

Professor Nils Christie  
Professor Ståle Eskeland  
Professor Alf Petter Høgberg  
Faculty of Law,  
University of Oslo

Oslo, Feb. 1, 2015

The Norwegian Nobel Committee  
Henrik Ibsens gate 51  
N-0255 Oslo

postmaster@nobel.no

#### NOBEL 2015: INTERNATIONAL ASSOCIATION OF LAWYERS AGAINST NUCLEAR ARMS

I /We hereby nominate Peter Weiss, New York, and IALANA, the International Organizations of Lawyers against Nuclear Arms, as well as Juristen und Juristinnen gegen atomare, biologische und chemische Waffen, the IALANA subsection in Germany, for the 2015 Nobel Peace Prize, each one of them to win the prize alone, or as a shared prize for two or all three.

#### PETER WEISS:

Peter Weiss, New York, has been at the helm of the lawyers' efforts against nuclear weapons from the beginning. He was a key figure when The Lawyers' Committee for Nuclear Policy (<http://lcnp.org/aboutlcnp/index.htm>) was founded in New York in 1981. This initiative over time led to the development and mobilization of a sizable worldwide circle of lawyers with remarkable skills in nuclear issues and international law related to war and peace, engaged in dissemination of knowledge and action for political change. The goal and guiding idea for the broad agenda of peace work pursued by Peter Weiss, always was to let the force of the law replace the law of force, which also is the most basic idea underlying the Nobel prize for "the champions of peace." In addition to pursuing the nuclear issues Weiss has worked for peace in many arenas and settings, not least the diplomacy around the United Nations. Major results have been accomplished in the framework of the Center of Constitutional Rights (<http://ccrjustice.org/missionhistory>) where Weiss is vice president.

In 1987 the antinuclear efforts were brought to a new level by a conference where American and Soviet lawyers met in New York, a meeting that was followed up in 1988 when the international **IALANA** was formed at a congress in Stockholm. IALANA became the start of intense efforts over the East-West divide by a number of qualified lawyers co-operating and acquiring great expertise in the work to enforce

and develop further the international law preventing annihilation of civilization and life on the planet by the advent of nuclear war.

In addition to building knowledge and awareness, IALANA has engaged in lobbying and influencing decisions in political and diplomatic environments. It played a main role as one of the three partner organizations that in 1992 established The World Court Project aiming at having a trial of the legality of nuclear weapons. IALANA supplied the legal analysis in this work that in 1996 led to the landmark opinion of the ICJ, the International Court of Justice wherein the use and threat of use of nuclear weapons was declared illegal under international law. The Court also, unanimously, stated, that all nations are legally obliged to engage in negotiations that must lead to a specific result, the abolition of nuclear arms in all their aspects.

I am prepared to submit a wide range of books and relevant documents on this landmark achievement. The work on this case is an interesting example of the work of NGOs to develop international law, see contributions by Kate Dewes, Alyn Ware, Jody Williams, and Bill Pace, in a book by Fredrik S. Heffermehl, *Peace is Possible* (IPB, 2000). Peter Weiss played an essential role as advisor in the development of argument and pleading of the case, including appearing for Malaysia in the oral hearing of the ICJ. Peter Weiss and his wife, Cora Weiss, were the key figures in organizing the great Hague Peace Conference of 1999, with 10 000 persons participating, an activity specifically mentioned in Nobel's description of his peace plan in the will.

The growth of the lawyers' activity, of the organizational network, its results and its productivity, must in a very qualified way be credited to Peter Weiss and his inspiring leadership. He is a personality who, drawing on a broad legal and cultural knowledge, is able to explain, illustrate, enthuse and convince small and great audiences in pregnant, efficient, prose. Speaking with a quiet and strong wisdom, combined with understatement and wonderful humor, Weiss commands natural respect and all around him experience it as a great and rewarding privilege to meet and work with him. In a few lines a co-worker in Canada (Bev DeLong) has given the following image of Peter Weiss as a person:

"Peter is so supportive of women! I have an email that says "I may have to boycott the conference altogether because there is not a single woman on the program! How did that happen and what are you going to do about it? And by the way, adding one single (token) woman will not to the trick. We cannot be in violation of UN Security Council Resolution 1325 (which he then quotes!)" What a wonderful man!

And Peter has been persistent in calling on us to live with hope: In a note to the IALANA board Dec. 31, 2012 he commented:

*"It has not been a good year. And 2013 will not be much better. But despair is not an option. Here are the words which Tony Kushner, our great playwright, put in the mouth of a black woman working for a white family in Mississippi: "Change come fast, change come slow, but change come." That should be good enough for all of us. I wish us all a year of change."*

## IALANA – IALANA GERMANY

It is important to understand that much of the NGO/civil society work is behind the scene and invisible. The role of peace NGOs is to encourage states to act and initiate processes, inform, discuss and give arguments to direct nations regarding their positions in international conferences and treaty negotiations. What media cover is the surface, and the Nobel committee would make a very important contribution by making the indispensable role of the NGOs visible. According to Heffermehl's book this was a main intention of Nobel. In his book on the Nobel Peace Prize he describes how some of the NGOs around the UN system, working for the benefit of humanity, across all borders and divisions of political, religious, gender, race and class, in the world today is the community that come closest to "creating the brotherhood of nations".

In another notable accomplishment, IALANA, in association with the International Physicians for the Prevention of Nuclear War and International Network of Engineers and Scientists Against Proliferation, in 1997 released a Model Nuclear Weapons Convention (MNWC) drafted by an international consortium of IALANA and other lawyers, scientists, disarmament experts, physicians and activists. Costa Rica submitted the MNWC to the United Nations later that year; it was circulated as UN Doc A/C.1/52/7. In 2007, the same groups updated the [MNWC](#) and it was again circulated in the United Nations (A/62/50) at the request of Costa Rica and Malaysia. Explanatory commentary is contained in the book, [Securing Our Survival](#) (2007).

The Model NWC prohibits the use, threat of use, possession, development, testing, deployment and transfer of nuclear weapons and provides a phased program for their elimination under effective international control. It provides for the verified elimination of nuclear weapons in much the same way comparable treaties have banned landmines and chemical and weapons. (There is also a ban on biological weapons, but there are as yet no verification provisions.) The MNWC was drafted to demonstrate the feasibility of the elimination of nuclear weapons and thus stimulate negotiations to that end. In 2008 UN Secretary-General Ban Ki-moon [said](#) that one way to comply with the NPT nuclear disarmament obligation is to start "negotiating a nuclear-weapons convention, backed by a strong system of verification, as has long been proposed at the United Nations," adding that the MNWC "offers a good point of departure".

The German chapter of IALANA (**Juristen und Juristinnen gegen atomare, biologische und chemische Waffen**) was started in 1989. In addition to nuclear disarmament it pursues a particularly broad agenda of war prevention and respect for international law, see information at [ialana.de](#). It has a wide program of publications, seminars, working groups, relating to the legal aspects of the military activities and politics of Germany and her allies. By this broadness of its agenda the German IALANA appears different from most of the strictly one-issue antinuclear campaigns and this general rejection of militarism in so multiple and varied ways make it particularly qualified for a Nobel prize. Particularly their Frieden durch Recht

program is in line with the Nobel goal of letting law replace power in international relations. I attach an annex with some of the information from their website.

The IALANA organization was engaged, during later years and in 2014 (“the last expired year”), with raising a new case to demand of the nine nations possessing nuclear weapons that they comply with their obligation to eliminate nuclear weapons. Peter Weiss, who at 89 continues to promote an intensive agenda of peace work at in ( <http://www.thenation.com/article/196033/marshall-islands-versus-worlds-nuclear-weapons-states> ) explained the new action at the ICJ an article in The Nation Jan. 26, 2015, saying (in part):

### **“The Marshall Islands Versus the World’s Nuclear Weapons States**

..... Last April, in an extraordinary and commendable act of chutzpah, RMI sued all nine states currently possessing nuclear weapons—the United States, the United Kingdom, Russia, China, France, India, Pakistan, Israel and North Korea—accusing them of violating their duty to negotiate in good faith for the elimination of those horrific weapons.

The theory of the case is based on three distinct but overlapping principles. Under the Nuclear Non-Proliferation Treaty (NPT) of 1968, each party “undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.” The 1996 advisory opinion of the ICJ in the nuclear weapons case asserted that “there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament.” The addition of the words “and bring to a conclusion” was important and made clear that just negotiating, without reaching a specific objective, was not enough. Customary international law also supports the legal obligation to eliminate nuclear weapons.”

IALANA is well represented on the international legal team for the Marshall Islands by Phon van den Biesen, an Amsterdam-based international lawyer who is co-agent and a longtime member and one-time Secretary of IALANA, Peter Weiss, and John Burroughs, Executive Director of the UN Office of IALANA, the Lawyers Committee on Nuclear Policy in New York (of which Peter Weiss is president emeritus).

Oslo, February 1, 2015

Nils Christie

Ståle Eskeland

Alf Petter Høgberg

## **Annex A – website abstracts from website <http://www.ialana.info>**

IALANA is an international association of lawyers and lawyers' organisations working for the elimination of nuclear arms, the strengthening of international law and the development of effective mechanisms for the peaceful settlement of international disputes.

Founded in 1988 in Stockholm IALANA has grown into a fully-fledged international citizens' organization with consultative status with the United Nations.

IALANA has also expanded its scope of action to include - efforts to abolish all types of inhumane weapons and to control the international arms trade - advancing concepts of security based on the application of law and legal mechanisms, development of non-offensive defence and implementation of confidence building measures. - encouraging the establishment and use of the International Criminal Court and other legal procedures to address crimes against international humanitarian law

IALANA has 4 international offices: - Berlin, Germany (European Office), - Wellington, Aotearoa/New Zealand (Pacific Office) - New York (United Nations Office) - Colombo, Sri Lanka (South Asia Office) IALANA has affiliates all over the world including; United States, Canada, Germany, the Netherlands, New Zealand, India, Sweden, Belgium, Japan, the Russian Federation, Norway and Italy

### **IALANA OFFICES Head Office Marienstrasse 19/20 10117**

Berlin Germany Phone: (49) 30 2065 4857 Fax: (49) 30 2065 3837 Director: Reiner Braun Email: Hr.Braun@gmx.net Int'l Coordinator: Jenny-Louise Becker Email: jenny.becker@ialana.de **UN Office (Lawyers Committee on Nuclear Policy)** 866 UN Plaza, Suite 4050 New York, NY 10017-1936 USA Phone: (1) 212 818-1861 Fax: (1) 212 818-1857

Director: John Burroughs Email: johnburroughs@lcn.org **Pacific Office** PO Box 23257 Cable Car Lane, Wellington Aotearoa-New Zealand Phone: (64) 4 496-9629 Fax: (64) 4 385-8193 Director: Alyn Ware Email: alyn@lcn.org **South Asia Office** 5/1 Roland Towers, Dharmaraja Mawatha 3, Off Alfred House Avenue, Colombo Sri Lanka Phone: (94) 112 555 028 Fax: (94) 114 720 480 Director: Neshan Gunasekera Email: neshan.gunasekera@gmail.com

## Arbeitsfelder

### Unterkategorien

- ABC-Waffen
    - Atomwaffen / Sperrvertrag
      - atomwaffenfreie Zone Nahost
      - Abrüstung Atomwaffen
      - Atomsperrvertrag
        - nukleare Teilhabe
      - Klagen der Marshall-Inseln vor dem IGH
    - Nato, EU und Bundeswehr
    - Stationierung in Deutschland
    - Nuklearwaffenkonvention
    - B- und C- Waffen
    - Uranwaffen
  - Frieden durch Recht
    - IALANA-Kongress "Quo vadis NATO? " im April 2013 in Bremen
    - IALANA-Kongress "Frieden durch Recht" Juni 2009 in Berlin
    - Entwicklung Völkerrecht
      - Drohnen und gezielte Tötungen
      - Humanitäre Interventionen / Responsibility to Protect (R2P)
      - Preemptive Strike
      - Staatenimmunität
      - Selbstverteidigung
      - hybride Kriegsführung
    - Vereinte Nationen
    - Intern. Gerichtshof (ICJ)
    - Intern. Strafgerichtshof (ICC)
    - Völkerstrafrecht
    - Bundesverfassungsgericht und Bundesverwaltungsgericht
- Humanitäres Völkerrecht
- IALANA-Kongress "Quo vadis NATO? " im April 2013 in Bremen
  - IALANA-Kongress "Frieden durch Recht" Juni 2009 in Berlin
  - Entwicklung Völkerrecht
    - Drohnen und gezielte Tötungen
    - Humanitäre Interventionen / Responsibility to Protect (R2P)

- Preemptive Strike
- Staatenimmunität
- Selbstverteidigung
- hybride Kriegsführung

Vereinte Nationen

<http://ialana.de/arbeitsfelder/frieden-durch-recht>

## Geschichte, Erfolge, Ziele

### Was wir erreicht haben

Kategorie: Geschichte, Erfolge, Ziele

•

Erstellt am Dienstag, 19. Juli 2011 11:49

Als internationale Juristen-Initiative gegen Atomwaffen wurde IALANA im April 1988 in Stockholm gegründet. Im Juni 1989 folgte in Bonn die Gründung der deutschen Sektion, eines gemeinnützigen Vereins. Der Aufgabenbereich wurde später erweitert auf biologische und chemische Waffen und um die gewaltfreie Friedensgestaltung. In Deutschland startete IALANA 1990 mit einem internationalen Kolloquium und kritischen Beiträgen zu der Atomwaffenstrategie der NATO. Auf dem Kolloquium in Berlin diskutierten Teilnehmer aus 13 Nationen, darunter hochrangige Militärs, Rechts- und Friedenswissenschaftler die juristischen und politischen Aspekte der Abschreckungsdoktrin. In der Folgezeit untersuchte IALANA militärische Aktivitäten Deutschlands und die von den USA und ihren Verbündeten und von der NATO geführten Kriege (Golf-Krieg 1991, Jugoslawien-Krieg 1999, Afghanistan-Krieg 2001, Irak-Krieg 2003 und Libyen-Krieg 2011) auf ihre Vereinbarkeit mit dem deutschen und dem internationalen Recht und veröffentlichte dazu Stellungnahmen und Memoranden. Eine Schriftenreihe und zahlreiche Veröffentlichungen vertiefen die aufgegriffenen Themen. Wiederholt versuchte IALANA durch Schreiben an Abgeordnete des Deutschen Bundestages und an Mitglieder der Bundesregierung Einfluss auf die Sicherheits- und Friedenspolitik zu nehmen. Dabei wurde insbesondere die strikere Beachtung des Grundgesetzes und des Völkerrechts angemahnt.

[Weiterlesen...](#)

### Unsere Vorschläge

Kategorie: Geschichte, Erfolge, Ziele

Erstellt am Dienstag, 19. Juli 2011 11:46

Bestehende Einrichtungen und Verfahren zur Konfliktregulierung müssen künftig besser genutzt und geltende völkerrechtliche Regeln strikt beachtet und effektiv durchgesetzt werden. Alle Staaten müssen sich endlich verbindlich der Gerichtsbarkeit des Internationalen Gerichtshofes (IGH) unterwerfen; auch

Deutschland hat dies auf Druck der IALANA getan, allerdings mit dem Vorbehalt, dass die Bundeswehr mit ihrem Handeln außerhalb der Gerichtsbarkeit verbleibt. Das muss sich noch ändern. IALANA hat die Etablierung des Internationalen Strafgerichtshofs (ICC) unterstützt. Schwere völkerrechtliche Verbrechen können strafrechtlich wirksam geahndet werden. 2010 gelang in Kampala zwar eine verbindliche Definition des Verbrechens der Aggression; die entsprechende Veränderung des Statuts von Rom ist jedoch erst von wenigen Staaten ratifiziert worden (darunter die BRD). Frühzeitiges Erkennen und konstruktives Eingreifen durch internationale Organisationen bei entstehenden zwischenstaatlichen Konflikten oder drohenden Bürgerkriegen kann diese Eskalation verhindern. Internationale Organisationen wie die UNO und die OSZE müssen deshalb gerade im Bereich der Prävention gewaltförmiger Konflikte und der frühzeitigen nichtmilitärischen Intervention gestärkt werden. Bei der Lobby-Arbeit gegenüber dem Europäischen Verfassungskonvent konnte eine Intensivierung der zivilen Konfliktbearbeitung erreicht werden, die in den Vertrag von Lissabon übernommen wurde. Ganz knapp gescheitert ist die Etablierung einer Agentur für Zivile Konfliktbearbeitung. Diese wird aber mit dem so genannten Stabilitätsinstrument weiter verfolgt.

## Was wir tun

Kategorie: [Geschichte](#), [Erfolge](#), [Ziele](#)

Erstellt am Dienstag, 19. Juli 2011 11:45

Wir nehmen Stellung zu aktuellen Konflikten, die zum Ausbruch von Kriegen und Bürgerkriegen führen können oder führen. Wir prüfen und entwickeln juristische Argumente und zeigen dadurch Handlungsspielräume und Grenzen im Bereich der Militärpolitik auf nationaler und internationaler Ebene auf. Wir entwickeln Vorschläge zur Stärkung der Stellung von Bürgerinnen und Bürgern bei der Verifikation und Durchsetzung von internationalen Abkommen im Bereich der Abrüstung, des Umweltschutzes, der Bekämpfung von Korruption und des Schutzes der Menschenrechte (»Societal Verification«). Wir haben hierzu zusammen mit der »Vereinigung Deutscher Wissenschaftler« (VDW) und der »Ethikschutzinitiative« (INESPE) einen »Whistleblower-Preis« gestiftet, mit dem Persönlichkeiten für ihr zivilcouragiertes Verhalten ausgezeichnet werden.

## Was wir wollen

Kategorie: [Geschichte](#), [Erfolge](#), [Ziele](#)

Erstellt am Dienstag, 19. Juli 2011 11:45

### **Weltweite wirksame Ächtung aller Massenvernichtungswaffen**

Entstanden ist IALANA aus Sorge um die menschliche Zivilisation angesichts der Bedrohung durch atomare, biologische und chemische Massenvernichtungswaffen. Im Zentrum unserer Bemühungen steht deshalb, nach der erfolgten vertraglichen Ächtung der B- und C-Waffen, nun ein weltweites und wirksam kontrolliertes Verbot



aller Nuklearwaffen zu erreichen.

## Zurückdrängen des Faustrechts durch Stärkung des Rechts

Bei innerstaatlichen Konflikten sind rechtsförmige Verfahren zur Konfliktlösung seit langem selbstverständlich und akzeptiert. Unsere Grundvorstellung ist, dass dieses »zivilisatorische Niveau« der Abschaffung des Faustrechts auch auf internationaler Ebene endlich erreicht werden muss. Wir sind überzeugt, dass es eine friedlichere Welt nicht ohne Stärkung des Rechts geben wird.

## 18.06. 2014 Berlin: "Die Grundrechte - vom Netz genommen? Die digitale Bedrohung der Demokratie"

Kategorie: Whistleblowing

•

Erstellt am Dienstag, 17. Juni 2014 19:02

**Am 18.06.2014 findet in der HWR Berlin um 18:00 Uhr eine Podiumsdiskussion zu diesem Thema statt. Auf dem Podium: Dieter Deiseroth, Peter Schaar und Hans-Christian Ströbele. Moderation: Annegret Falter.**

Ort: HWR Berlin, Campus Schöneberg, Alte Bibliothek (Saal B2.20) , Badensche Str. 50/51

## Unterkategorien

Whistleblower-Preis

Allgemeines zum Whistleblowerpreis und seiner Verleihung

Whistleblowerpreis 2013

Whistleblowerpreis 2011

Rainer Moormann

Bradley Manning

Whistleblowerpreis 2009

Whistleblowerpreis 2007

Whistleblowerpreis 2005

Whistleblowerpreis 2003

Whistleblowerpreis 2001

Whistleblowerpreis 1999

Societal Verification

zur Debatte gestellt

Schutz der Whistleblower

## **Annex C - Peter Weiss, comments by Alyn Ware**

For the Norwegian Nobel Committee

### **Peter Weiss and the 2015 Nobel prize for the champions of peace**

I wish to second and support the nomination for Peter Weiss and IALANA. Having followed the anti-nuclear work closely I can fully confirm the descriptions of the pivotal role of Peter Weiss in these political processes.

Regarding the Model Nuclear Weapons Convention it was, indeed, itPeter's idea to draft the Model Convention. He proposed this during the time of the oral hearings of the ICJ. LCNP took on the task. Peter chaired most of the Model NWC drafting committee meetings as well as spending many many hours working on the draft.

With regard to the paragraph on the trial of nuclear weapons at the ICJ, IALANA did more than just provide legal analysis. IALANA successfully lobbied the UN General Assembly to take the case to the court against the combined counter-lobbying of the nuclear weapon States and their pro-nuclear allies. Just to get the case to the court was a tremendous accomplishment, and Peter was one of the key members of the lobbying team in New York for this (we held many of the strategy meetings in the board room of his law firm as the LCNP office was a shoe box). IALANA (under Peter's leadership) also lobbied/supported a large number of countries to participate in the hearings and succeeded in having twice as many countries participating than any other advisory opinion in the ICJ up until that time (more than the genocide case and the apartheid case – other very important advisory opinion cases).

While I agree that the focus on nuclear disarmament best fits Alfred Nobel's intentions for the award, it's also appropriate that Peter's work with the Centre for Constitutional Rights has been mentioned in the nomination. He has achieved so much in the related field of human rights through CCR. Indeed, Peter was the brainchild behind *Filártiga v. Peña-Irala* (also referenced on wikipedia [http://en.wikipedia.org/wiki/Fil%C3%A1rtiga\\_v.\\_Pe%C3%B1a-Irala](http://en.wikipedia.org/wiki/Fil%C3%A1rtiga_v._Pe%C3%B1a-Irala)), which is possibly the most important precedent case for the development and implementation of the doctrine of universal jurisdiction for crimes against humanity. This has supported efforts by LCNP to advance the criminality of nuclear weapons – including through strong individual responsibility provisions in the Model NWC and proposals to include criminality of nuclear weapons employment in the Rome Statute.

In April 2014 a great seminar, ... , attended by prominent lawyers and ambassadors from all over the world was held to honor Peter Weiss and his lifelong committed efforts for peace and disarmament. There is a lovely tribute to Peter Weiss at [http://lcn.org/events/04\\_02\\_14/tributes.peter.final.pdf](http://lcn.org/events/04_02_14/tributes.peter.final.pdf) which might be an appropriate document to add to the nomination.