



19 May 2010

RE: Torsten Nenzen's Academic Submissions

TO: The Parliamentary Ombudsmen (Sweden)

To Whom It May Concern:

I write this letter on behalf of Torsten Nenzen, a student of Karolinska University, in my capacity as legal counsel for the Alliance Defense Fund [ADF]. The Alliance Defense Fund is an international legal organization specializing in the protection of fundamental freedoms, including those relating to freedom of academic expression. ADF is an alliance of over 1600 lawyers, more than 150 organizations and has a full time litigation team dedicated to safeguarding human rights.

Torsten Nenzen, a student in the Health Promotion Master's Course at Karolinska University, was subjected on five different occasions to behavior which violates Swedish and European law with regard to discrimination, freedom of expression, freedom of belief, and academic freedom. During these occurrences, Mr. Nenzen's academic work was failed or refused grading because it put forth scientific material relating to post abortion stress syndrome. The dates of the assignments in question are as follows:

1. Module 2, Assignment 2.4: "Prospective Policy Analysis: Health Policy on Induced Abortion." Instructor Bo Pettersson. 10 January 2007 [Not yet passed assignment]; 1 March 2010 [Not yet passed assignment].
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5. Masters Thesis. Instructor Lief Svanstrom. Refusal to allow Mr. Torsten to write a masters' thesis. After rebuke from Karolinska Institute legal team, Mr. Torsten was allowed to write a thesis but categorically denied the right to do so on the subject of Post Abortion Stress Syndrome.



As a State-sponsored institution of higher education, Karolinska University has certain obligations under Swedish and European law. The treatment of Mr. Nenzen is in breach of these obligations. By refusing to grade his assignments; by subjecting him to aggressive and demeaning comments for his work; and for failing his assignments simply because they put forth research material regarding the psychological effects of abortion which are not in line with those of the professor in question, Karolinska University has seriously violated Mr. Nenzen's legal and civil rights.

Under Swedish law, according to the Higher Education Ordinance (1993:100), chapter 6, §§ 18 and 19, a student has the right to obtain a grade on a completed course. According to § 24, a student can demand a review of the criteria for certificates and grades. According to § 22, a student may apply for a new examiner. None of these obligations were met by Karolinska University.

Under Article 14 of the European Convention of Human Rights, a State actor (including a State University) is prohibited from discriminating against an individual because of his academic, religious or philosophical convictions. The above noted instances of abuse of Mr. Nenzen's rights all fall within the sphere of this protection.

Article 13 [Freedom of the Arts and Sciences] of the European Charter of Fundamental Rights and Freedoms taken in conjunction with Article 21 [Non-Discrimination] is clear in stating that academic freedom must be respected. By failing to grade valid assignments submitted in accordance with the rules of the class and duly researched, Karolinska University has stifled academic freedom and discriminated against Mr. Nenzen solely because the thesis he puts forward in the assignments in question were not those held by his professor.

Finally, under the United Nations Convention Against Discrimination in Education, State sponsored Universities are forbidden from discriminating based on academic, philosophical or religious conviction as was the case in the instant matter.

Under the totality of the law governing this issue, ADF respectfully requests that Karolinska University govern its actions in accordance with domestic and international law protecting academic freedom and the prohibition on discrimination. In so doing, we seek for an independent review of Mr. Norsten's work, submitted as an addendum to this letter. Failing to do so, ADF will evaluate all available legal avenues to resolve this matter in conformity with international norms in education.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Roger Kiska', is written over the typed name.

Roger Kiska
Legal Counsel Alliance Defense Fund
46 Kosicka Ulica
821 08 Bratislava, Slovak Republic
+421 918 427 157



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RE: Torsten Nenzen's Academic Submissions

TO: Board of Karolinska Institute, Chairperson Susanne Eberstein

Dear Madame Chairperson:

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RE: Torsten Nenzen's Academic Submissions (Ref. Nr. 31-2618-07)

TO: Swedish National Agency for Higher Education

To Whom It May Concern:

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TO: Chancellor of Justice (Sweden)

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TO: Swedish Ministry of Education and Research, Minister for Education Jan Bjorklund

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