



Allan Rock (Canada)
Natalie Yu-Lin Morris-Sharma (Singapore)
Co-Chairs, and Members of the Expert Panel
established by the Commission on Narcotic Drugs pursuant to Resolution 68/6
c/o UNODC Secretariat to the Commission on Narcotic Drugs
United Nations Office on Drugs and Crime
Vienna International Centre
P.O. Box 500
1400 Vienna, Austria

March 20, 2026

Contribution to the 2029 Global Drug Policy Review – Analysis of Arbitrary Persecution under Prohibition, Failures of UN Leadership, and the Imperative for Effective Remedies

Dear Co-Chairs Rock and Morris-Sharma, and Members of the Expert Panel,

On behalf of the Alliance for Rights-Oriented Drug Policies (AROD), a Norwegian NGO dedicated to rights-based drug reform, we warmly welcome the establishment of this multidisciplinary Expert Panel under CND Resolution 68/6. We are confident that your expertise will produce clear, actionable recommendations to strengthen the international drug control system, align it with human rights obligations, and contribute meaningfully to the Commission’s 2029 review.

AROD has engaged with the UN drug policy process since the 2016 UNGASS, submitting documentation demonstrating prohibition’s incompatibility with human rights.¹ We have continued this work through submissions to the Human Rights Committee (2018), the Working Group on Arbitrary Detention (2019), the High Commissioner for Human Rights (2018 and January 2026), and the Human Rights Council (written statement of 1 January 2026).² On 29

¹ https://www.unodc.org/documents/ungass2016/Contributions/Civil/AROD/TO_END_A_WAR_PDF.pdf

² <https://www.arodpolicies.org/un-human-rights-correspondence>



December 2025 we also submitted a communication to the International Criminal Court alleging prohibition as crimes against humanity under Article 7 of the Rome Statute.³

We now submit this analysis to assist your work, drawing directly on our prior documentation. It focuses on three interlocking issues: the arbitrary persecution of drug users, systemic failures of leadership, and the urgent need for effective remedies.

1. Arbitrary Persecution: The Largest, Most Vilified Group in UN Member States

As we stated in our 2019 submission to the Working Group on Arbitrary Detention: “there can be no doubt that drug users and other drug law violators represent the largest, most vilified and most extensively persecuted group in UN member States. Across the world, some 300 million are singled out for intimidation and the drug laws legitimize the continued oppression of this group.”

This persecution is not evidence-based but the product of moral panic and scapegoating — humanity’s tendency to blame politically weak groups for collective problems. In Norway alone, the prohibition regime has generated approximately one million punitive sanctions over 60 years, fuelling a 1.75 billion NOK black market and roughly 300 annual overdose deaths, disproportionately affecting marginalized communities. Globally, our estimates (detailed in the 2025 Truth and Reconciliation Commission Report) indicate 400,000 annual deaths and 5 million wrongful imprisonments, sustaining a \$300–500 billion illicit economy that breeds violence and corruption.

Council of Europe and UN human rights reports document that the cure has become worse than the disease. Drug prohibition violates core principles of autonomy, equality, proportionality, dignity, and the liberty presumption — principles at the heart of the UN Charter and Western legal tradition — as well as specific rights under the ICCPR (Articles 9 and 14), ICESCR (Article 12), and ECHR. It echoes historical patterns of injustice seen in 15th–18th century witch hunts, Nazi campaigns of the 1940s, and South Africa’s apartheid regime. As documented in our books *Human Rising: The Prohibitionist Psychosis and Its Constitutional Implications* (2020) and *To Right a Wrong: A Transpersonal Framework for Constitutional Construction* (2016), the “war on drugs” is an ideological construct that warps the natural law of supply and demand into a narrative of victims and aggressors, turning jurists into instruments of oppression and equipping states with tools for social control and empire-building. As more states now regulate cannabis to protect public health, we respectfully submit that the Expert Panel’s central task must be to determine whether the prohibition paradigm still fulfils any legitimate purpose under international law.

³ [INTERNATIONAL CRIMINAL COURT SUBMISSION | AROD](#)



2. Failures of Leadership: Inertia Despite Overwhelming Evidence

Despite repeated appeals over many years, UN human rights mechanisms and drug control bodies have yet to provide substantive responses or effective remedies to these violations. Our submissions to the Human Rights Committee (2012 and 2018) and High Commissioner, our 2019 input to the Working Group on Arbitrary Detention (which contributed to A/HRC/47/40 on arbitrary detention relating to drug policies), and our 2025–2026 letters to the High Commissioner, Special Rapporteurs, and Human Rights Council have received only limited acknowledgment. Most recently, on 5 January 2026, the Secretariat of the Working Group on Arbitrary Detention confirmed that our communication dated 31 December 2025 would be reviewed. However, across nearly a decade of detailed submissions, no meaningful engagement, analysis, or remedial action has followed.

While constitutional courts in Georgia, South Africa, Mexico, and elsewhere have begun invalidating aspects of the drug laws on human rights grounds, the UN single convention framework continues to resist meaningful reform. This growing divergence between states advancing responsible regulation — such as Germany, Canada, and Uruguay — and those upholding strict prohibition poses increasing challenges to the universality of human rights and the coherence of the international legal order.

In Norway, effective remedies have been denied for 17 years since 2008. The European Court of Human Rights has repeatedly dismissed applications (Mikalsen v. Norway, 2012, 2023, 2024) as “manifestly ill-founded” without reasoned analysis, raising concerns under fair-trial and non-discrimination standards.⁴ Council of Europe bodies have likewise overlooked expert analyses (NOU 2002:4, NOU 2019:26, PACE Resolution 2277 (2019)) and appeals since 2012.⁵ Similar patterns appear in the United States, where over 100 constitutional challenges have been mishandled.⁶ This persistent leadership vacuum perpetuates impunity and undermines the rule of law.

3. The Imperative for Effective Remedies and Rights-Based Reform

The jurisprudence and concluding observations of the Human Rights Committee, together with the High Commissioner’s reports — particularly A/HRC/54/53 — demonstrate that the predominantly punitive implementation of prohibition is not merely ineffective. It generates widespread violations of superior human rights obligations under the ICCPR and ICESCR, particularly the rights to health, liberty, equality, and proportionality. These violations require States to pursue decriminalization, responsible regulation, and effective remedies.

⁴ [European Court Failure | AROD](#)

⁵ [Council of Europe/Pompidou Group | AROD](#)

⁶ [Constitutional Challenges to the Drug Law: A Case Study \(ingram 2021.pdf\)](#)



States and the UN have a duty under ICCPR Article 2(3) and equivalent provisions to provide effective remedies, including reparations, truth-telling, and guarantees of non-recurrence. In line with the mandate set out in Resolution 68/6, we therefore urge the Expert Panel to recommend:

- UN-wide renunciation of prohibitionist elements in the drug control conventions that conflict with human rights;
- Responsible regulation of cannabis and other substances to protect health, undermine illegal markets, and implement A/HRC/54/53 recommendations;
- Establishment of mechanisms for effective remedies and reparations for those harmed;
- Full alignment of treaty implementation with the UN Charter, human rights instruments, and the 2030 Agenda for Sustainable Development.

Attached are our core documentation: Human Rising (2020),⁷ To Right a Wrong (2016),⁸ the 2025 Truth and Reconciliation Commission Report,⁹ our prior UN correspondence, and the December 2025 ICC submission, which together document a widespread and systemic attack on the civilian population.

AROD stands ready to provide further briefings, participate in consultations, or contribute additional insight at any time. The progress of society and the protection of human rights depend upon the willingness of institutions such as the UN to adapt to emerging knowledge. We trust that the Panel will seize this historic opportunity to end arbitrary persecution, restore the rule of law, and overcome the cognitive dissonance that has long undermined human rights commitments.

We look forward to your recommendations and stand ready to assist.

Sincerely,

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

Roar Mikalsen

President of the Alliance for Rights-Oriented Drug Policies (AROD)

⁷ [Human Rising: The Prohibitionist Psychosis and its Constitutional Implications \(2020\)](#)

⁸ [To Right a Wrong: A Transpersonal Framework for Constitutional Construction \(2016\)](#)

⁹ [AROD 2025 Truth and Reconciliation Commission Report](#)