**LITHUANIA**

Ignas LAPKUS

**Our rights, Our liberties, Our Europe.**

**Imagining the European of the future?**

Europe is unique. Millennia of feudalism, castes, classes, social inequality, religious persecution, empires, dictatorial regimes finally became the most progressive and democratic region (arguably even more democratic than the US) in the world. The principle of the balance of power in European international politics (according to Henry Kissinger’s work “Diplomacy”) was replaced with the principles of economic collaboration, peace, human rights, rule of law, and democracy preservation. In a changing world where Europe is losing its position as the global centre, it is very important to foresee the future of Europe and the future of human rights in the face of the erosion of democracy.

**Why are human rights and democracy important?**

Democracy is the only means of governance that does not use force in state governance. Yes, government is the only legal holder and user of power (the state has only one police, one military) but, unlike in dictatorships, political opponents are not persecuted, confined in detention camps or outright annihilated. Political issues are discussed, voted and fought for in courts. In democracy, the only possible truth is found in a public discourse. Dictatorships rely on propaganda to persuade people of false reality, thus maintaining power. In democracy we are all able to express our views so it is always possible to find common ground in every problem. Leaders are criticised and corruption is sooner or later diminished even in the highest levels of government.

Human rights are the key feature of democracy. Democracies rely on the principle of *lex est rex sed rex non est lex* (the law is the king, not the king the law). Citizens can participate in governing the state and the government is accountable to them, since the voters can replace it. This encourages parties to create programmes that enable people. Since the times of Plato and Aristotle, as later discussed by Thomas Aquinas, human rights form *ius naturale* – the natural law. They are inherent to every human being. Exalting the individual and granting him/her powers, enabling free expression of thought, belief in any God, protests against any law, etc., in my opinion, is the most beautiful feature of democracy.

**How beneficial are the Council of Europe and the European Convention on Human Rights to the Europeans?**

The Council of Europe sets conditions, which member states must follow. The Council comprises 47 European countries. One of the conditions that became a major achievement was abolition of the death penalty. No death penalties have been executed in any of the states since 1997. In comparison, in the US 1135 death penalties were executed since 1997 (according to the data of the Death Penalty Information Center). The Council of Europe also works hard to enhance human rights in member states. The Council has the Committee for the Prevention of Torture that conducts unannounced visits at prisons and police stations to assess how persons deprived of their liberty are treated. Among the most recent achievements is a convention that entered into force in 2010 which criminalises child sexual abuse. Member states are morally restricted in their treatment of their citizens, encouraging more progressive treatment of vulnerable people, e.g. prisoners, children.

The Council of Europe works toward a more democratic vision of the continent. In democracies the change of government is peaceful and based on the will of the people. However, this process is not always transparent, lawful or fair. Voters may be bribed or the election results may be rigged. The Council of Europe organises the monitoring of local, regional, national elections. The Council also issues programmes and recommendations on reforming election laws and teaches national observers, election commission officials. The other part of the vision of more democratic continent is education. The Council organises educational activities on public participation in political life, lays out education strategies and measures. Every year over 5000 young leaders are trained in the Youth Centres in Budapest and Strasbourg. Afterwards, these leaders transfer their knowledge to their organisations. Over 15000 more young people take part in annual projects of the EYT (European Youth Foundation), promoting tolerance and solidarity. With these measures, the Council develops the vision of democracy and its implementation in our war-torn continent.

**What are the future challenges of Europe?**

Democracy is experiencing worldwide decline. One of the economically strongest countries in the world is China, a communist dictatorship. Even some of the members of the Council of Europe, such as Russia and Turkey, become increasingly less democratic due to various decisions of their governments. This undermines the legitimacy of the Council of Europe as a developer of democracy and human rights on the continent as well as its productivity because, for example, Russia may hinder the implementation of the activities of the Council's bodies that portray it negatively. A huge wealth inequality is forming that negatively affects democracy. Large companies can influence small countries to adopt certain resolutions that are more beneficial to those companies. China makes large investments in Africa and some European countries. This means that they become more dependent on China’s dictate which hardly promotes the development of transparent and liberal democracies.

Populism in Europe is growing. New parties are emerging that undermine the established liberal order of the world, raising questions regarding the size and legitimacy of the European Union, the meaningfulness of NATO, and the relationship between the US and European states. Populism is not evil in an of itself but it is breaking the peaceful order on the continent. Historically, radical populists often turned democratic states into dictatorships. Radical forces can begin the destruction of our natural order. We have to understand that throughout history democracy is rather an exception than the norm.

These challenges threaten the peace, transparency, human rights and freedom on the European continent. Not very long ago there were military conflicts in the Balkans. The Council of Europe has plenty of work in fostering democracy but it is hindered by the limits of its legal power, the lack of interest of member states in democracy, and increasing focus on the EU and its institutions and their stance. Some might think that the Council of Europe is no longer needed but I disagree. The EU supplements the Council of Europe in promoting Europeanism – the awareness of being a European. We see a European as a democratic, free, tolerant, and respecting human rights. This understanding allows us to see democracy as an inseparable part of Europe, which is a big stimulus in fighting for it.

It is probably impossible for the Council of Europe to have even more legal power, since member states do not want to give up their sovereignty and not every country has the same interests in terms of democracy. The Council of Europe should have as much influence as possible through culture, development of the European mentality, organisation of cultural projects and events, education on democracy, elections and human rights, because even less democratic states want to be seen as democratic, providing a window of opportunity for the Council of Europe to implement its activities. Should such activities fail, the Council of Europe must be a platform where the issues of human rights, free journalism, and rule of law would always remain important and not forgotten.

In summary, the Council of Europe is a very important institution in preserving peace, human rights and democratic values on the continent. It will have to deal with the challenges of populism and democracy erosion that limit its activities but it can prevent the disintegration of the European freedom through culture, the concept of Europeanism, and constant addressing of issues. I believe that in the end democracy will win. Either the Council of Europe has to obtain unrealistic legal power for the sake of democracy, or democracies themselves have to become such that the Council of Europe would no longer be needed.