

FOREWORD TO THE ENGLISH TRANSLATION

Not everything that is faced can be changed; but nothing
can be changed until it is faced.

James Baldwin

Three years on: 2015–2018

A lot has changed since this book was first published in German in 2015. The Brexit vote, the election of Trump, the rise of right-wing extremism and racism: such developments have at times made me question whether lawyers can remain optimistic about enforcing human rights by legal means. But after much consideration, I've concluded that the hope reflected in the narratives making up this book is still justified. In this foreword are some of my key working experiences over the last three years. I believe they show that working as a human rights lawyer today, though immensely challenging, still carries considerable potential for necessary change.

Moscow/Berlin, April 2018

Turbulence. This time around the return flight with Aeroflot to Berlin is anything but smooth. These flying visits to Moscow, which have become a constant in my life since January 2014, are characterized by a tension between hope and despair. The revelations from Edward Snowden—the man I am representing and whom I visit every few

UNCORRECTED PROOF
NOT FOR SALE OR
REDISTRIBUTION

months in the Russian capital—were a result of extraordinary courage. In June 2013 the then twenty-nine-year-old provided us with evidence and detailed commentary confirming that mass surveillance by intelligence agencies and their technological capacities went far beyond the dystopia depicted in George Orwell's *1984*. By revealing this information he risked his life, or at the very least his freedom.

Snowden's combination of courage and humility and his belief that the world could be changed for the better made him a beacon for millions of young people around the world. But there is no doubt that he had hoped his efforts would bring about more political and legal changes than has been the case until now. For many, the shock at the abuses that were exposed was ultimately greater than any willingness or capacity to address the problem in a serious and sustainable manner. That said, there is certainly evidence that the mass surveillance provided by the Snowden revelations is now firmly fixed in the public consciousness. People think of the time before and after Snowden. For all of us, use of the Internet and social media has forever lost its innocence.

Edward's own life is permeated by an extreme ambivalence. Naturally, he is glad that he has not—as of yet—been forced to serve a long jail sentence, probably in solitary confinement at a maximum security prison. This is what he would face if arrested and extradited to the United States, despite the fact that he is a textbook example of a whistle-blower motivated by conscience and a desire to shed light on unlawful acts. Under the 1914 Espionage Act—a sinister masterpiece of political injustice—he could face a thirty-year prison term for each file he copied and made public, an absurd total sentence of several thousand years. The Special Administrative Measures (SAM), which can be applied to those who shared confidential information, mean he could spend the rest of his life in total isolation.

UNCORRECTED PROOF
NOT FOR SALE OR
REDISTRIBUTION