

EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Please note that this form will work correctly only with Adobe Reader 9 Upwards (download available from [www.adobe.com](http://www.adobe.com)).

Please save a copy of this form locally before filling it in using Adobe Reader, then print it and post it to the Court.

ENG - 2016/1

## Application Form

### About this application form

This form is a formal legal document and may affect your rights and obligations. Please follow the instructions given in the "Notes for filling in the application form". Make sure you fill in all the fields applicable to your situation and provide all relevant documents.

Warning: If your application is incomplete, it will not be accepted (see Rule 47 of the Rules of Court). Please note in particular that Rule 47 § 2 (a) requires that a concise statement of facts, complaints and information about compliance with the admissibility criteria **MUST** be on the relevant parts of the application form itself. The completed form should enable the Court to determine the nature and scope of the application without recourse to any other submissions.

#### Barcode label

If you have already received a sheet of barcode labels from the European Court of Human Rights, please place one barcode label in the box below.

#### Reference number

If you already have a reference number from the Court in relation to these complaints, please indicate it in the box below.

### A. The applicant

#### A.1. Individual

This section refers to applicants who are individual persons only. If the applicant is an organisation, please go to section A.2.

1. Surname

Oberg

2. First name(s)

Jan

3. Date of birth

1	3	0	1	1	9	5	1
D	D	M	M	Y	Y	Y	Y

e.g. 31/12/1960

4. Place of birth

Aarhus, Denmark

5. Nationality

Danish

6. Address

Vegagatan 25  
224 57 Lund  
Sweden

7. Telephone (including international dialling code)

+46 (0)738 525200

8. Email (if any)

TFF@transnational.org

9. Sex ☒ male

☐ female

#### A.2. Organisation

This section should only be filled in where the applicant is a company, NGO, association or other legal entity. In this case, please also fill in section D.1.

10. Name

11. Identification number (if any)

802489-8861

12. Date of registration or incorporation (if any)

D	D	M	M	Y	Y	Y	Y

e.g. 27/09/2012

13. Activity

14. Registered address

15. Telephone (including international dialling code)

16. Email

**B. State(s) against which the application is directed**

17. Tick the name(s) of the State(s) against which the application is directed

- |   |  |
|---|--|
| <input type="checkbox"/> ALB - Albania                | <input type="checkbox"/> ITA - Italy                                       |
| <input type="checkbox"/> AND - Andorra                | <input type="checkbox"/> LIE - Liechtenstein                               |
| <input type="checkbox"/> ARM - Armenia                | <input type="checkbox"/> LTU - Lithuania                                   |
| <input type="checkbox"/> AUT - Austria                | <input type="checkbox"/> LUX - Luxembourg                                  |
| <input type="checkbox"/> AZE - Azerbaijan             | <input type="checkbox"/> LVA - Latvia                                      |
| <input type="checkbox"/> BEL - Belgium                | <input type="checkbox"/> MCO - Monaco                                      |
| <input type="checkbox"/> BGR - Bulgaria               | <input type="checkbox"/> MDA - Republic of Moldova                         |
| <input type="checkbox"/> BIH - Bosnia and Herzegovina | <input type="checkbox"/> MKD - "The former Yugoslav Republic of Macedonia" |
| <input type="checkbox"/> CHE - Switzerland            | <input type="checkbox"/> MLT - Malta                                       |
| <input type="checkbox"/> CYP - Cyprus                 | <input type="checkbox"/> MNE - Montenegro                                  |
| <input type="checkbox"/> CZE - Czech Republic         | <input type="checkbox"/> NLD - Netherlands                                 |
| <input type="checkbox"/> DEU - Germany                | <input type="checkbox"/> NOR - Norway                                      |
| <input type="checkbox"/> DNK - Denmark                | <input type="checkbox"/> POL - Poland                                      |
| <input type="checkbox"/> ESP - Spain                  | <input type="checkbox"/> PRT - Portugal                                    |
| <input type="checkbox"/> EST - Estonia                | <input type="checkbox"/> ROU - Romania                                     |
| <input type="checkbox"/> FIN - Finland                | <input type="checkbox"/> RUS - Russian Federation                          |
| <input type="checkbox"/> FRA - France                 | <input type="checkbox"/> SMR - San Marino                                  |
| <input type="checkbox"/> GBR - United Kingdom         | <input type="checkbox"/> SRB - Serbia                                      |
| <input type="checkbox"/> GEO - Georgia                | <input type="checkbox"/> SVK - Slovak Republic                             |
| <input type="checkbox"/> GRC - Greece                 | <input type="checkbox"/> SVN - Slovenia                                    |
| <input type="checkbox"/> HRV - Croatia                | <input checked="" type="checkbox"/> SWE - Sweden                           |
| <input type="checkbox"/> HUN - Hungary                | <input type="checkbox"/> TUR - Turkey                                      |
| <input type="checkbox"/> IRL - Ireland                | <input type="checkbox"/> UKR - Ukraine                                     |
| <input type="checkbox"/> ISL - Iceland                |  |

**C. Representative(s) of the individual applicant**

An individual applicant does not have to be represented by a lawyer at this stage. If the applicant is not represented please go to section E.

Where the application is lodged on behalf of an individual applicant by a non-lawyer (e.g. a relative, friend or guardian), the non-lawyer must fill in section C.1; if it is lodged by a lawyer, the lawyer must fill in section C.2. In both situations section C.3 must be completed.

**C.1. Non-lawyer**

18. Capacity/relationship/function

19. Surname

20. First name(s)

21. Nationality

22. Address

23. Telephone (including international dialling code)

24. Fax

25. Email

**C.2. Lawyer**

26. Surname

27. First name(s)

28. Nationality

29. Address

30. Telephone (including international dialling code)

31. Fax

32. Email

**C.3. Authority**

The applicant must authorise any representative to act on his or her behalf by signing the first box below; the designated representative must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated above to represent me in the proceedings before the European Court of Human Rights concerning my application lodged under Article 34 of the Convention.

33. Signature of applicant

34. Date

1	2	0	4	2	0	1	7
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e.g. 27/09/2015

D D M M Y Y Y Y

I hereby agree to represent the applicant in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

35. Signature of representative

36. Date

1	8	0	4	2	0	1	7
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e.g. 27/09/2015

D D M M Y Y Y Y

**D. Representative(s) of the applicant organisation**

Where the applicant is an organisation, it must be represented before the Court by a person entitled to act on its behalf and in its name (e.g. a duly authorised director or official). The details of the representative must be set out in section D.1.

If the representative instructs a lawyer to plead on behalf of the organisation, both D.2 and D.3 must be completed.

**D.1. Organisation official**

37. Capacity/relationship/function (please provide proof)

Chair of the Board and chief counsel/attorney at law

38. Surname

39. First name(s)

40. Nationality

41. Address

42. Telephone (including international dialling code)

43. Fax

44. Email

**D.2. Lawyer**

45. Surname

46. First name(s)

47. Nationality

48. Address

49. Telephone (including international dialling code)

50. Fax

51. Email

**D.3. Authority**

The representative of the applicant organisation must authorise any lawyer to act on its behalf by signing the first box below; the lawyer must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated in section D.2 above to represent the organisation in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

52. Signature of organisation official

53. Date

D	D	M	M	Y	Y	Y	Y

e.g. 27/09/2015

I hereby agree to represent the organisation in the proceedings before the European Court of Human Rights concerning the application lodged under Article 34 of the Convention.

54. Signature of lawyer

55. Date

D	D	M	M	Y	Y	Y	Y

e.g. 27/09/2015



## Subject matter of the application

All the information concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the six-month time-limit laid down in Article 35 § 1 of the Convention must be set out in this part of the application form (sections E, F and G). It is not acceptable to leave these sections blank or simply to refer to attached sheets. See Rule 47 § 2 and the Practice Direction on the Institution of proceedings as well as the "Notes for filling in the application form".

## E. Statement of the facts

### 56. INTRODUCTION – SUMMARY OF THE DISPUTE AND ITS HISTORY

The two separate and parallel Applicants, Jan Oberg, Sweden, and David Swanson, USA, claim to be wronged by Swedish courts. They belong to the limited circle of recipients Alfred Nobel had in mind when, in his will of November 1895, he included what he called "the prize for champions of peace." In the will he described the peace prize recipients more narrowly as "the person who shall have done the most or the best work for creating the brotherhood of nations, for the abolition or reduction of standing armies and for the holding and promotion of peace congresses," see Documents (hereinafter abbreviated: Docs), p. 2.

The expressions of a testament shall not be read literally, to interpret it is, in Scandinavian law, to find the intention of testator. To understand what the words meant to Alfred Nobel requires a study of the political ideas of the period, the history of the making of the will, and the person Nobel. He had conducted business all over the world and was able to rise above the narrow national perspective and see what would function best for the world as a whole. The language used in the will is borrowed from the peace movement that sought a fundamental change of international relations. Through international law and justice the peace congresses wished to abolish weapons and warriors and prevent future wars.

The peace prize was one of five prizes for persons who "have conferred the greatest benefit on humanity." The Nobel Foundation, was established in 1900 in Stockholm to manage the funds, award the prizes and implement the purpose of his will. Under the Swedish Foundations Act 1994 (Ch. 2, 3 §) the Board of the Foundation has the superior and final responsibility for all foundation activities. Historians agree that it was the persistent prodding of the Austrian peace activist Bertha von Suttner that made Nobel include the peace prize. The correspondence between Suttner and Nobel provides clear evidence of his intention being to support her and other "champions of peace" in their work for a shift in international relations where all nations would co-operate on international law, disarmament and settling differences in courts of law instead of in the battlefield. The power of the law must replace the law of power.

The State of Norway is involved in the process to select the peace prize winners, insofar as in his will Nobel entrusted to the Parliament of Norway to select a committee of five (The Norwegian Nobel Committee) to confer the peace prize. It follows from Nobel's will that the task of Parliament is to compose a committee dedicated to promoting the specific peace ideas of Nobel. The President of Norway's Parliament acts as a fiduciary of the private Nobel Foundation, Sweden.

Over the years the awarders had forgotten the testament of Nobel and the prize he once gave to support the proponents of an alternative, peaceful and demilitarized world order had been reconfigured into a general prize for "peace" and the awarders insist on disconnecting it from Nobel's vision of peace. The Applicants and fellow peace activists have suffered a significant loss every time the reward goes to other purposes. The prize is of great economic value, but its practical value, to the exercise of their political ideas, use their freedom of speech, is infinitely much greater.

Nobel took sides in the great struggle of the period between two alternative political directions. The peace movement was so strong that it managed to make nations convene to discuss its program in the 1899 Peace Conference at the Hague, even if national leaders at the time met the new ideas and the upcoming peace conference with resistance, ridicule and scorn. A contemporary reporter gave this description of the outcome: "In the debate on ending armaments two world views were clearly exposed: those who believed in the road of trust and cooperation were opposing those praising the old belief that nothing other than weapons can solve international conflicts."

And, the reporter in 1899 added, the adherents of the old belief "did their best to sabotage the deliberations." The compact national unity in such sabotage of alternative thoughts about security that we see today is, indeed, a long tradition. In our time the peace movement has lost its position as a political alternative to militarist ideas on security. A great value of democracy is that everyone can contribute with wisdom and ideas. Most societies are thoroughly militarized to a point where they no longer are able to make use of the many dissidents and their offered treasure of intelligence, visions and their realistic warning of the excessive costs and the deadly risk that go with the predominant policies. The dissidents are like cars on a side road unable to get on to the autostradas of society due to heavy military traffic.



**Statement of the facts (continued)**

57.

History should tell us that the slogan "If you wish peace, prepare for war" is flawed - no increase in military spending or new weapons technology will keep us safe and prevent new wars. And yet the world seems caught in a vicious circle that forces us all to continue spending on a steady worsening of the risks. A majority with overwhelming political power cannot be forced to listen to the dissident minority and heed its ideas. But the custodians entrusted with implementing the testament of Nobel take one step too far when, relying on the dominant political majority view, they take over the peace prize, reading what they like into the text, and refuse to respect the elementary rule of the law on testaments will and observe what the testator intended. This is gross abuse and disrespect for the ideas of democracy and the rule of law

ALL CALLS FOR RESPECT FOR THE RIGHTS OF NOBEL'S "CHAMPIONS OF PEACE" HAVE BEEN IN VAIN

The dispute first started when a Norwegian peace activist, lawyer and author Fredrik S. Heffermehl, suddenly discovered that the testament and the purpose of Nobel must have been entirely forgotten. In an op-ed article Aug. 14, 2007, in Aftenposten, Oslo, he called attention to Nobel's will and its specific approach to peace. He asked the Norwegian Nobel Committee, Oslo, to check the purpose of the peace prize and its mandate. This was just asking them to abide by their elementary legal obligations as diligent executors, and a reminder of the strict rules on management of entrusted funds.

It goes without saying that all disbursements from the Nobel Foundation shall be by the board and comply with the purpose. To do so the Board needs to – and have a legal obligation to – study the history of the will and the intention of testator properly. The two Norwegian bodies involved (Parliament and Nobel committee) met Heffermehl's appeal with adamant, enduring resistance. Heffermehl then, in 2008, produced the first legal analysis ever of the purpose of Nobel and presented it in book form, in Norwegian, and in 2010 a new much expanded book in English – Docs, p. 1 - 8.

Already in 2007 one of the Applicants, Oberg, had encouraged Heffermehl the representative writing this Application) to seek a return of the prize to the intended beneficiaries. Early in 2008, before his book manuscript was finished, Heffermehl sent a clarification of the peace prize purpose to the Nobel cttee and the President of the Norwegian Parliament, at the time Thorbjørn Jagland. Later, in a letter of July 10, 2008 to Mr. Jagland Heffermehl analyzed the role of Parliament, its duty to compose a committee loyal to the purpose of Nobel, and attached the applicable provisions of civil and penal law, Docs, p. 9 - 11. This letter drew no response from Mr. Jagland, even if he, as the President of Parliament, had a special responsibility for upholding the law and high democratic standards. For generations Parliament has appointed members to the Nobel committee who have not shared the ideas on peace and non-military security Nobel wished to support.

In the December 2008 renewal of the Nobel committee Mr. Jagland (still President of Parliament and chair of its Elections Committee) placed himself in one of the available seats. The first thing he did upon his election was to state that it was no longer possible to follow the will of Nobel. Later, as the committee chair, he shifted to routinely claim that the committee's practice conformed to the will and always had done so. But the reality was the same, instead of promoting the Nobel idea of peace by non-military means the committee promoted its own ideas of peace by everything else.

Already in October 2008, based on Heffermehl's first book, the public authority in Sweden monitoring foundations (Länsstyrelsen i Stockholm) announced that it would open an investigation of the management of the peace prize. In Dec. 2008 the inspectorate's legal experts on foundation were, however, stopped from performing their tasks by the political leadership of the County Board. It took four years before, in January 2012, an investigation finally went ahead. It was concluded on March 21, 2012. The Authority expected that the Nobel Foundation would take necessary precautions and in the future exercise its responsibility, ultimate and superior, to ensure that all prizes are awarded in accordance with the purpose of Nobel and in conformity with the law – Docs, p 12 - 13. By its promises to the Foundations Authority the Nobel Foundation obtained a dismissal and end of further investigation. There is no sign, however, that the Foundation has performed the necessary examination of the actual purpose and given instructions to its subsidiary bodies in Oslo (The Parliament and the Nobel Committee).

As of January 2014 the activity of Heffermehl has continued within the "Lay down your arms Association," incorporated and registered in Sweden, and its subsidiary Nobel Peace Prize Watch. Its history is described in Docs, p. 14 - 15, a presentation to the public posted on the organizations website nobelwill.org.

A request for criminal indictment to the Norwegian Police (ØKOKRIM) – Docs, p. 22 - 29 - came in 2015 after the many attempts to have an honest and genuine debate about the prize and the mandate, in books, articles, and public debates had failed. The Chief Prosecutors declined to open a criminal investigation.



**Statement of the facts (continued)**

58.

The Nobel trustees were unwilling to listen to criticism and obey the law and the orders of the Swedish foundations authorities public authority orders. Their adamant determination to continue ignoring Nobel and his purpose got a dramatic illustration when Henry Kissinger was invited as lecturer of honor for the December 2016 Nobel celebrations.

**RESORT TO THE COURTS OF LAW IN SWEDEN**

After trying in vain in so many ways over a number of years the Applicants realized that their freedom of speech was to no effect. The Applicants found a civil lawsuit the only way to defend their interest in the peace prize, but their hypothetical right as potential winners, would most probably be denied standing in a civil suit but. But Applicants had a clear right to a court under Chapter 5 of the Swedish Foundations Act. Board members must not cause a loss to the foundation by payments outside the prescribed purpose, and the potential beneficiaries (destinatärer) may, under §4, 1 no. 3, protect their prospects of benefiting from a foundation through their right, in a lawsuit in the interest of the foundation, against the individual board members, to seek an order to indemnify the Foundation for losses incurred by payments not faithful to its purpose. (Ch. 5, 4 §: "Talan om skadestånd till stiftelsen enligt 1 eller 2 § kan väckas, av ... 3. den som enligt stiftelsens ändamål kan komma att få förmån av stiftelsen ...") As a test case we sought a ruling on refund of the Board's payment of the 2012 peace prize to the European Union. Many will say that the EU has promoted peace in Europe and deserves a peace prize. The relevant question for the Nobel Foundation to evaluate is whether the EU deserved Nobel's peace prize. Under the law it could only pay out the prize money if the EU was within the purpose. The EU was clearly disqualified since, instead of promoting global demilitarization, it seeks to be a strong regional military power.

The Applicants were surprised and disappointed when this lawsuit ended before it began. A single judge of Stockholm City Court dismissed the case; he set aside the rights of the designates based on a doctrinal work on foundations (Karlgrén) written decades before the 1996 entry into force of the Foundations Act, and on a new requisite of his own invention: instead of evaluating, as prescribed in §4 of the Act, whether applicants were "potential beneficiaries" (destinatärer) he denied standing to an "undefined circle of recipients." A leading expert on Swedish foundations law called the decision "defiance of the law" (lagtrots). The decision was upheld in the Court of Appeal and the Supreme Court refused review.

**THE APPLICANTS HAVE A PRIMA FACIE CASE**

There is general agreement that the peace prize resulted from the influence of Austrian countess Bertha von Suttner, author of "Lay Down Your Arms" and her years of prodding Nobel to support her cause. He informed her of his plans to establish a peace prize and the letters exchanged between the two provides irrefutable evidence and is the preeminent key to understanding Nobel's intention. The conclusions of Heffermehl as to the intention, Docs, 4, 5, was never refuted by the Nobel awarders. The same view of the purpose was communicated to the Nobel Committee, Oslo, with high legal authority in a nomination for the 2008 peace prize by Professor of Law, at the Uni of Oslo, Ståle Eskeland, Docs, 16 - 21.

Conclusive evidence of the illegal and unprofessional management of the prize is also found in an article by the Secretary of the Nobel Committee in 2001, Docs, p. 6 - 7. The secretary described the committee practice perfectly correct when he wrote that it had used "peace" as its criterion, and even had had ideas about defining that concept - without the slightest hunch that a possible definition would have to have something to do with Alfred Nobel's testament and intention.

The Applicants promote entirely rational and valid views on weapons, violence and what policies are needed to avoid future wars, views that deserve a fair chance of serious consideration in the public debate. They see militarism, arms races and power struggles between nations as extremely dangerous, omnicidal in the nuclear age. The costs are staggering and the risks enormous. But the peace movement's appeal to rationality and reason stands against opponents backed by a huge military sector in all nations, by governments and administrations, by media and academia. The official line is to remain locked in the military tradition and not consider alternatives. Once Norway had taken the decision to join NATO the course was set for a massive, common understanding. The debate and search for peace by peaceful means was history.

It is the right of a majority to ignore arguments and ideas, but not to use its political power to undue financial gain. The majority must respect a minority's claim to money given as help to promote the minority view. If the majority fails to do so it is important that the dissidents can rely on the protection, without discrimination, that the majority would enjoy. One must in the dispute over the purpose of the Nobel Prize, question whether the institutions of Norway and Sweden have been able to give the Applicants the equal right to protection that they are entitled to, from administrative agencies and courts of law acting with integrity and independence.



**F. Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments**

59. Article invoked	Explanation
Dispute counterpart/s	<p>The dispute has a complicated cast, but in the final analysis the superior responsibility for all actors involved rests with the Nobel Foundation. We have, indeed, a peculiar and unusual situation; the Norwegian Parliament has taken on a significant task in a private Swedish foundation, a function outside its constitutional authorization. Moreover, in its selection of Nobel committee members it is subordinate to the Nobel Foundation; the Norwegian Parliament is subject to the Nobel Foundation by-laws, and to Swedish law and law enforcement regarding foundations. In the early years this was not a problem to the beneficiaries. At the time Norway's parliament was in the vanguard supporting the new peace ideas. But it became a problem when the political attitudes changed; dissidents have long had to beg the lawmakers to respect the law and let them benefit from the Nobel peace prize. This ought to be a problem for Parliament, but in 2016 it declined an appeal from the Applicants/NPPW that it must evaluate its Nobel role.</p> <p>Nine years of experience has told us that in the prevailing political mono-culture our freedom of expression is of limited practical value; only by the intervention of official authority or the courts will it be possible for us to elicit something with at least a feigned resemblance of an honest response. The reality is that the awarders try to defend their unlimited use of the prize and never wish to relate to or show any interest in what Nobel really wanted. Democracy and laws do not function in this field, without a court order the awarders will not respect their legal obligations.</p>
Article 6 Right to a fair trial	<p>The Swedish Foundations Act properly offers a right to initiate a lawsuit against the individual board members demanding that they refund money disbursed outside the purpose. Under Chap. 5 on liability, §4, 1st, beneficiaries are entitled to stop spending for other purposes than those prescribed in the by-laws. In the view of the Nobel awarders the circle of recipients is very wide. Therefore, if anyone comes within the purpose it is the Applicants. Few could more clearly fulfill the requirement of the Act of belonging to those "who according to the purpose may benefit from the foundation".</p> <p>The Dec 4, 2015, Petition for summons to the Stockholm City Court, Docs, p 31 -39, in its last paragraph, deals with the "Standing to sue" and notes that, according to Chapter 5, §4, item 3, anyone who objectively is within the circle of recipients has standing to sue. "This includes not only persons who have won or been nominated for the prize in the past, but also those who potentially may be nominated." Hoping that modern ideas of transparency and open discussion could help keep the awarders straight the Nobel Peace Prize Watch screened all known nominations and presented a list of all qualified candidates on its website. The two Applicants are among the 32 qualified candidates nominated in 2017: <a href="http://www.nobelwill.org?tab=8#oberg2">http://www.nobelwill.org?tab=8#oberg2</a>, and <a href="http://www.nobelwill.org?tab=8#swanson2">http://www.nobelwill.org?tab=8#swanson2</a> - Docs, p 40 - 43.</p> <p>We wished to obtain a legal order clarifying that the circle of legitimate recipients is indeed restricted. The Foundation's payment of the 2012 prize to the European Union was an excellent test case to contrast the unlimited concept of "peace" applied by the awarders against "the champions of peace" Nobel had in mind. The EU is pursuing military strength in relation to other nations, the direct opposite of the cooperative, global security system that Nobel wished to support in order to prevent future wars.</p> <p>In its decision of Feb. 16, 2016 the City Court, Docs, p. 44 - 51, denied us legal standing. It made an assumption of fact as to the circle of recipients under the terms of the will "as these under changing conditions over time have come to be understood." On this basis the City Court decided it would not consider anyone entitled to sue the board members for compensation in a foundation of this character. The lawmakers had given us a right to a court, the City Court destroyed it. In the bargain it created a legal void where no one can stop or hold the executors of Nobel's will liable.</p>



**Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments (continued)**

60. Article invoked	Explanation
	<p>Applicants in appeal, Docs, 52 - 64, objected against three main errors: 1) the City Court had relied on views expressed by a leading authority on foundations law, Karlgren. Formulated 45 years before the adoption of the Foundations Act Karlgren lacked current relevance. 2) The court decided prematurely, expressing its own view of the contentious issue: without consultation or hearing it found the circle of recipients wide - as "the prize over time had come to be understood," 3) instead of applying the clear criterion of the act (potential beneficiaries) the court rejected our request using its own, new criterion (closely defined circle of recipients) with no basis in the Act.</p> <p>The court of appeal, Svea Hovrätt, in its decision of April 19, 2016, Docs, 64 - 69, confirmed that the judge took a premature position to the contentious issue. It had been wrong of the City Court, in chambers, to dismiss the case without having submitted, in advance, its plans to the litigants for comment, but the court of appeal did not quash the decision. It upheld the City Court decision, not heeding our main argument that under the Foundations Act what the judge should have evaluated was whether Applicants were within the circle of potential beneficiaries (destinatärer), whether the circle was more or less "defined" (bestämd), was irrelevant. The appellants also had submitted in evidence modern doctrine by Katarina Olsson (1996) clearly confirming our title to litigate, Docs, p. 62.</p> <p>The court of appeal confirmed the first decision without comments on the Applicant's objections to the City Court decision. It failed to give [one word, adequate, deleted] reasons.</p> <p>Our appeal to the Supreme Court in May 2016, claimed that the City Court without any basis, neither in the Act, nor in the preparatory reasons of the act, nor in precedents or doctrine, had introduced the nature of the circle of recipients as a criterion. As a result no potential beneficiary would have a right to sue in foundations with a wide ("not precisely defined"/ inte närmare bestämd) circle of recipients.</p> <p>The Supreme Court, in its decision of November 2, 2016, declined review without comments on the Applicant's objections to the Court of Appeals decision. It failed to give [one word, adequate, deleted] reasons.</p>
Article 14 Prohibition of discrimination	<p>The many peculiar aspects of the verdict, decided in camera and based on obvious errors, would seem to indicate that we were denied justice by a judge acting with bias and prejudice under a too heavy influence of the national unity in these issues. As a result justice was not done; in the least we did not get proper reasons from the court to show that justice had been done. The same happened in the Court of Appeal and even in the Supreme Court.</p> <p>Bias and prejudice against the Applicants' dissident political views must have led the City Court judge and the courts of appeal to deviate from normal procedural practice and rules and prevented their rational decision on the basis of applicable law. It seems hard for administrative agencies and courts to apply the law with integrity and independence in matters of the revered Nobel prizes and of "national security."</p>

#### G. Compliance with admissibility criteria laid down in Article 35 § 1 of the Convention

**For each complaint, please confirm that you have used the available effective remedies in the country concerned, including appeals, and also indicate the date when the final decision at domestic level was delivered and received, to show that you have complied with the six-month time-limit.**



☐ Yes☐ No☐ Yes☐ No☐ Yes☒ No

**I. List of accompanying documents**

You should enclose full and legible copies of all documents. No documents will be returned to you. It is thus in your interests to submit copies, not originals. You **MUST**:

- arrange the documents in order by date and by procedure;
- number the pages consecutively; and
- **NOT** staple, bind or tape the documents.

68. In the box below, please list the documents in chronological order with a concise description. Indicate the page number at which each document may be found.

1.	Book 2010, The Nobel Peace Prize - What Nobel Really Wanted, by Fredrik S. Heffermehl	p.	1
2.	July 10, 2008, Letter Fredrik S. Heffermehl to President of Parliament, Thorbjørn Jagland	p.	9
3.	March 21, 2012, The County Board of Stockholm Decision	p.	12
4.	February 2014, Nobel Peace Prize Watch established	p.	14
5.	January 30, 2008, Nomination with legal opinion by Prof. of law Ståle Eskeland	p.	16
6.	April 8, 2014, Økokrim, Norway, request for investigation	p.	22
7.	Dec. 4, 2015, Petition for summons (Stämningsansökan) to Stockholm City Court	p.	30
8.	Nobel Peace Prize Watch - the Shortlist 2017, finding Oberg, Swanson qualified to win	p.	40
9.	Feb. 16, 2016, DECISION (Protokoll) of Stockholms tingsrätt	p.	43
10.	April 5, 2016, Appeal of 5, Överklagan to Svea Hovrätt	p.	50
11.	April 19, 2016, DECISION (Protokoll) of Court of Appeal, Svea Hovrätt	p.	63
12.	May 12, 2016, Appeal to Högsta Domstolen, Supreme Court of Sweden	p.	67
13.	Nov 2, 2016, DECISION (Protokoll) of the Supreme Court of Sweden (Högsta Domstolen)	p.	73-74
14.		p.	
15.		p.	
16.		p.	
17.		p.	
18.		p.	
19.		p.	
20.		p.	
21.		p.	
22.		p.	
23.		p.	
24.		p.	
25.		p.	



Any other comments

Do you have any other comments about your application?

69. Comments

1) The Freedom of Speech and rights of political opinion here is invoked to do something about our common globe being tripwired for nuclear icineration - the matter is of utmost and mandatory urgency. We hope the Court will consider it.

2) The COE General Secretary, Mr. Jagland, is deeply involved in the generation and deepening of the dispute over the Nobel Peace Prize and at the same time reform of the ECHR is his main project. Therefore, in order to secure trust in an impartial and unbiased decision, the Registrar may find it desirable to be replaced in the evaluation of this Application.

Declaration and signature

I hereby declare that, to the best of my knowledge and belief, the information I have given in the present application form is correct.

70. Date

01052017

e.g. 27/09/2015

DDMMYYYY

The applicant(s) or the applicant’s representative(s) must sign in the box below.

71. Signature(s) ☐ Applicant(s) ☒ Representative(s) - tick as appropriate

Confirmation of correspondent

If there is more than one applicant or more than one representative, please give the name and address of the one person with whom the Court will correspond. Where the applicant is represented, the Court will correspond only with the representative (lawyer or non-lawyer).

72. Name and address of ☐ Applicant ☒ Representative - tick as appropriate

Fredrik S. Heffermehl,

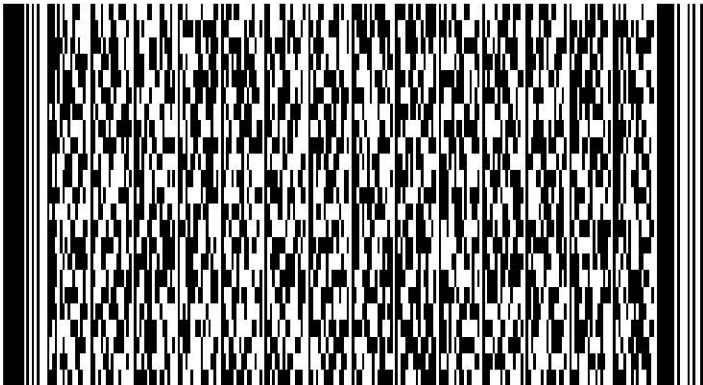
Dunkers gate 4 C,

0357 Oslo,

Norway

The completed application form should be signed and sent by post to:

The Registrar  
European Court of Human Rights  
Council of Europe  
67075 STRASBOURG CEDEX  
FRANCE



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