



On 30 September 2019 Danish Author's Society has filed a law suit against the Danish Security and Intelligence Service (PET) and the Danish National Archives for the illegal possession of a copy of author Arne Herløv Petersen's personal diaries.

The diaries were seized from the author in 1981 during an investigation of the author for espionage during the cold war. The charges were dismissed in 1982 before a trial was initiated, and the author got his original diaries back. The author was not informed that PET had made one or several copies of the diaries. The diaries cover the years 1972 to 1981 and consist of 1400 pages. According to Arne Herløv Petersen he uses the diaries frequently in his authorship as one of the core sources of inspiration for his writing. Arne Herløv Petersen, born in 1943, is author of more than twenty novels and a dozen works of poetry, as well as a prolific literary translator.

In 2009 Arne Herløv Petersen discovered the existence of the copies because researchers from an official inquiry into the activities of PET during the cold war (PET-kommissionen) had been given access to the diaries as they were included in the espionage case file. Parts of the diaries containing the inner thoughts of the author, which were never intended to be published, were published by the state in 2009 as part of the report from the inquiry without any permission being sought from the author.

In 2010 PET declared the espionage case from 1981 closed and decided that the entire case including the copies of the diaries had a "particular historical interest" for the Danish public and should hereafter be placed in the Danish National Archives under the terms for access - for scientists and other with a particular interest - decided by PET and the Danish National Archives, i.e. again without any permission from the author.

Since 2009 the author has tried to get a concession from the Danish state that the copying, possession and making available to the public of the diaries lack legal basis. Since 2012 the Danish Author's Society has been representing Arne Herløv Petersen in the legal case against the different public authorities involved in the case. In March 2019 the Danish state awarded Arne Herløv Petersen free legal aid for filing a law suit against PET and the Danish National Archives on the legal basis claimed by the Danish Author's Society that the copying and possession of the diaries are infringements of the author's copyright to the diaries and a violation of the right to privacy of Arne Herløv Petersen according to the European Human Rights Convention article 8.

The chairman of Danish Author's Society, Morten Visby, says: "This is a case of frankly staggering violations of Arne Herløv Petersen's rights as an author and as a human being. The fact that these violations have been committed by the most powerful wing of the Danish state levelled at a man who has been cleared of all criminal charges many years ago, only makes it even more important that we stand up for our member's rights in this case."