

Stockholm, March 15, 2006

**To
The Supreme Administrative Court**

Petition by the Dresden Committee regarding case 1372-06:66

The purpose of this petition is to point out biased and false assertions in documents regarding this case, which the City lawyer Jan Gedeberg at the juridical department of the City Council's Office [*stadsledningskontoret*] of Stockholm, in his capacity as representative for the municipality of Stockholm through the cemetery administration, has submitted to the Supreme Administrative Court.

The Dresden Committee has two important reasons to put clarifications at the disposal of the Supreme Administrative Court. Firstly, the reputation of the Dresden Committee may be damaged if the assertions of the City lawyer are left uncontradicted. The *Dagens Nyheter* of the 5th of March 2006 thus carried an article partly based on the petition by the City of Stockholm to the Supreme Administrative Court. Secondly, the Dresden Committee presumes that the decision of the Supreme Administrative Court will have a precedential significance and thereby affect future applications for licence to hold remembrance services on Skogskyrkogården.

The formal procedure of the case:

On February 7 the police authorities in the province of Stockholm, City Polismästardistrikt, issued a licence (registration number 501-2257 06), which granted the Dresden Committee to perform a remembrance ceremony with torchlight procession on Skogskyrkogården on February 13 at 19.30 to 21.30 for the victims of Dresden. The licence included the use of burning lights, laying down flowers, and three addresses. No loudspeaker was to be used.

The Cemetery administration of the City of Stockholm turned to the county administrative court in the municipality of Stockholm, which announced its verdict (case number 2982-06 E) on February 10, 2006, to reject the appeal.

Next the City of Stockholm, through the Cemetery administration, appealed to the administrative court of appeal in Stockholm, which on February 13, 2006, rejected the appeal.

On February 24 the City of Stockholm, through the Cemetery administration, requested that the Supreme Administrative Court should grant leave to appeal, and repeal the decision of the administrative court of appeal, not to grant leave to appeal.

Why a ceremony in remembrance of Dresden?

An unobjectionable way to present that episode which has given the Dresden Committee its name should be to quote the, for its objectivity highly regarded, *Nationalencyclopedia* [*National Encyclopaedia*]. In the encyclopaedia's account of bombing attacks on Germany during World War II the following is said under the headline "Bombing terror":

But in spite of the protests (from the Anglican church, for example) the terror bombings escalated during the spring of 1945, though it was then already clear that Germany would lose the war. Now even the Americans directed their bombing raids at the civilian population. One city after another was devastated, even old historical cities like Würzburg, which were strategically completely unimportant and therefore had no air defence. Close to the end of the war the allies attacked from the air anything that came in their way, not only churches, castles and monasteries, but also the endless streams of refugees. A symbol of this insane annihilation of human life and irreplaceable cultural treasures, the city of Dresden has become. In February 1945 bombs from the western allies devastated the beautiful baroque pearl at Elbe. The city was then filled with refugees on their way westwards away from the Red Army, and how many who lost their lives in the firestorm that wiped out the whole city core can only be guessed – the latest figures are speaking of between 25,000 and 40,000 killed.

It should be mentioned that all the time until the reunification of Germany it was vouchsafed East German cities alone to hold moments of remembrance in memory of the destruction of the city. In recent years, however, the sufferings of the civilian population during the war have become less taboo. Yes, also at sea innocents were killed. On January 30, 1945, torpedoes from a Russian submarine sank the German passenger ship *Wilhelm Gustloff* with 6,000 wounded soldiers and civilian refugees onboard.

What is the Dresden Committee?

As the *Nationalencyclopedia* points out, the name Dresden has become a symbol of the madness of terror bombing. The Dresden Committee was formed by a small group of dedicated persons. It sees as its task to call attention to the fact that the senseless killing of elderly, mothers, and children during World War II recognized neither moral nor territorial borders. With the ceremony on Skogskyrkogården it wants to, in a dignified way, urge future generations to reflection and consideration.

The appeal of the Cemetery administration to the county administrative court

As mentioned above the county administrative court rejected on February 10, 2006, the appeal of the Cemetery administration regarding the decision by the police authority to grant the Dresden Committee licence to arrange a remembrance ceremony on Skogskyrkogården on February 13, 2006. In the court findings the county administrative court reproduced a long succession of legal provisions intended to guarantee freedom of speech and assembly. The general argument put forward by the Cemetery administration was not commented on. Probably because they seemed irrelevant in the eyes of the county administrative court. For the Dresden Committee it is however of importance that the account of the Cemetery administration is corrected.

The Cemetery administration reproduced a regulation from “Regulations for the funeral activities of the City of Stockholm”, to the effect that “it is prohibited within the burial-ground to disturb the peace with loud speech, music, singing, play, sports, or the like”. After that the Cemetery administration called the intended remembrance ceremony an “indisputable example” of what is referred to by the expression “or the like”. (The quoted examples of prohibited behaviour are activities that are distinguished by exhilaration and recreation. The purpose behind the regulation seems not to include ceremonies in remembrance of the dead.) When the ceremony of the Dresden Committee took place a few days later, it was a dignified event of a kind very well suited for a burial-ground.

The Cemetery administration further mentioned that the Dresden Committee was to be found on the web site of the Norwegian Nasjonalsosialistisk Folkeparti, there introduced together with a view known all over the world – the meditation grove on Skogskyrkogården. In his petition to the Supreme Administrative Court the City lawyer Jan Gedeberg takes it a step further and, completely without grounds, says that the Dresden Committee is connected to the Norwegian Nasjonalsosialistisk Folkeparti.

The Dresden Committee cannot help expressing amazement at this ability, on the part of a publicly employed lawyer, to bring forward arguments that are pure invention. Here we have a textbook example of the during the McCarthy era coined American expression *guilt by association*. Nobody in the committee had heard of mentioned Norwegian party before we saw it in this petition from the City of Stockholm. As far as can be judged the Nasjonalsosialistisk Folkeparti has borrowed material from the web site of the Dresden Committee to its own web site.

The Cemetery administration address several insults at the Dresden Committee. What about these statements: The Cemetery administration asserted that the meditation grove on Skogskyrkogården is, by the international community, “consecrated” to ambitions of peace and mutual understanding, for example. Therefore the Cemetery administration forcefully opposes that expression is given of the very opposite of the convention (which convention is not told). As far as it is concerned, the Dresden Committee finds that Skogskyrkogården is a very suitable location for remembrance of what the *Nationalencyclopedia* calls “the beautiful baroque pearl at Elbe”. Also, the manifestation of the Dresden Committee was said not to be in accord with the emotional motives of the hundreds of thousands who consider Skogskyrkogården the resting-place of their next of kin.

To conclude, it is said that the memorial grove at Skogskyrkogården does not have “any connection to the victims of the bombings, for what reason the location is historically meaningless for the purpose”. The Dresden Committee does not share this view and would like to rhetorically ask: Where are you to honour the dead if not on the cemetery?

The appeal of the municipality of Stockholm to the Supreme Administrative Court

When request for leave to appeal was filed to the Supreme Administrative Court, the ceremony of the Dresden Committee had taken place under quiet and dignified forms. It is therefore remarkable that the City lawyer Jan Gedeberg writes: “In addition to that it is to be put forward that by using fireworks at Almhöjden within the grounds of Skogskyrkogården without required licence, the Dresden Committee have, among other things, violated the licence of public assembly that existed at the time of the realization of the manifestation. Furthermore the Dresden Committee deviated from the course according to the licence issued by the Police, stretching from the gates of Skogskyrkogården to the Memorial grove. Instead the demonstrators went to Almhöjden where the fireworks had been carried through (note: the pluperfect tense).”

The City lawyer’s assertion about fireworks is a false charge. This is a piece of insolence directed not only at the Dresden Committee, but also at the Supreme Administrative Court. The City lawyer Gedeberg furnishes the highest administrative court in the country with a pure lie. As if this is not enough Gedeberg calls the remembrance ceremony a “demonstration”.

When he points out that the procession came to proceed to Almhöjden instead of the Memorial grove, Gedeberg is however right in his assertion. The reason for this is a misunderstanding on the part of the Dresden Committee in the application for licence.

On behalf of the Dresden Committee,

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