

# The Nobel Peace Prize Watch

## Lay down your arms

[nobelwill.org](http://nobelwill.org)<sup>1</sup>

Gothenburg/Oslo, Feb. 20, 2015

The Stortinget, the Parliament of Norway, by the presidency, Oslo

The Nobel Foundation, Stockholm

The Norwegian Nobel Committee, Oslo

### Measures to ensure that the Peace Prize serves the will of Nobel

The Nobel Peace Prize Watch is a project of Lay down your arms, a private association registered in Sweden. For details of purpose and programs see [nobelwill.org](http://nobelwill.org). This letter and the project is a consequence of the Storting, the Nobel committee, and eventually also the Nobel Foundation, failing to take account of ever clearer and more thoroughly substantiated requests that they respect the will of Alfred Nobel and its specific view of how the problems of militarism and war must be addressed. Decisions in 2012 and 2014 by two Swedish public agencies overseeing foundations, the *Länsstyrelsen i Stockholm* and the *Kammarkollegiet*, require a series of measures to ensure compliance with the purpose of the award.

The decisions of the Swedish authorities, now enforceable, have clarified that the superior and ultimate responsibility for the Peace Prize awards keeping within the purpose Nobel described in his will rests with the Board of Directors of the Nobel Foundation, seated in Sweden, not with the two Norwegian bodies, the Nobel Committee and the Norwegian Parliament. The consequences of this must now be examined and considered by the addressees of this letter.

The prize has a strong symbolic significance for Norway, but in an ever more militarized world the two Norwegian institutions bearing responsibility in the matter, the Nobel Committee and the Storting, have increasingly disconnected the prize from the idea that concerned Nobel when he established it and entrusted the Storting with appointing the committee to select the winners: a prize for the work for a new international system, a demilitarized global peace order enabled by “peace congresses” “creating the brotherhood of nations” and “the abolition or reduction of standing armies.”

The Nobel Peace Prize Watch wishes to make sure the three bodies involved implement the decisions of the Swedish authorities. It would like to assist 1) by formulating some of the guidance and the demands that the authorities expected the Nobel Foundation to communicate to the Norwegian Nobel Committee, 2) by ending an archaic and undemocratic selection

process by suggesting two reforms, one possible within the present rules and one requiring a simple change of the bylaws, and 3) by practical action to open up the nomination process and permit the general public to see the kind of candidates and peace work that Nobel intended to honor and stimulate. The goal of this letter and of the questions below is to ensure that the prize will really, as Nobel intended, “confer the greatest benefit” on all citizens of the world.

## BACKGROUND

In recent years the peace prize has had a very unfortunate development.

- President Obama who received the 2009 Nobel Peace Prize has been responsible for an increasing number of military interventions around the world without the authorization of the UN Security Council and the rules of international law and the UN Charter. During the Obama presidency the US has renewed its nuclear weapons stockpile, while only 200 nuclear devices were scrapped, compared to 2000 under his predecessor, George W. Bush. Obama has recently proposed a strong increase in the US military budget.
- EU leaders who received the prize in Oslo on December 10, 2012, only a few days later, in Brussels, they concluded comprehensive agreements on strengthening their military forces and intensified cooperation on military research and development. The agreements are now under implementation.

We are aware that some, like President Obama in his Nobel speech, may view this as a contribution to "guaranteed global security."

But there can be no doubt that Alfred Nobel intended to support a completely different idea of global security, and quite another development, when he instituted his prize and described a world order where disarmed nations would resolve their conflicts through negotiation. His will reflects the politics and discourse of the period. The Nobel Committee has pursued its own ideas and failed to see how the expressions Nobel used and the promise he gave to Bertha von Suttner to “do something huge for *the movement*” (italics added) leave no room for doubt what “champions of peace” Nobel intended to support. Expressed in modern language:

**Nobel wished to support the movement and the persons who work for a demilitarized world, for law to replace power in international politics, and for all nations to commit to cooperating on the elimination of all weapons instead of competing for military superiority.**

This is the content of the prize and the legally binding scope of all selections. Nobel's intention and the whole subject matter have been thoroughly substantiated in Fredrik S. Heffermehl's book: *The Nobel Peace Prize. What Nobel Really Wanted.* (Praeger 2010, in Swedish "Nobels fredspris. Visionen som försvann" (Leopard, 2011), and other languages.

A will is a legally binding document, the testator's intention must be followed by those tasked with managing a testament, in this case the Nobel Committee, the Storting which selects the committee, and the Board of the Nobel Foundation. The Länsstyrelsen shall supervise that these bodies comply with their duties, and has now repeatedly stated that the will must be

respected and asked a series of measures from the Nobel Foundation's Board of Directors to ensure that this will actually happen.

During the past decades numerous qualified candidates have been nominated, the "champions of peace" that Nobel described in the will. Those who started "The Nobel Peace Prize Watch" have over the years repeatedly, but without noticeable success, contributed to champions of peace being nominated, while at the same time, through letters and contacts with the bodies in charge, pointing to the significance of the will and its value and timeliness.

## THE NORWEGIAN NOBEL COMMITTEE'S RESPONSIBILITY

From high loyalty to Nobel's will during the first two decades, the prize has changed towards near total disregard of the purpose in the last decade. It can almost seem like a desire to cover up Nobel's actual intention when the 2014 prize to Malala Yousafzai was presented as a prize for the education for women only. How could the Committee overlook Malala's caution against militarism and war, and against US drone wars as expressed in a meeting with Obama in the autumn of 2013, and the importance of mobilizing young people against militarism and war?

Shortly after his election in 2009 to be the Nobel Committee chairman Thorbjørn Jagland claimed, in a statement to *Aftenposten*, that the concept of peace had changed since Nobel's time, and that none of the prizes during the last ten years could have been awarded if the committee would have had to carefully follow the testament.<sup>2</sup> It is unlawful to use money outside the prescribed purpose and awarders must abstain rather than transgressing their legal mandate. What Jagland confirms is that Nobel Foundation money has been paid out in violation of the purpose.

The Committee's longtime secretary, Geir Lundestad, has formulated another excuse for the failure of the Nobel Committee to follow the will. He explains the great success of the Nobel Prize with the "Committee's broad definition of peace."<sup>3</sup> Two observations are called for: (1) It is not for the Committee to "define peace." Nobel described in his will what the prize should be used for. (2) The success of the Nobel Prize should not be measured by its visibility and media impact, but by whether the Nobel prizes have contributed to reducing military armaments and preventing future wars by bringing about a new international order.

Furthermore, Jagland's assertion that there are no legitimate recipients in today's world is far from true. They exist, but the Committee keeps them invisible by not giving them the prize and the secrecy around the nominations. We consider it necessary in the years ahead to document that there are plenty of qualified candidates. We will do so by having valid candidates nominated and publishing information on all known and qualified candidates. Everyone has the right to know that such legitimate candidates exist, and to get to know the kind of peace work that the prize actually should have supported. This information will be published every year on our home page [www.nobelwill](http://www.nobelwill).

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<sup>2</sup> See Heffermehl p 164 (English) and 224 (Swedish).

<sup>3</sup> Official homepage of the Nobel Foundation, [www.nobelprize.org](http://www.nobelprize.org) . See also Heffermehl p 77 / 111.

An additional reason for such a disclosure is that unnecessary secrecy is out of step with contemporary understanding of democracy and the value of decision processes being as open as possible. Wherever transparency and open critical discussion is missing, the risk is that unhealthy political practices will develop. It is unlikely that the prize could have strayed so far from its purpose if the process had been transparent. The present situation, where almost no one knows the true purpose of the prize, has necessitated the steps we will soon take to present the qualified candidates for 2015. We further recommend that the Nobel Foundation take steps to abolish all secrecy around nominations. This would do a lot to stimulate interest and public debate around the candidates and the peace issues – and help realize the goal that Nobel had in mind.

Another unfortunate aspect is that the by-laws limit the right to nominate to certain individuals and groups, many without a particularly close relationship to the actual idea of the Peace Prize. At the outset the idea was that the Committee, in addition to getting nominations from the outside, in its search for suitable candidates would be assisted by the Norwegian Nobel Institute. Under Article 11 of the Basic Statutes of the Nobel Foundation, Nobel institutes could be organized to "find the most appropriate award winners ... and promote the foundation's purpose."<sup>4</sup> Had the Norwegian Nobel Institute, as originally envisaged, monitored the peace work in active search for suitable candidates the limitations of nomination rights would hardly have been a problem.

We ask the Nobel Committee, in its first meeting in 2015, to discuss such a more active role for the Nobel Institute: In such a monitoring of the work for peace and disarmament the Institute should through the year welcome all good suggestions from wherever they might come and consider if any of them deserve inclusion in the short list to be decided upon by the Nobel Committee. Technically, this can be done within the present statute, which entitles committee members to make additional nominations in the first meeting after the nomination deadline has expired.

Until we can confidently rely on the Nobel Institute to be performing its originally intended task, the Nobel Peace Prize Watch will provide the committee with information on relevant candidates. We will also provide support and advice to those wishing to submit good proposals within the core idea of the prize.

1. **We ask the Nobel Committee** to confirm that the necessary changes of selection policy will be implemented and that the prize for 2015 and onwards will go to legitimate winners, as exemplified in the list that the Nobel Peace Prize Watch will publish of qualified candidates among those we know to have been nominated for 2015.

2. **We urge each Committee member** to decide whether they will promote the intention of the prize. If not they should resign. This is both a matter of conscience and a legal issue. As a lawyer, Committee member Berit Reiss Andersen is well equipped to inform her fellow members of their legal responsibility, under civil and criminal law.

A former MP and leader of the Liberal Party, Gunnar Garbo, wrote in *Dagbladet* on October 28, 2008, on the responsibility of Norwegian politicians to give an answer: "They may keep

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<sup>4</sup> Heffermehl p 96/136.

silent, but they can not kill his (Heffermehl's) views by silence. Such serious allegations require a response. Either they must prove that his legal and ethical arguments are unsound. Or they must admit that he is right and change their practice accordingly. This is a moral challenge, not only for the Committee but also for the Storting."

#### THE RESPONSIBILITY OF PARLIAMENT

It is untenable that a prize for a weapons-free world keeps being managed by individuals who do not believe in such a world and that the Stortinget does not, as Nobel evidently presupposed, select members of the Committee who are dedicated to promoting the idea of the prize. Instead, Parliament has transferred the seats to the political parties who install committee members without any regard for the Nobel vision of peace. In December 2014 Parliament again appointed members of the Nobel Committee without regard to demands from several quarters that the Stortinget needs to change the routine for election to the Nobel Committee. The protests were ignored.

**1. We ask the Storting to** commission, during this spring, a report to evaluate the intent of Nobel's will and check the conclusion presented in the books of Fredrik S. Heffermehl, i.e. that Nobel wished to support people working for demilitarization of international politics.

**2. We ask that the Storting** evaluates whether the Nobel Committee has a composition that serves and is consistent with what Nobel presupposed when writing his testament, and how and when present flaws will be rectified by a changed electoral procedure.

#### THE RESPONSIBILITY OF THE NOBEL FOUNDATION

The resolution of March 21, 2012, by the Swedish authority overseeing foundations (Länsstyrelsen) instructed the Nobel Foundation to take a series of measures to ensure compliance with the testament's description of purpose. The County Board shelved its investigation after the Nobel Foundation had confirmed to have the superior and ultimate responsibility also for the peace prize. The Länsstyrelsen further assumed that the Nobel Foundation would clarify the content of the testament and give instructions to the Norwegian Nobel Committee, and implement procedures to ensure that all payments are held within the purpose, and if not, the Foundation would withhold the prize money.

The Norwegian Storting has undertaken to manage a private Swedish donation. An inevitable consequence of the decision of the Länsstyrelsen is that the Nobel Foundation, if the Stortinget does not voluntarily change the composition of the committee and how it is elected, will have the duty to request the Storting to ensure that the Nobel Committee be made up of members who adhere to the idea of the Testament, not its opponents.

**1. We ask the Nobel Foundation** to confirm that it accepts the conclusion of the purpose of the Testament given in Fredrik S. Heffermehl's books, i.e. that Nobel wished to support people working for a demilitarization of international politics.

**2. We ask the Nobel Foundation** to give an account of what it has done to comply with the

Länsstyrelsen decision of March 21, 2012, and how the decision will be further followed up.

#### FURTHER FOLLOW-UP

We consider it important to avoid the embarrassing situation where the Nobel Foundation would be legally barred from paying out prize money because the Norwegian Committee has selected a winner outside the purpose. Should we not get clear information from the Nobel Committee and/or from the Nobel Foundation's Board of Directors, that the prize for 2015 will be given within Nobel's description of purpose, we will have to ask our Swedish lawyer to instigate a judicial review of the prize awarded to the EU in 2012.

The EU would be a good test case. As mentioned above, the EU stands for the direct opposite of Nobel's idea of bringing all nations into cooperation on disarmament. The Board of Directors of the Nobel Foundation chose to pay the prize amount despite a number of clear protests against the legality of this, including from four former Peace Prize winners, Mairead Maguire, Desmond Tutu, Adolfo Pérez Esquivel and the International Peace Bureau.

It is about time that the two Norwegian Nobel bodies, the Storting and the Nobel Committee, take seriously their legal obligation to loyally promote the specific peace idea of Alfred Nobel. It would be unfortunate if further neglect of this duty would compel us to take a legal action that we fear will hurt the reputation of all five Nobel Prizes and also the good reputation that Norwegian politicians, rule of law and democracy in Norway today enjoys internationally.

We request confirmation that our letter has been received. The conflict over the content of the Nobel Prize has lasted for long and the arguments should be well known. Therefore, it is reasonable to demand answers to our questions before the end of March this year.

Best regards

THE NOBEL PEACE PRIZE WATCH

Fredrik S. Heffermehl

Tomas Magnusson

cc/ Advokat Kenneth Lewis, Advokatbyrå Kenneth Lewis

cc/ Länsstyrelsen i Stockholm

cc/ Torgny Håstad, ordförande i Nobelfullmäktige, Stockholm

cc/ Group leaders of parties represented in the Storting

(further signatures – next page):

We support the requests for answers to the questions posed in the above letter:

*Bruce Kent, UK, ex President, International Peace Bureau*

*Mairead Maguire, Northern Ireland, Nobel laureate*

*Norman Solomon, USA, Executive Director, Institute for Public Accuracy*

*Anna-Lisa Björneberg, Sweden, chair of Fredsam (Gothenburg),*

*Nils Christie, Norway, professor, University of Oslo*

*Erik Dammann, Norway, founder "Future in our hands," Oslo*

*Thomas Hylland Eriksen, Norway, professor, University of Oslo*

*Ståle Eskeland, Norway, professor of criminal law, University of Oslo*

*Erni Friholt, Sweden, Peace movement of Orust*

*Ola Friholt, Sweden, Peace movement of Orust*

*Alf Petter Høgberg, Norway, professor of law, University of Oslo*

*Lars-Gunnar Liljestrand, Sweden, Chair of the Association of FiB lawyers*

*Birger Schlaug, Sweden, author, ex MP*

*Torild Skard, Norway, ex President of Parliament, Upper Chamber (Lagtinget)*

*Sören Sommelius, Sweden, author and culture journalist*

*Maj-Britt Theorin, Sweden, ex President, International Peace Bureau*

*Gunnar Westberg, Sweden, Prof., ex Co-President IPPNW (Nobel peace 1985)*