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Nobel Prize and Human Rights

By Jared Genser

The Norwegian Nobel Committee awarded its Peace Prize jointly to Ellen Johnson Sirleaf, Leymah Gbowee, and Tawakul Karman in recognition of “their non-violent struggle for the safety of women and for women’s rights to full participation in peace-building work.”

The award is an affirmation of the universality of basic human rights and provides the international community with an opportunity to reflect on the progress they achieved. Ellen Johnson Sirleaf, the President of Liberia and the first woman on the continent to be democratically-elected to that post, and Leymah Gbowee, a Liberian social worker and activist, worked to heal the wounds of a nation injured by 14 years of civil war. Tawakul Karman, an experienced Yemeni human rights activist, has become a central figure in the protest movement to oust President Ali Abdullah Saleh’s regime and is an important symbol in a country that often discriminates harshly against women.

However, in celebrating the accomplishments of these brave individuals, we must also take this opportunity to reflect on the continued obstacles to the full realization of the promises of the Universal Declaration of Human Rights.

Only a year ago, the Nobel Committee announced that it would award the 2010 Peace Prize to Dr. Liu Xiaobo, a literary scholar, sentenced to 11 years in prison for his tireless and outspoken support of peaceful democratic reform in China. At the time, Václav Havel and Desmond Tutu, while celebrating China’s recent economic fortunes, called on the government to seize the moment to turn away from a century of victimization. Instead, the Chinese government missed an important opportunity and chose the path of enhanced repression.

Immediately after the announcement, the government reacted by callously dismissing Liu as a criminal and accusing the Nobel Committee of “blasphemy.” It admonished other nations to boycott the award ceremony or “face the consequences” and prevented Liu’s family and friends from traveling to accept the award on his behalf.

I was humbled to attend the events in Oslo last year but was saddened by the conspicuous absence of Liu and his Chinese colleagues, an absence reinforced by the image of an empty chair in his place of honor. Most outrageously, the government has kept Liu’s wife, Liu Xia, a prisoner in her own home for the last year, without any due process of law. Liu once told his wife, “I am serving my sentence in a tangible prison, while you wait in the intangible prison of the heart.” Under house arrest since last October, Liu Xia now lives in a tangible prison of her own.

Reports recently indicated that family visits to Dr. Liu have finally resumed, including a visit by Liu Xia in August. While such visits are a welcome development, they are not progress; they do

not change the fact that Dr. Liu and Liu Xia should not be in prison and under house arrest in the first place. Indeed, judgments earlier this year by the U.N. Working Group on Arbitrary Detention demanding their immediate release secured by my organization has been ignored.

The Chinese government's complete disregard for the rule of law only increased as the non-violent protests of the Arab Spring led to the extraordinary events overthrowing autocrats in Tunisia, Egypt, and Libya and spread to Syria, Yemen, and Bahrain. Of particular concern is the use of enforced disappearances — literally abductions by government agents — aimed at silencing critics of the regime.

Gao Zhisheng, a respected human rights lawyer who courageously defended Chinese religious minorities disappeared in April 2010 and has not been heard from since. His family, now in exile in the United States, has received no information regarding his whereabouts or wellbeing.

Once uncommon, the Chinese government has increasingly looked to such tactics to squelch criticism, like that of artist Ai Wei Wei, released after a chorus of international condemnation of his disappearance earlier this year. Now, the regime is seeking to legalize the practice, which violates the most basic due process rights of its citizens, by authorizing such disappearances for up to six months.

As much of the developing world marches towards peace and democracy, with individuals like Ellen Johnson Sirleaf, Leymah Gbowee, and Tawakul Karman leading the way, the Chinese government tries desperately to hold back the tide. As we rightly celebrate this year's Nobel Peace Prize Laureates, we must remember and support last year's winner and his wife, for whom freedom remains an unfulfilled promise.

Jared Genser is the founder of Freedom Now, an international legal advocacy organization that represents the Lius and Gao Zhisheng.