory machinery too often prevents justice from being done within a reasonable time and it will be replaced in the near future by a single, full-time Court.

The achievements which this splendid building reflects in its own way must not, however, cause us to forget that much remains to be done to ensure that the rights and liberties of the individual are effectively protected in our community. It is high time that the States parties to the Convention which have not yet done so accepted the protocols which have added a number of rights to the Convention catalogue. It is high time too that the states which made reservations when becoming parties to the Convention or a given protocol adapted their domestic law to the Convention standards and withdrew their reservations. The treatment of people under arrest or in custody, equality between men and women, social and economic rights and, of course, the protection of national minorities – these are all fields in which the Council of Europe is working and in which we expect a generous, firm commitment from our governments. The accession of the European Communities to our Convention, which has long been advocated in the interests of the unity of European human-rights law by the European Parliament, the Parliamentary Assembly of the Council of Europe, the Commissions in Brussels and successive Secretaries General of the Council of Europe, will

have to be on the agenda of the European Union's Intergovernmental Conference next year.

Ladies and gentlemen, I will conclude by repeating, almost word for word, what was said at the opening of the first Human Rights Building by René Cassin, the most illustrious of my predecessors: "Above all," he said at the end of his speech, "we should like the governments of the Council of Europe's member countries to fulfil people's hopes and further emphasise the trust they place in the law to ensure that Europe is built on the basis of common principles, and to show increased confidence in the institutions set up under the Convention. The judges of the Strasbourg Court for their part will continue to spare no effort in rendering impartial justice in order to meet those hopes and justify that confidence."

JACQUES TOUBON

Garde des Sceaux, Justice Minister of the French Republic

The inauguration of the new Human Rights Building is a measure of the long way we have come since that day in 1950 when thirteen of our states met in Rome to sign the Convention for the Protection of Human Rights and Fundamental Freedoms, setting up the first international legal body to protect these rights. The Council of Europe now has thirty-four member states, all of which are signatories to this founding text, now enriched by a number of protocols strengthening human rights and improving their protection. All the Contracting States have accepted the right to individual petition and the compulsory jurisdiction of the European Court of Human Rights; the Convention is directly applicable under domestic law in many of our countries.

The European Convention on Human Rights has played a decisive role in adapting our domestic arrangements and continues to do so. The Court judgments not only decide upon individual cases but help, on a wider basis, to clarify and develop the Convention standards. As a result their scope is not limited to the defendant state but very often concerns other unrelated states.

The European Convention on Human Rights is therefore the heir to the fight begun by France, over two centuries ago, that might be summed up by the words of Chamfort: "You must be fair before being generous."

This progress has resulted in a European system for human rights protection, one of a kind, imposed upon us as a vital reference. It should not be taken for granted that our states have agreed to submit themselves to this international control. Our common values, those embodying the Council of Europe, are strengthened by this fact and, in saying this, I am not thinking only of human rights but also the rule of law and democracy.

Those in charge of the proper functioning of our states' legal systems must refer to these values for guidance whenever they act.

In fact I bore these values in mind when I decided to make two reforms when I was made Minister of Justice: setting up departmental criminal courts to update the procedure for tackling the most serious crimes and overhauling the provisional custody system. These reforms are in keeping with French tradition, always intent on improving relationships between Justice and the public.

The Council of Europe has been able to retain a role that no other institution could play. The European Convention on Human Rights was the starting point for the massive task of setting standards enabling its scope to be widened and, as a result, protection of human dignity in Europe to be constantly improved.

France, unfailingly behind the enlargement of the Council of Europe to cover the whole continent of Europe, is delighted to see nearly every European state represented today in this new building.

The new Human Rights Building, whose architecture we are now admiring, is not merely the symbol of the accomplished work; it also marks the beginning of a new era.

Firstly, that of a permanent, single Court, in the terms of Protocol No. 11 to the European Convention on Human Rights. This reform, setting up an entirely jurisdictional system, is the end result of the developments I have just described and France – who supported this principle and initiated the ratification procedure – would like to see it quickly implemented.

Secondly, because the jurisdictional system of the European Convention on Human Rights is intended to deal with every democracy in Europe. The fact that President Havel and many others are here is living proof of the progress registered in this field. We can only hope that these developments will continue in satisfactory conditions.

At this point, I should like to emphasise the responsibility incumbent on the national judges in their duties as the guardians of public freedoms and citizens' rights. I am very pleased that discussions are being held between the European Court and Commission of Human Rights and the heads of our countries' supreme legal authorities, also present here today. I am utterly convinced that the European Courts should only be the last resort and this should encourage all our states to ensure that human rights are respected to the full. To quote Albert Camus: "People have more admirable qualities than contemptible ones".

I should also like to call on you to remember the founding fathers of the European Convention on Human Rights, in particular René Cassin, first President of the Court, whose vision led us where we are not. I hope that we can make full use of that heritage and demonstrate the same boldness as our predecessors did.

I am happy to be among you today and to assert the store that the Government sets by human rights and the democratic standard-setter that is the Council of Europe.

I am also pleased to see that this new building, along with the buildings housing the activities of other European institutions, including the two debating chambers and the headquarters of the European Audiovisual Observatory, is fresh proof of Strasbourg's European vocation, a vocation that it has had ever since the end of the second world war.

MIGUEL ANGEL MARTÍNEZ

President of the Council of Europe's Parliamentary Assembly

Hardly a generation has gone by since we inaugurated the old Human Rights Building.

How small that building seems today!

Yet at the time, it was built to house not only the Court and the Commission but also the Directorate of Human Rights and the Directorate of Legal Affairs of the Council of Europe. The fact that that little square building, which has become so dear to many of us, has had to be replaced by a building on another scale altogether, bears witness to both the great expansion of the Council of Europe and the dynamic nature of the European Convention on Human Rights.

The new Human Rights Building is a magnificent edifice which shines through its originality and I would like to wholeheartedly congratulate the Committee of Ministers, the architect, the City of Strasbourg, the Secretary General and the technical services of the Council of Europe, and all those who contributed to this remarkable work.

With its shape, its portholes in the lower floors and the decks at the back of its two sections, the new Human Rights Building looks rather like an ocean-going steamer.

In nautical jargon, one might well ask if the European convention on Human Rights and our human rights protection system as a whole have now reached cruising speed.

In my opinion, this is not yet the case. Many more ratifications are needed before all our member States become Contracting Parties to the Convention and all its additional protocols. Furthermore, experience has shown that even if a state has recognised the right of individual petition, it will be a long time before the number of applicants reaches a significant level. Finally, the new Protocol No. 11, which will introduce a single court system, is not yet in force.

Democracy and human rights are dynamic concepts, constantly progressing and evolving. Their developments should be of benefit to an increasing number of citizens, following the Olympic motto of *citius, altius, fortius* ("faster, higher, stronger"). This process requires the

participation of society as a whole, debate and consensus, all essential prerequisites for European construction to a modern design. Within our Parliamentary Assembly, democratically elected representatives of the peoples of Europe strive to raise current standards and monitor their application, and our deliberations shape the future.

European cooperation has been built on solidarity and the respect of democracy and fundamental rights. It cannot be satisfied for as long as part of our continent remains excluded, for as long as thousands, indeed millions of men and women, our fellow Europeans, do not participate in our joint undertaking and their rights and freedoms are not covered by our protection systems. This week, the Assembly has issued favourable opinions on the accession of Moldova and Albania to the Council of Europe. In the very near future, it will have to say yes or no to other States which have applied for membership. I suppose you could say that our steamer is on the right course.

If I might say so, the Parliamentary Assembly does not generally crew the boat but does everything to put it to sea. It appoints the captains on proposals from the Committee of Ministers and acts as a tug-boat to get the vessel moving. This was the case, for example, when discussions on the new single court system had reached deadlock.

The Assembly often consults with the expert and eminent crew members on board your steamer. As you know, when we examine applications for membership of the Council of Europe, we always ask a Court judge and a member of the Commission to produce an expert appraisal on the situation of human rights, the rule of law and democracy in the applicant country. In the case of Russia, we have gone so far as to request assistance from three Court judges and three members of the Commission, and I would like to take this opportunity to say how deeply we regret the premature passing of Professor Ermacora, a past winner of the Council of Europe Human Rights Prize and one of the eminent legal experts we consulted on Russia.

Everything concerning the European Convention on Human Rights, its enlargement and its improvement, directly concerns our Parliamentary Assembly. It is usually the Assembly that takes initiatives which might result in new additional protocols or conventions protecting fundamental rights in other ways than those envisaged by the European Convention on Human Rights, such as the Convention on Torture.

Bioethics and the rights of national minorities are two of the challenges which we now want to take up as priorities. The primacy of law, peace, stability and prosperity remains our objective. In all its different guises, such as the tugboat I have already mentioned or the cruiser which accompanies and protects a convoy, the Assembly is never far away from your steamer. On that nautical note, I wish it an excellent voyage.

VÁCLAV HAVEL

President of the Czech Republic

It is a great honour for me to be invited to speak, on behalf of the country which now holds the chair in the Committee of Ministers of the Council of Europe, on this very special day when the Council of Europe inaugurates the Human Rights Building. I firmly believe that this house will soon become a materialised symbol of the values the sharing of which has been the driving force behind European unification.

With your permission, I should like to take this opportunity to present to you one general observation on human rights and one specific observation about those who put them in jeopardy.

We who tried in the past to resist the totalitarian system in the countries of the former Communist bloc used to be referred to either as dissidents or as human rights champions. The former of these two names was rather inaccurate, the latter – though somewhat pathetic – comes nearer to reality. The concept of respect for human rights, as they are laid down in various international conventions, was indeed the starting point for our endeavours, and most of the documents which we brought out, incurring persecution for doing so, were principally criticisms of the massive violations of human rights by the Communist regimes. Nevertheless, I will admit that one pretty weird, almost heretical question occurred to me time and again throughout my dissident years. I asked myself why in fact humanity should be supposed to enjoy such and such human rights, where the prime origin of these rights was, who had ever said that these were the rights human beings should have, or why we were taking it for granted that we had the right to any rights at all. The answers that are offered and generally accepted today, such as this is a product of the development of human civilisation, a fruit of human self-reflection as it has been subsequently embodied in social contracts between people who agreed upon what were to be their vested, natural or inalienable rights, failed to satisfy me. The more I have thought about it, the more I have been led to believe that the prime origin of these rights must lie in something deeper than a mere contract. I have been ever less willing to accept the idea that things such as the rights to life, freedom of thought, respect for human dignity or equality before the law should be worth making sacrifices for just because someone reached agreement that these were reasonable principles that met the human needs, or that were practical for human co-existence on this earth.

Don't worry, it is not my intention to take up your time with boring descriptions of my train of thought or comments on my philosophical convictions. I shall limit myself to stating my considered opinion that while the present-day concept of human rights indeed takes a form which derives from the state of civilisation today, the set of values and imperatives which it reflects is rooted elsewhere: in a deeper, truly

profound experience, an archetypal human experience of the world and of humanity itself within this world. Already in long bygone times, long before the term “human rights” was coined, the human mind realised that the higher order of Being of which it is a part puts it under a certain obligation. Different cultures, both past and present, have perceived this obligation in different ways in terms of form and sometimes in terms of content as well, but all have agreed that this tide or obligation comes, so to speak, from without, as its background has the dimensions of the infinite, and of eternity. In other words the concept of human rights is only one of the ways in which our present civilisation gives expression to what might be called the moral order, whose existence is part of the fundamental experience of humanity as conscious creatures – experience of something which transcends us, which to put in plain words, exists beyond us. There are simply certain things which people do, not just because they have agreed with other people on doing them, or because they have found them practical.

Various manifestations of crises in the world today apparently corroborate this opinion. Don't they all emanate from one common cause, from a decline of human responsibility for our world, precisely the kind of responsibility that relates to higher authorities rather than to those underlying a simple intention to adhere to certain standards endorsed by a vote? Don't we find an explanation for many such developments in the decline of humanity's readiness to honour an order of Being that stands above the human person and to conduct ourselves responsibly even when nobody sees us, when there is nobody to tell on us to any mundane authorities that may have been put in charge of overseeing observance of certain agreed rules? And isn't it this decline of the modern spirit that provokes many cultures to revolt against such contemporary standards in which they do not find any deities to worship, and which they therefore deem to be lacking a proper metaphysical anchor?

There has been much discussion about whether human rights in the form which is now accepted in the Euro-American cultural sphere are truly universal, that is, whether their observance can be required of everyone, or whether they are only a product of one particular culture that cannot be imposed upon other cultures which are based on different world outlooks and different traditions.

If we were to perceive human rights as a mere product of a social contract the answer to this question would be clear: we would have no rights whatsoever to demand that they be observed by anyone who has not subscribed to this contract or who has had no part in devising it. No group can justifiably claim that what its members have agreed upon among themselves applies automatically to everyone else as well, nor can it purport that only what this particular group deems right is truly universal, and right for all.

If we, however, recognise that respect for human rights as a political requirement or imperative is actually a political expression of moral obligations anchored in the general human experience of the absolute, any reasons for relativist scepticism cease to be valid. While this recognition alone does not win any battles, at least it paves the way: universality of human rights can be successfully defended if we look for its truly universal spiritual roots. That is, if we join forces in a search for what most cultures have in common and if we attempt a new reflection on the most profound points of departure from which our manifold cultures have grown. In reality, these starting points are much closer to one another than they now seem to be. The more we cling to the mere surface of things the more the otherness in diverse cultures conceals the depths of affinity among them. The way to genuine universalism does not lead through compromises among various contemporary forms of otherness but in a joint quest to bring back humanity's common primeval experience of the universe, and of the human being within it.

A few hundred kilometres away from here, a dreadful war frenzy is raging, and we are all helplessly watching, to see who will win – the Serbs or the others. What we are completely forgetting is the fact that this is not just a war between the Serbs and the others. This is a war for our own future – a war of those to whom their tribal otherness is the ultimate value against all those who embrace higher values than the blood group which they happen to belong to. This war is waged against us all, against human rights, against the co-existence of people of different nationalities or religious beliefs, against the civic principle; it is a war for what divides us, and against what brings us together. The war in Bosnia is in fact a war against meaningful human co-existence based on the universality of human rights derived from the universality of the primeval human experience of the universe. It is an attack of the darkest past on a decent future, an attack of evil on the moral order.

We have to stop this war. Yet, we shall not stop it by engaging in hopeless attempts to work our compromises whose consequences would amount to confirming otherness as the supreme principle. There is only one way in which we can stop the war without being left defeated, if this is still in fact possible; by calling evil evil, by pointing out who is to blame, and who is the victim, by saying at last in no uncertain terms what this war is all about.

The Council of Europe obviously cannot put an end to this war. But the states united in the Council possess the strength to do so. The responsibility of the Council of Europe, a maker and guardian of European and universal values, consists in throwing light on this war, in calling it by its rights name, in saying outright that this is a war against all the values which the Council of Europe has enshrined in its documents, which it cherishes and which it has tried to nurture and cultivate.

This is a festive occasion. I have not meant to spoil it by bringing in disturbing tones. My intention has been to stress that what is to be fostered and guarded in this building is right now the target of a brutal attack not so far away from here, and that the values which all of us have subscribed to have enemies in our immediate vicinity. If we let these enemies prevail over human solidarity and will to live together, others like them, and new ones, will emerge. Dark forces of tribal hatred lie dormant in many a part. If we let them get the upper hand in one place, they will begin to awaken in many other places as well. We must not allow this to happen at the very moment when Europe had, for the first time ever in history, a chance of building its political order on the principle of peaceful co-existence and co-operation on a footing of equality among all its nations on the principles of democracy, respect for human rights, the rule of law and civil statehood.

Europe – like the whole world today – currently finds itself at a crucial historical crossroads. It shall either succeed in embracing a new sense of responsibility, one that will grow out of the universal spiritual experience of the human race and heed the moral message which this experience holds for us, or it shall again commit the same fatal error for which it paid such a terrible price twice before in this century – the error of closing its eyes to the emerging evil of nationalism which, like any evil, is contagious.

Ladies and gentlemen, let me conclude by voicing my enduring hope that human reason, decency, solidarity and preparedness to seek understanding and to live together in fairness will triumph over everything which threatens them. I have no doubt that the Council of Europe and its various institutions, including those which are to reside in this building, will make a major contribution towards achieving this – not by using instruments of power, which the Council does not have, but by pursuing further the great endeavour which it undertook several decades ago, that is, by continuing to promote, intensify and spread a good spirit of cooperation among nations.

Thank you for your attention.