



Beate Gangås  
Chief of Police in Oslo

20 April 2022

## **Complaint against police attorney Vilde Humlegård**

On behalf of the persecuted groupings of drug policy, the Alliance for Rights-Oriented Drug Policy (AROD) files a complaint against police attorney Vilde Humlegård for opposing the rule of law guarantees.

Although the lex superior principle places human rights above all other legislation and despite public panic having been documented by the Royal Commission on Drug Policy Reform and the prosecuting authority having a responsibility to ensure legality control, police attorney Vilde Humlegård does not wish to allow evidence that would support allegations of human rights violations in AROD's civil disobedience case to be presented in court.

This case, where Mikalsen, as the head of an organisation dedicated to illuminating a picture of rights, set up a booth with cannabis and psilocybin products outside the police station in Oslo on 11 September 11, 2021, will go to court on 1 June 2022. Humlegård is the prosecutor but [insists](#) that documents, films, or witnesses revealing a connection between public panic and human rights violations should not be presented in court.

Despite the fact that the Royal Commission has demonstrated panic in the political process, that the Director of Public Prosecutions has [emphasised](#) the responsibility of the prosecuting authority to contribute to the safeguarding of human rights, and that the head of the Police Lawyers Association [requests](#) a full investigation, Humlegård protects a corrupt political process. The prosecutor does not want the courts to have the time or space to carry out a human rights analysis, and Humlegård thereby undermines not only civil disobedience but the principle of distribution of power and elementary rule of law guarantees.

From the report of the Director of Public Prosecutions, we [already](#) know that there have been systematic errors and human rights violations in the police's use of force in minor drug cases. The only reason why this is known is that the issue has received attention from the Higher Prosecution Authority, but a larger blind spot exists, and AROD's civil disobedience intends to shed light on how extensive human rights violations in drug policy really are.

Such litigation is not only in the interest of the nation but also of the police. The penal code is subordinate to human rights, which everyone is obliged to promote, and the requirement for human rights analysis cannot be resisted without undermining the rule of law. This is what



Vilde Humlegård has done. She is well [acquainted](#) with the evidence that supports the [allegation](#) of human rights violations and how the political process has failed to protect human rights but chooses to ignore the Director of Public Prosecutions' ethical guidelines for the prosecution.

According to this guideline, "it is emphasised that in the criminal proceedings of the police and the prosecuting authority, ethical reflections, and professional objections shall be encouraged". Furthermore, any employee of the prosecuting authority "must act in a way that promotes a legally secure and trustworthy criminal justice system in accordance with law and order. The reference to law and order is intended to cover all rules and guidelines given in or pursuant to law and the constitution. The rules of international law that the Norwegian authorities are obliged to follow are also covered. The legal order also includes fundamental values and principles on which the administration of justice is based, including the rule of law, equality before the law, and the individual's fundamental freedom and autonomy."

It sounds nice on paper but is not the actual status. Neither rule of law, equality before the law, the individual's fundamental freedom and autonomy, nor ethical reflections on this have led to consequences for the penal regime. The prosecuting authority continues to inflict punishment on discredited terms, and the court has a unique opportunity to rectify the sins of the past.

It is, therefore, unfortunate that the police representative is a lawyer who wants to cover up human rights violations rather than shed light on the real extent of the problem. Following the Supreme Court's unprincipled analysis of drug use and human rights, it is more important than ever that the rights of the persecuted are properly clarified, and AROD/Mikalsen will continue with civil disobedience until a human rights analysis is conducted.

As Are Frykholm, the head of the Police Lawyer Association, [says](#), "This is a systemic error, and we cannot continue with a kind of patchwork solution where we remedy one problem at a time when the system fails. It will not last long. This case shows that anything other than a full investigation will be almost irresponsible and could be perceived as a mockery of all those who have been subjected to coercive measures for which there was no legal basis".

We, therefore, ask the Chief of Police that police attorney Vilde Humlegård be reprimanded so that (1) she either withdraws the police's request for disregarding evidence or (2) that a lawyer with the competence to weigh constitutional considerations replaces her as the prosecutor in the upcoming criminal case. The police's reputation is at stake, and we look forward to immediate action from the Chief of Police.

With best regards

A handwritten signature in black ink that reads 'Roar Mikalsen'. The signature is fluid and cursive, with a long, sweeping tail on the 'n'.

Roar Mikalsen  
President of AROD