



EMAIL: AROD@ARODPOLICIES.ORG

WWW.ARODPOLICIES.ORG

Tawanda Mutasah
Amnesty International's Senior Director for Law and Policy

August 2, 2018

Regarding Amnesty's new position on Drug Policy and Human Rights

Dear Sir.

We, the Alliance for Rights-Oriented Drug Policies (AROD), salute Amnesty International for having the courage to rethink fundamental premises when it comes to drug policy. Our organization have been working to advance the rights-oriented perspective for several years, and as Amnesty "now will develop detailed policies to guide its advocacy and campaigning on the issues of drug control", we provide some information on this deeply contested issue.

With the legalization of Cannabis, Canada, Paraguay, and the United States have already been named by UN officials as in violation of international law. And as several other countries in later years have moved towards this solution, we expect the issue of legalization to be seriously discussed at the UNGASS 2019 meeting. These countries, then, can expect to meet the same prohibitionist opposition, even though it has been steadily waning.

There is a reason for this. With the passing of time, it has become all the more obvious that the cure (the drug law) is worse than the disease (drug use). And as more and more constitutional courts are invalidating the drug law, those who look closer will find that these countries are merely at the forefront of a movement which is set to right the mistakes of previous administrations.

As Amnesty has discovered, because principles of autonomy, equality, proportionality and the liberty presumption are found at the heart of the UN and Western tradition, it is easy to make a case against the prohibition regime based on First principles, and our organization has prepared some works that Amnesty advisors and consultants would do well to review.

Attached, therefore, you will find three books that have been given to the Norwegian government and others as an argument against prohibition. *To End a War* shows how modern drug laws are incompatible with the UN Bill of Rights; *Constitutional Challenges to the Drug Law* investigates how the US Justice system has mistreated challenges to the drug law; while *Human Rising* investigates the issue more completely. Arguing from First principles, the latter shows how drug prohibition has informed Western society over the course of generations. As is shown, drug policy is a political, not an evidence-based construct, and it only persists because of moral panic. Indeed, when all is said and done, unconsciousness and power politics have been the prime shapers of drug policy, and this book will give those who agitate for change a solid foundation and vision to draw upon.



As is shown, drug prohibition is historically similar to other mass-movements gone wrong in that it is the result of scapegoating, humanity's unfortunate tendency to blame politically weak groups for problems that are a collective responsibility. As humanity matures, we must do away with this great force of injustice, and we ask that it be delivered to those officials and advisors tasked with defending Amnesty International's new approach to drug policy.

As can be seen in its part three, this work also contains invaluable information for those concerned about issues of national security. It casts light on a largely ignored chapter of world politics, and those loyal to the human rights agenda will find that it is a powerful tool to do away with the single greatest threat facing humanity. We therefore also ask that it be delivered to individuals with a more general responsibility for social justice.

With this information, Amnesty will be well equipped to assist the world's 200-300 million drug users in ensuring that their rights are protected against arbitrary imprisonment. As mentioned, these books have been given to a variety of governments by drug users who claim that they are unjustly being persecuted, but so far none have recognized the rights-oriented debate. *Human Rising* elaborates on this aspect—and as the Norwegian Government has been the main authority responsible for resisting the rule of law, we ask that Amnesty further investigate this situation.

As it stands, due to its neglect, some 30 percent of the Norwegian prison population are political prisoners. Four ministers of Justice, the Prime Minister, and others have refused to answer questions key to the credibility of current policy, and AROD recommends that the situation in Norway becomes a focus in your campaign for the rights of drug users. Our website provides much more information on this subject, and we will be helpful with more documentation on your request.

Yours Sincerely,

A handwritten signature in black ink that reads 'Roar Mikalsen'. The signature is written in a cursive, flowing style with a prominent 'R' and 'M'.

Roar Mikalsen,
President of AROD
The Alliance for Rights-Oriented Drug Policies.