

Norwegian lawyers petition for Vanunu:

Kontaktadresse: Fredrik S. Heffermehl
Niels Juels g. 28 A, 0272 Oslo
fredpax@online.no, www.vanunu.org

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Regjeringen
Statsminister Jens Stoltenberg
0032 Oslo

Norway should grant Vanunu asylum and demand that Israel allows him to leave the country.

This petition, signed by lawyers and law students, urges the Norwegian Government to grant Mordechai Vanunu asylum and influence Israeli authorities to lift the ban prohibiting him from leaving the country.

In 1986 Vanunu was sentenced to prison for having told the British paper, The Sunday Times, that Israel possesses nuclear weapons. He was kept for 11 years in solitary confinement and served the full prison term of 18 years. After his release from jail in April 2004 Vanunu has been under strict official control, including a ban against travel, advance approval of his domicile on territory under Israeli control, prohibitions against talking with foreigners, and approaching foreign embassies and the Israeli border, etc.

These restrictions constitute a very severe, indefinite, additional punishment. They violate the rights of Vanunu under the UN Convention on Civil and Political Rights (ICCPR), which Israel has ratified, including Article 19 on freedom of speech, Article 12 on freedom of movement and freedom to choose domicile and Article 7 prohibiting degrading treatment.

We may have varying ideas on how the conflict between Israel, the Palestinians and the Arab world should be solved. We note, however, that Vanunu gave the world evidence of the existence of an Israeli nuclear arsenal. Israel possesses nuclear weapons in contravention of the purpose

of the 1986 Non-Proliferation Treaty, which only Israel, along with India, Pakistan and North Korea, have refused to join. The use of nuclear weapons is, in view of inter alia the consequences for civilians, against international law, as a general principle also in self defense.

In some cases it is not only morally praiseworthy, but also justified under law, for a person to refuse to obey the laws of the land and orders of their superiors. In keeping with this and the ideas on individual responsibility expressed by the Nuremberg tribunal after World War II, Vanunu should be considered a whistleblower entitled to the protection of the international community.

In 2005, the Norwegian competent authority in charge of asylum questions (UDI), correctly considered the treatment of Vanunu since his release in 2004 as a case of persecution under the Convention on Refugees and the Norwegian act on foreigners. It is not a requirement that an applicant for asylum is under Norwegian jurisdiction when the application is launched and the Government of Norway is undoubtedly entitled to grant Vanunu a permit to stay in Norway on humanitarian grounds and issue a Norwegian passport for foreigners to him, while he is still in Israel.

By delivering 20 tons of heavy water to Israel in 1959, without proper control that the shipment was not used for production of nuclear weapons, Norway gave a decisive contribution to Israel's development of nuclear weapons. This gives the Norwegian government a special reason to demonstrate that our opposition to nuclear arms and proliferation is real and credible, by ensuring that Vanunu is permitted to travel to Norway and offering him a decent life here.

Specifically, we call on the Norwegian government to urgently implement the following three-point action plan within the framework of international and Norwegian law:

1. The Government must direct the Norwegian Directorate of Immigration (UDI), under the rules on transfer refugees, to grant Vanunu permission to work and stay in Norway, based on his need for protection (on humanitarian grounds), with the intention to offer Vanunu asylum upon his entry into Norway.

2. At the same time the Norwegian Directorate of Immigration should be directed to issue a Norwegian passport for foreigners, enabling Vanunu to travel to Norway without an Israeli passport.

3. As a final step, Norway should inform Israel that Vanunu has been granted a permit to work and stay in Norway, and via courier make sure that Vanunu receives the documents on the decisions together with the Norwegian passport for foreigners, and then request Israel to allow him to travel to Norway.

Implementation of this three-point plan will show that Norway is taking human rights violations seriously, even when they occur in countries with whom Norway has close relations. At the same time it may help solving a situation that today is causing serious harm to the reputation of Israel, both in Norway and elsewhere in the world.

Sincerely,

Fredrik S. Heffermehl

for underskriverne nedenfor og i vedlagte liste:

Jens Petter Berg	Jan Fridthjof Bernt	Jan Borgen
Kirsti Strøm Bull	Asbjørn Eide	Terje Einarsen
Ståle Eskeland	Cathrine Grøndahl	Trude Haugli
Fredrik S. Heffermehl	Gro Hillestad Thune	Mette Yvonne Larsen
Ketil Lund	Gunnar Meyer	Knut Rognlien
Jon Rud	Cecilie Schjatvet	Haakon Skaug
Frode Sulland	Ingjald Ørbeck Sørheim	Geir Ulfstein
Edvard Vogt	Øivind Østberg	Henriette Sinding Aasen

(translation into English by Fredrik S. Heffermehl)