

Ladies and Gentlemen,

I am very pleased to be here, I'm especially glad to welcome all of you who are guests of Estonia, to this country where we care for human rights, individual liberty and freedom, more than is common for what is called the post-Soviet space, or one of the places where we value these things more than almost anywhere, because we do not take them for granted.

The concept of human dignity, of the inherent value of each individual, is one of the cornerstones of modern democratic societies. This ideal, as most of us know, comes from the Enlightenment, first the Scottish and then the French Enlightenment, but it also has deeper roots. British philosopher Larry Siedentop claims that the source of modern humanism lies actually in early Christianity; that the initial legends about God being born through man led slowly to the conception of each human being having a soul, an idea that was radically alien to those ancient societies – or even some modern ones – where it was taken for granted that humans could be owned by other humans; they could be bought and sold, tortured and killed at whim.

But it took centuries before early Christian universalism materialized in real political institutions; it took even longer before such ideas developed into the concept of universal human rights that we all take for granted today. We can trace it, of course, to John Locke and the concept of inalienable rights, first promulgated politically in the United States. But the Universal Declaration of Human Rights, accepted in the United Nations 66 years ago, is a truly universal document, which is accepted, at least in a nodding form, by all 193 member states of the United Nations. It is no longer specific to one culture, religion or civilisation.

Or we would like to think so. That all humans are entitled to human dignity; that every person's basic rights are to be respected no matter where they live, no matter in which country and under which regime they happened to be born. Respect for human rights is one of the founding principles of all international institutions and alliances that we belong to; it is the foundation of the national constitutions of all democratic states.

In international relations, there has long been a tension between two central ideals: the sovereignty of nations and the respect for human rights. Our international order was guided for

a long time by the treaty of Westphalia from 1648 that ended one of the bloodiest, longest wars in European history, the Thirty years' war, which in turn was based on the 1555 Treaty of Augsburg. It was signed in an attempt to solve the Thirty years' war and it established the principle Cuius Regio, Eius Religio – whose realm, his religion. So your prince got to decide whether you were a Protestant or a Catholic.

This principle, besides settling the horrible and bloody religious war, has formed the basis of the modern idea of sovereignty, and those of you who have read Henry Kissinger's latest book, *World Order*

, that came out just a few months ago, know that he never stopped being a Westphalian. He argues to this day that that is the ordering principle we need to follow. But this principle has its own problems. A problem is that anything you do inside your state, according to this concept, is permissible. Thus, violations of human rights within the borders of one's own state have been difficult to interfere with. International human rights organizations have tried to change that; and we have come up with the idea of humanitarian intervention, later that was enshrined as R2P, as it is known, or the responsibility to protect.

The problem is, of course, that whenever you have principles like these, they can also be abused by people who willfully misinterpret the idea behind these concepts and use them for their own ends. So we see today that the humanitarian intervention used to save the Kosovars more than a decade ago is now, in this new world of irreality, used to protect non-existent refugees from Ukraine. So we are always on a slippery slope on these things.

I have called the year 2014 an *annus horribilis*, as opposed to the *annus mirabilis* 25 years ago that gave our part of the world the chance to opt for freedom and democracy. I hate numerology but it is really odd to see that a quarter of a century after the amazing flowering of democracy throughout Eastern Europe we have this roll-back happening right before our eyes. And now, we see the worst ghosts of the 20th century returning. We've seen annexation of territory through force; we've seen new forms of war waged under the cover of old ideological long, long discredited ideas such as the existence of co-ethnics abroad, in a different country and the alleged need to protect them from their bloodthirsty but still democratically elected governments.

Russia's actions in Ukraine have violated all the international agreements that the post-Cold-War, and even just Post-War security order have relied on to maintain peace. Starting with the Charter of the United Nations from 1945, which says: "Members shall refrain in their international relations from the threat or the use of force against the territorial integrity or the political independence of any state." Beginning with that in 1945, to the Budapest Memorandum from 1994 in which Ukraine gave up its nuclear weapons in return for promises to respect its

territorial integrity. In that time we've seen everything roll back.

One of the agreements that has been violated was the crucial agreement that reconciled sovereignty with human rights, known as the Helsinki Final Act, from 1975, which said, on the one hand, that there would be no more changing of borders through use or threat of force – and that, oddly enough, was the Soviet side of the argument. That was the demand on the part of the Soviet Union that the West accepted: no border changes would take place. The West, in turn, in this grand bargain on security and human rights and sovereignty, insisted on the third basket, which said that states party to the Helsinki Final Act would have to allow and guarantee fundamental human rights, including the ones we hold most dear, such as freedom of speech, freedom of association and freedom of religion.

The annexation of Crimea and invasion in Ukraine show us that the Helsinki Final Act no longer applies, because one of the signatories has violated it and nothing has really happened as a result of that. And in the whole process – not only the Anschluss of Crimea, but also the war in East Ukraine and the rhetoric that goes with it, the intimidation of other neighbours and threats addressed to "the West" at large – show that there is an ongoing attempt to create a new international order where the old rules, the rules that have been at the basis of the international relations from Vancouver to Vladivostok, no longer apply.

I am personally most concerned about the "Zwischenländer", those countries between NATO and Russia where there are new attempts to form spheres of influence, where in fact the democratic choice of those countries has no role as to what they can do, they have no say about their future. This, I would argue, is a major denial of human dignity.

That is actually an argument advanced by a number of people, from Kissinger to Brzezinski, that the people in Ukraine should not have their choice. Recently the German foreign minister said that Ukraine would never join NATO. The question is, what happened to people using their democratic right to elect a government that would have to do something – to join NATO, or to join the European Union or whatever, if they meet the criteria? Then those people, that country, that nation have been denied the right to actually exercise their democratic choice. I'd find that really bizarre, if the West had said things like that to us: no, you cannot do that, we won't give you that right. But since we Estonians have been there, we know all about it, and that's probably one reason why we are against it.

One of the things that I also would like to address, that I find really quite unnerving, the more it

goes on, is that the concept of human rights is increasingly being civilizationalized. Recalling again, on the anniversary of the Universal Declaration of Human Rights – in the beginning it was, I guess, Lee Kuan Yew of Singapore in the late 1980s who said it, and increasingly by any number of countries we see the argument made that freedom of speech, freedom of association, freedom of religion, and of the press, those are all civilizational human rights. That you people in the West, you can have that, but our culture is more collectivist, we don't have that. We see this in a speech last week [Dec. 4], the State of the Nation speech by the president of our neighbouring federation – that freedom is first and foremost for the state, and in the last place freedom for the citizens.

And we see a civilizational confrontation coming up where the Slavic culture, tough, traditional and proud, based on Orthodoxy, autocracy and "narodnost", as czar Nicholas I once pronounced it, is something which is in opposition to weak, decadent democracies that rely on rule of law, that offer protections for various minorities, including ones based on sexual choice. And so we see this harsh rhetoric in civilizational terms denying what we thought was a universalist human rights tradition. And this, in fact, I would argue, will lead to a dilution of the Universal Declaration of Human Rights.

But this brings together two concepts. It does lead to a kind of Westphalianisation of human rights. In this new vision of security, democracy, rule of law and human rights would be given a "civilizational" status. It would mean that here, in this part of the world, in Europe and North America and Australia and Japan, we would have an Enlightenment-based cultural space that respects human rights; in the East there would be a post-Soviet, Slavic and Orthodox space that finds the "Western" doctrine of human rights unsuitable. And consequently, in terms of human rights, instead of *Cuius regio, eius religio* we'd now have *Cuius regio, eius iustitia*.

Making human rights a civilisational issue, culturally suitable for some but not others, is a Huntingtonian idea turned upside down: Samuel Huntington's theory about "The Clash of Civilisations" was a worrisome descriptive account of the way things could go, and I've got a feeling that it's being taken now not as a descriptive, but rather as a prescriptive account: "Let us read Huntington and see how we can follow Huntington to make our civilisational arguments." It is not meant to be a textbook.

Restoring and protecting the international order we've known is a matter of security, but also of human dignity. If the West would take the attitude that some Western thinkers do support, to accept the annexation of Crimea and the frozen conflicts created in Ukraine's East, if we accept Russia's droit de regard over Ukraine, then we would accept that Ukrainians have no say over their own future and their own alliances. Which, of course, violates the Paris Charter from 1990,

another one of the recently broken international agreements signed by Russia's legal predecessor.

And we'd have to accept that human rights are not universal. That they are a privilege of the people that belong to certain "civilisations", not a universal value derived from the notion of human dignity that belongs to all of human beings. It would mean we would accept that the rights of some people, and in the case of other people, such as Ukrainians and Crimean Tatars, their rights do not matter. And I fear that people do not realize that enough, even in Europe they say: let's get back to business as usual and let us keep making money.

I personally do not think that this really is really an option. We in Estonia have experienced this colonialist attitude for such a long time, that we remember it quite well, and we certainly agree that all people should have the right to fundamental dignity.

Let us not forget that the fundamental task of the European Union is to protect human rights, the rule of law, peace and security on the European continent. We need to get back to that core task, worry a little bit less about how much profit we can make and get back to the values that underlie this union of ours. We need to use the tools that we have created over the past 65 years to insist on respect for human rights.

Let us also keep in mind that the notion of dignity is something that is also strongly tied to the status of human beings regardless of where they live or their cultural origins. Recognizing the right of indigenous peoples to preserve their cultural identity is an important part of human rights thinking. Unfortunately, in many countries, material gains of majorities or elites are often prioritized over the fundamental rights of minorities. Thus, let us remember that the cultural heritage of indigenous peoples is a form of wealth that outweighs the economic profit that can be gained by exploiting the natural resources in the areas where they live. This is especially important from our point of view in the areas of our Finno-Ugric relatives, but also elsewhere in the world. We are moreover very concerned when we read reports, as I did last week, that books written in non-Russian languages for students after fifth grade are now being proscribed. This would be a clear end to many small nations in Russia whose languages we must to keep alive.

We Estonians relate to the plight of indigenous peoples not just because we are a small nation that has lived under many foreign rulers; but also, because we've lived on our territory for several thousand years – we are an indigenous people, though by the definition of the UN,

because we have our own country, we are no longer indigenous. So for us all these things matter.

Today, democratic Estonia is home to people of hundreds of ethnicities and all of them have their human rights protected. We see no difference between large and small, important or less important peoples. We know and have felt the fear of extinction; we have strong sympathy to those peoples who are not yet or no longer free.

And today, we feel especially strongly for the Crimean Tatars, the indigenous people of the annexed peninsula who today are in a most vulnerable position. They have no other home, no other place where they can cherish their cultural heritage. It is a responsibility of all democratic countries in the world to protect the right of small nations to exist and flourish. We cannot leave anyone hostage to a world where someone else could decide that human rights are not part of "their" culture.

And as a coda I would say that there's one more thing we have to be increasingly aware of today. It's another part of the heritage of the Enlightenment that has perhaps not come under threat in such a massive way until this year. It's a fundamental aspect of the Scottish Enlightenment, of empiricism – also known as British empiricism – that there is such a thing as observable truth. And what we see in the around us now is a postmodernist counterattack against that part of the Enlightenment as well, which is the denial of the idea of objective truth – that 'Nothing Is True and Everything Is Possible', to quote a title of a book that has appeared in the US and soon will appear here in Europe as well, by Peter Pomerantsev. When we begin to question the validity of data, of evidence, which is part of the ongoing information war that we see today, then the entire civilizational enterprise that we're part of here, that has brought us human rights, can undergo collapse. So be aware of what's going on, and realize that it is not only the right to speak that is under threat in many places, but even the concept of truth itself.

I hope you're enjoy your time here; for those of you who have never been to Estonia before: Welcome to Estonia, enjoy your stay, have fruitful discussions. Thank you.