The relevance of Andrei Sakharov's example and message on human rights in today's world

The Andrei Sakharov Conference, Moscow 14-15 December 2009

Presentation by Thomas Hammarberg

Council of Europe Commissioner for Human Rights

Andrei Dmitrievich Sakharov was a unique voice of moral conscience which could not be silenced even by the repressive machine of a super power. His principled messages inspired others and contributed to the nonviolent, revolutionary changes of 1989 and thereafter.

Though the world has changed dramatically during the past twenty years, not least in Russia and in Europe, several issues which Sakharov raised continue to be acutely relevant. He was indeed ahead of his time.

Re-reading now his famous essay *Reflections on Progress, Peaceful Coexistence and Intellectual Freedom* from 1968 I was struck by the precision of his analysis and importance of his advice on several issues which are topical today, for instance his call for a broad program to eradicate hunger; laws to protect freedom of media and access to information; measures to encourage truth-telling on the past; and strong measures to prevent environmental degradation.

Human rights were already in the late sixties a centre piece in his message. He wrote that "[t]he goal of international policy is to ensure fulfilment of the Universal Declaration of Human Rights and to prevent a sharpening of international tensions or a strengthening of militarist or nationalist tendencies."

He defined *intellectual freedom* to include freedom to receive and impart information, freedom for open-minded and fearless debate and freedom from authoritarian and prejudiced pressure.

He saw the repression of these freedoms as a threat to the independence and worth of the human personality, as a threat to the meaning of life itself.

These freedoms are also a condition for real democracy, he stressed: "We need intellectual freedom today to enable the general public and the intelligentsia to assess and control all the actions, projects and decisions of the ruling group".

Typically, he added a pragmatic point about the quality of decisions - errors are inevitable when decisions are reached by secret advisors or shadow cabinets.

The ultimate denial of intellectual freedom was the imprisonment of individuals for merely having expressed their opinions. He had called for the release of political prisoners already in appeals before *Reflections*.

He continued to stress the importance of fighting political imprisonment through the years. When I served as Secretary General of Amnesty International in the early eighties he reached us in London from his exile in Gorky with the suggestion about a global campaign for the release of all Prisoners of Conscience. As a result an appeal with more than one million signatures from all over the world was later presented to the President of the General Assembly and the Secretary-General of the United Nations.

Sakharov was alarmed by the inhuman conditions in Soviet prisons and criticised the misuse of psychiatry, the involuntary detention in mental institutions of those who disagreed or disobeyed. He became an unofficial ombudsman for minorities such as the Crimean Tartars, for Baptists and others who suffered religious discrimination and for Jews who wanted to leave the country.

He took a clear position against capital punishment and regretted that he was prevented from coming to the international conference against the death penalty in Stockholm 1977. The message he sent argued for a total abolition:

"I regard the death penalty as a savage, immoral institution which undermines the ethical and legal foundations of society. The state, in the person of its functionaries (who, like all people, are prone to superficial judgments

and may be swayed by prejudice or selfish motives), assumes the right to the most terrible and irreversible act – the taking of human life."

"Such a state cannot expect an improvement in its moral atmosphere. I reject the notion that the death penalty has any real deterrent effect whatsoever on potential criminals. I am convinced that the contrary is true – the savagery begets only savagery."

He identified hatred as a major danger for society. He argued persistently for measures against national and racial prejudices and religious intolerance. Particularly unforgivable was state incitement of hatred against "others".

Sakharov's clear and well-argued positions on these crucial human rights issues had an impact – primarily on activists in the Soviet Union, other Communist countries but also in the rest of Europe. Also some governments responded positively. The so-called dissident movement, a movement of moral conscience and resistance, did influence the international discourse on human rights to a considerable degree.

There has certainly been progress on these issues in the past twenty years or more. An understanding has spread that it is shameful and unethical to violate the agreed standards on human rights. Governments do not want to be seen to arrest, try and imprison individuals just because of their views and opinions.

However, at the same time the authorities in some countries have learnt to apply new techniques to silence critics. Also, there are today other repressive forces than the governments themselves, some of them in secret collaboration with the security forces while others are "free-lancing".

- The number of clear-cut cases of Prisoners of Conscience has gone down considerably but other serious threats have emerged against those who have tried to speak out, including those who work for the defence of human rights.
- Human rights activists have been assassinated by contract killers and the culprits have not been seized and brought to justice. This has created a dangerous atmosphere of impunity and fear which discourages civic and human rights activism.

- Also, false criminal charges and disproportionate sentences have in some cases been used against persons seen as political enemies by those in power.
- The right to leave one's country (and also come back) has been much better
 established. The problem in some cases is rather that the door is closed on the
 receiving end.
- The rights of persons belonging to minorities continue to be badly respected. Racism, xenophobia, Islamophobia and anti-Gypsism – as well as homophobia - are widespread in today's Europe.
- The enforced detention of dissidents in psychiatric institutions is no longer used as a
 major instrument or repression. However, there is a still an urgent need to review
 policies depriving individuals of their legal capacity when regarded as mentally
 disabled.
- Prison conditions are still unsatisfactory all over Europe as a consequence of overcrowding and old, dilapidated prison buildings as well as political resistance against trying alternatives to imprisonment.
- The death penalty is de facto abolished in all Council of Europe countries. The
 moratorium has been prolonged in the Russian Federation. We are hoping for a total
 abolition.

In other words, the struggle has to continue. For our future endeavours I believe we have something to learn also from Sakharov's approach. Though the situation is now different, his ways and means remain relevant.

One aspect is the constant effort to be and appear to be *constructive*. While being uncompromisingly principled Sakharov was at the same time open-minded, striving always to understand the arguments on the other side. He believed in reason and the strength of the argument itself.

Even during his years in exile and through earlier periods of severe KGB harassment, he made constantly clear that he was *seeking a rational dialogue*. He sent numerous carefully drafted letters to the Soviet leaders seeking to convince them about the demands of reason, often referring to provisions in the law.

This was not reflection of simple naiveté; I have understood it to be part of a conscious approach. Of course, there was hardly any reply but the letters became known through informal channels and also reached abroad – and built a case. This is how Sakharov himself evaluated these efforts in his Memoirs:

"[They] have produced little in the way of immediate results. But I believe that statements on public issues are a useful means of promoting discussion, proposing alternatives to official policy, and focusing attention on problems. Appeals on behalf of specific individuals also attract attention to their cases, occasionally benefit a particular person, and inhibit future human rights violations through the threat of public disclosure."

Another aspect was his solidarity and empathy with victims. When his appeals went unheard he became more and more involved in nonviolent, direct action, sometimes putting his own health at risk. He and his wife, Elena Bonner, acted upon a growing number of appeals from people who had been victimised by repression.

He travelled long distances to monitor trials and, when turned away from the court room, he demonstrated outside. He went on hunger strike several times, the first time in 1974 for the release of political prisoners.

When writing *Reflections* he prefaced the text with an epigraph from Goethe's Faust:

"He alone is worthy of life and freedom Who each day does battle for them anew!"

He did himself point out the element of heroic romanticism in these lines, but in fact he demanded no less from himself than this daily battle. I assume the message to us is that human rights are at risk if not protected and defended. Human rights are not given, they have to be conquered again and again.

He gave us the broader arguments as to why this struggle is so important. Beyond the compassion for fellow individuals, the protection of human rights is crucial for peace between peoples and for genuine development.

In his Nobel lecture 1975, he argued that human rights are necessary to ensure democratic supervision of a country's foreign and security policy which would prevent militarisation and limit the risk of war. Also, human rights promote exchanges of information and ideas between people which in turn lowers the level of distrust and thereby the risk of conflict.

"I am convinced that international confidence, mutual understanding, disarmament and international security are inconceivable without an open society with freedom of information, freedom of conscience, the right to publish, and the right to travel and choose the country in which one wishes to live."

"I am likewise convinced that freedom of conscience, together with the other civil rights, provides the basis for scientific progress and constitutes a guarantee that scientific advances will not be used to despoil mankind, providing the basis for economic and social progress, which in turn is a political guarantee for the possibility of an effective defence of social rights."

"At the same time I should like to defend the thesis of the original and decisive significance of civil and political rights in moulding the destiny of mankind."

Sakharov was a true internationalist. He believed that the fates of all human beings are indivisible. "Mankind can develop painlessly only if it looks upon itself in a demographic sense as a unit, a single family without divisions into nations other than in matters of history and traditions", he wrote in Reflections.

This understanding of global interdependence made him express concern about human rights violations in Vietnam, Afghanistan, the Middle East and other parts of the world. Again, his interventions were principled, based on fact, free of any stereotyping and well argued.

The example and thoughts of Andrei Sakharov remain acutely relevant in today's world.

[End]