



President Marko Bošnjak
European Court of Human Rights

10. May 2025

Follow-up complaint against the ECHR for failure to protect human rights

In a letter dated 18. March 2025, the President of the European Court of Human Rights was [informed](#) that the European Court of Human Rights, due to a failure of two Maltese Justices, had shied away from its responsibility to persecuted groups. Evidence was presented that the Norwegian justice system had set aside 200 years of legal development to protect the drug law from scrutiny and that the European Court of Human Rights had botched its responsibility to provide a judgement that respected the rights of 700 million people after a single judge on 8. February 2024 had ruled that it was “manifestly ill-founded” to question drug prohibition.

This treatment will haunt the European Court and the Council of Europe until a better judgement is made. In situations where the courts were called upon for the first time to determine the legal issue raised, a detailed examination of the applicable law is needed. The judgment must examine all the complainant’s submissions on their merits, point by point, and give clear reasons for rejecting them, and this was not done.

Instead, principles of adversariality and equality of arms were breached. The refusal to inquire whether cannabis prohibition fulfils a legitimate purpose is evidently not objectively justified as Germany and other nations regulate the cannabis market to protect public health. On the contrary, ascertainable facts raise doubts as to the impartiality of the Court, and the Court must recognise the public’s increased sensitivity to the fair administration of justice.

This has not been done. For more than a year, neither the Registry nor the President has responded to our communications, and the Court has not dealt with a catastrophe for the European human rights system. Since 2010, the European Court has failed to ensure that the rights stated in the European Convention on Human Rights are protected and upheld, and unless the President immediately begins the oversight and disciplinary procedures for judges



to ensure the removal of Justice Schembri Orland, the Committee of Ministers will be tasked with the responsibility to protect the integrity of the Court.

We expect direct action. The hunt for scapegoats is a wound that will not heal until the gap between theory and practice is addressed, and unless the President of the European Court ensures representation and participation in the political process for those who lack a political voice, we will make sure that the matter is addressed by the COE. The integrity of law depends on effective measures to remedy the corrupting influence that drug prohibition has had on the system of law, and ARÖD will not rest until the Court has been reformed and held to account. A higher vision for human rights protection is clearly needed, so expect already this summer civil disobedience protests at the doorsteps of the Court itself.¹ No longer will civil society accept that the rule of law is set aside to protect the drug law from scrutiny, and the President of the Court's must demonstrate the courage of his convictions or be exposed as a fraud.

Yours sincerely

A handwritten signature in black ink that reads 'Roar Mikalsen'. The signature is fluid and cursive, with the first name 'Roar' and last name 'Mikalsen' clearly distinguishable.

Roar Mikalsen

President of the Alliance for rights-oriented drug policies

¹ This summer the exhibition *Requiem for the Rule of Law* is shown several places in Oslo. It exposes the corrupting influence of the prohibition regime on the judicial system, and by September it will appear at the European Court of Human Rights and the Parliamentary Assembly, unless the issue is addressed. Here is an event from 20 April 2025: [Requiem for the Rule of Law - 420 Event - YouTube](#)