

**FUNDAMENTAL RIGHTS FORUM – INCLUSION, REFUGEE PROTECTION,
DIGITAL AGE**

Opening speech

I have been coming to this city for many years. Forty years ago my father was posted here and I spent most of my holidays in Vienna. And I wish it were possible, just for ten minutes, fifteen minutes, to take all of you outside in a time machine and go back forty years and see what the city of Vienna was like forty years ago. Provincial, grey, drab to some extent, oriented towards history, at the very fringes of Europe. And now look at Vienna - bustling, international, one of the capitals of the world, diverse, at the front of innovation, where people meet from all over the world and where tolerance is written in capitals. So when people say 'Europe, what did it ever do for us?' look at Vienna for two minutes and how Vienna has changed because Europeans finally put an end to the European divide in 1989.

I am proud to be here and I am happy to be here, but I also know that what happened in the past isn't really going to help people support you for what you're going to do in the future.

There is a famous story about the election campaign right after the Second World War in the United Kingdom where Winston Churchill was running against Clement Attlee. Churchill ran his campaign on his war record, which is logical. Attlee ran his campaign with a great level of modesty about the future, about what he wanted to do with health care and housing.

Of course, the great Churchill made fun of him. He said, 'yes indeed it's a campaign on modesty and I recognize that. Mr. Attlee is indeed a modest man, but then again, Attlee has a lot to be modest about.' But he won the election, Attlee, because politics is not about the past, it is about the future. And that is what I want to talk to you about today. Because these are challenging times for us – for Europe and for fundamental rights.

Almost daily, we see attacks on our values and our way of life: on things that we hold dear, that are fundamental, that enable us to live freely and in harmony with our fellow human beings.

Just a couple of days ago, a young woman whom I had known for 20 years, a slight person, with more energy in her than your average energy plant. With more heart than anybody I have ever met. Who had fundamental rights as her driving principle, who worked for anyone in need, who was always there to help anyone who wanted her help. She was murdered outside of her surgery in Leeds because of her convictions. And I will miss Jo Cox, and I will miss everything she represents in her. And I hope we will honour her memory of continuing to fight for fundamental rights.

But also, a few days before that, two people who were not known to the outside world, who did not hold public office, who did serve their community, police officers, were murdered in the privacy of their home before their eyes of their small child. So now we have three children, two in the United Kingdom and one in France, who are now growing up without their mothers and fathers.

And a horrendous terrorist attack in the LGBT community in Orlando, refugee homes attacked, Jewish citizens attacked or spurned because they wear a kippah or they look Jewish.

What in our very societies explains this general rise and intolerance and xenophobia that manifest itself in such events. How can hatred and prejudice express themselves again so freely? What is fuelling public discourse to become in many countries so increasingly polarised. Why are we only talking to each other and no longer listening to each other?

I believe the answer lies in a general climate where – despite our relative wealth, our collective strength – many citizens experience a genuine feeling of insecurity, of fear. The fear of exclusion, the fear of loss, fear also of what tomorrow holds, fear for their children's future, and fear of the other, of the unknown.

The thing with fear is that it stops us of from looking around us. I think it is a biological fact; someone who is afraid, only sees confirmation of their fear, they go and look for confirmation that their fear is justified and they are not open to the facts that might dispel their fears. There are plenty of politicians in Europe today who are simply itching to keep supplying the evidence that the fear is justified. When fear dominates, we only see threats, not opportunities, and we stop seeing people for what they are: people. And when we cease to recognize somebody else's rights, that in turn undermines the whole value system that safeguards our own rights as well. When we start dehumanising the other, because we see him as a threat to us, we start to dehumanising themselves.

I know that this picture is rather gloomy. But my intention is certainly not to lower spirits before the Forum even starts. On the contrary, I believe that now more than ever is when we have to fight to uphold our fundamental rights.

More than ever we realise just how much protecting fundamental rights matters for peace in our societies, that are going to be ever more diverse. Because fundamental rights are about recognising and protecting every individual in society. And they are about balancing and reconciling the rights and freedoms we all want to enjoy. One of the elements of modern society sometimes, I also see it in my country, is that we start extrapolating our own personal freedom to such an extent, that we are unwilling to see that the person next to you also wants his or her freedoms and it becomes totally unimportant, because the only thing that matters is me.

More than ever, the respect for fundamental rights depends also on the broader context: on a democracy worthy of the name; on the rule of law, upheld in both letter and spirit by the authorities. The rule of law is not something you can change when you think you have the democratic justification to do so. Our societies are built on three pillars; respect for democracy, respect for the rule of law and respect for human rights. You cannot use one pillar against the other, unless you want to weaken the whole building. Democracy unchecked by human rights and the rule of law turns into tyranny of the majority. That is a truth discovered by John Adams at the end of the eighteenth century. And it was true then and it is still true today.

This Forum could not have come at a more timely moment. And the topics you will be discussing could not be more relevant to the challenges we face. Let me address each one of them in turn.

The refugee crisis has been one of the main factors contributing to the recent rise of populism and xenophobia in our societies. Why? Because it confirms all the fears people have of our inability to perform services to the community as is necessary, as institutions. The refugee crisis, coming on top of all the other challenges, has made people fear that their identity is at stake, that their future is at stake, and that their way of life is at stake

The management of the refugee crisis is undoubtedly a major challenge for Europe, the biggest we have ever faced. It puts a strain on several EU countries and it confronts us with who we are and how we see our future, our societies. It puts our values to the test and sheds light on the way we are capable - or incapable - of working together in the European Union.

This is why we have made the management of the refugee crisis an absolute priority. This is why we have set out in our migration agenda a holistic approach to reforming our migration and asylum system.

We need to put fundamental rights at the core of our response. If I look back at the last year, we went from the iconic emblematic picture of poor little Aylan, drowned on the beach in Turkey to the other emblematic event, with a completely different reaction, namely what happened in Cologne on New Year's Eve. Europe has sort of been swinging from one side to the other, between our feeling of solidarity on the one hand and our fear for identity on the other. We need to strike a good balance between the two. If we fear too much, the process of dehumanizing starts and the refugee becomes a number, not a person. And persons drowning in the Mediterranean should always be unacceptable.

I know that some fear that we are sacrificing the human rights of migrants on the altar of efficient border management. Let me assure you that this is not the case. Increasing our ability to better manage migration flows has two fundamental aims: to make sure that all those who need protection will receive it, and to avoid loss of life. This includes preventing situations where people put their life and well-being at risk, placing them in the hands of smugglers.

Of course, merely better managing our external borders is not enough. We also must reform our asylum system, in order to return to a fair and sustainable sharing of responsibility between our Member States. And we must offer legal pathways to Europe, including through the resettlement of refugees directly to the EU, thus bypassing the smugglers.

Let me turn to the second theme of your Forum, which is closely connected with the first, namely the question of inclusion.

We can only succeed in reforming our migration policy if we succeed in including those who become our neighbours, getting to know them, helping them to express their potential, to build a future for themselves and their families and contribute to the economic and social life of the societies in which they live. This is why we have recently adopted an action plan to support Member States' efforts in developing and strengthening their integration policies for third country nationals.

But of course, inclusion is not only an issue for refugees, but for all those whom we fear or mistrust because they are "different": "different" by religion or belief, "different" by skin colour, ethnicity, or sexual orientation.

But the EU was built on our differences. As Desmond Tutu once said "*Differences are not intended to separate, to alienate. We are different precisely in order to realise our need of one another*".

A common ground is however needed for inclusion to be successful. Inclusion is a two way process. You know, for too many years, tolerance as we call it, was in fact indifference. We just let the others take care of themselves. I always compare this to playing football, which is perhaps an interesting analogy to make these weeks. But it's like with football, if you have newcomers in society, they have never heard of the game before, and you say to them 'go and play football with us now'. So you put them on the pitch. They don't know the rules, they know they need to score a goal, but they don't know the rules. So what do they do? They go and stand offside. So whenever you try to play them the ball, they are offside and they can't play on. Then you become angry with them, and you don't give them the ball anymore because they are offside. And you say 'don't give him the ball, he is offside, he doesn't play along, he doesn't understand'. And they say 'hey, I am here on the pitch, why don't I get the ball, why don't I get to play, why am I not part of this?' This is what is happening in many of our societies, if tolerance and integration is answered with indifference, instead of committing, instead of engaging.

There is only one place where we actually have to meet in our societies; we should meet in our societies, a place that should not be segregated, a place that should help emancipation and that is education. We will have to double our efforts in all European societies, to create opportunities for everyone, to be successful in education. And it should not happen that someone is turned down for a job for wearing a headscarf and when she turns up a day later without the headscarf, she gets the job immediately. That should not happen in any of our societies.

And we know that a child's future is still pretty much determined by his or her socio-economic background. Only education has the real potential to reduce disparities and transmit fundamental values.

But then we have to enable schools and teachers to do that, should we not increase the position of teachers in societies? Should they not be recognized as the important educators that will help us create an inclusive society? Should they not get more support from public authorities for what they do? Shouldn't they be able to not just transmit knowledge, not just tell children to learn stuff that they can then regurgitate? Should they not be able to tell our young people to be critical thinkers and also give them the tools so that they know what the offside rule is and they can be full-fledged players in all our football teams? I think they should.

This was also a central element in the discussions during the first Commission Colloquium on Fundamental Rights which I organised last October, on fostering tolerance and respect and fighting Antisemitic and anti-Muslim hatred. Key actions were singled out to fight hatred, prevent discrimination, foster inclusive education and mutual understanding amongst young people.

But beyond these measures, I believe that the law also has a role to play in fostering inclusion and preventing discrimination. This is why I would like to reiterate my call for the adoption of the EU-wide equal treatment directive, which has remained blocked in the Council of Ministers for far too long. In our Union, it is not acceptable that people are discriminated against on account of their religion, or sexual orientation, when they rent an apartment, or go to a café. Discrimination has no place in the Union, and we will work with Member States and with the European Parliament to make the adoption of this Directive a reality.

Of course there is no excuse for turning against our society. But let's not give people an excuse by excluding them from society.

Let me finally turn to a last topic for this Forum, the Digital Age. The internet is a vital medium of economic and societal activity: for discussing, sharing, learning, making connections, interacting. These are all necessary elements for strengthening ties between people. Let's make the best of social media and digital tools. However here again, fundamental rights must be at the core. Online social interaction can quickly deviate and get out of hands. I get this every day. Social media has also become a vector for hate speech and propaganda, as the debate on the refugee crisis in particular has illustrated.

The Commission's effort in this respect have resulted in the adoption last month of a Code of Conduct on countering illegal online hate speech, with which Google, Twitter, Facebook and Microsoft agreed to assess hateful content as defined in our national laws transposing the EU Framework Decision on combatting hate speech online, and, where needed, to remove illegal hate speech online within 24 hours in a majority of cases.

Another important aspect of the digital age is the implications for privacy. The internet can only develop its full potential if people know that their data is safe and protected. I therefore welcome very much the recent adoption of the data protection reform package, which represents a quantum leap for data protection in the digital age.

Finally, to ensure an informed and balanced debate in a democratic society, **media freedom and pluralism** are key. For this reason, the Commission has recently proposed the revision of the Audiovisual Media Services Directive to reinforce the independence of audiovisual regulators.

I have also decided to focus this year's annual Fundamental Rights Colloquium on "Media Pluralism and Democracy". It will take place on the 17th and 18th of November in Brussels and explore the multiple links between a free and pluralist media space on the one hand and democracy on the other.

Ladies and Gentlemen,

Protecting fundamental rights has never been more important than today.

We need an understanding of what can be different and what should be the same for all of us. That, simply put, is why we have adopted a Charter of Fundamental Rights. We are fighting day after day to ensure that these rights and values are protected and promoted within the EU and by the EU. We will only be able to uphold our values by a common and coordinated effort.

Finally, I come back to this magnificent city. One of my favourite writers was *indirectly* from this city. His name was Joseph Roth. He was a proud Austrian. He loved the history of this country. He loved the culture of this country. He only saw himself as an Austrian. Then, after the years and the First World War, he noticed that suddenly he was only a Jew, no longer an Austrian but a Jew. Everywhere he came. And he saw the signs and he knew what they meant; dehumanizing had begun. He saw human nature. Its beauty and its ugliness. He warned, but nobody listened. He drank himself to death. Read him - some of the most beautiful literature ever written, certainly in this country - and understand that dehumanising people is the beginning of a lot of trouble that we have had. And a lot of trouble we may see. We don't need to do it. I see many young people here in front of me. You are the brightest, the healthiest, the best educated, the best connected generation in European history. Use it well to make sure we don't make mistakes. Use it well to make sure that your values become our values. Use it well so that this continent of diversity is able to use all the opportunities you can offer it.