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UN Human Rights Committee

September 24, 2018

## **Submission of Report demonstrating Largescale Violations of ICCPR and a Complaint against UN Member States.**

Dear Sir/Madam.

With the legalization of cannabis, Canada, Uruguay, and the United States have been named by INCB officials as being in violation of international law. Even so, with the passing of time, it has become obvious that the cure (the drug law) is worse than the disease (drug use). And as more and more constitutional courts (most recently Georgia and South Africa) 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.

Indeed. 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 more and more are taking note. As it is becoming ever more obvious that a prohibition of drugs is incompatible with basic human rights principles, there has been a trend towards a paradigm shift, and next year, at the High-Level Session of the 62 Session of the Commission on Narcotic Drugs, we can expect a clash between countries who agitate for change and those who insist on keeping the status quo.

The UN Human Rights apparatus has an obvious part to play in this confusion. The Human Rights conventions, after all, represent superior law, and attached you will find a PDF of Human Rising: The Prohibitionist Psychosis and its Constitutional Implications.

Arguing from First principles, it documents 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 volume has been delivered to individual countries in the run up to next year's CND High-Level Session. Iran, the Czech Republic, and Mexico have already greeted it favourably, and the time has come for the UN Human Rights apparatus to get involved.

From the documentation received, you will find that countries like Norway and the United States, for more than a decade, have denied drug users their right to an effective remedy. While seriously enough, this has been part of a wider pattern of oppression, for 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 the Committee now moves forward to have the issue properly reviewed.

No doubt, this is a deeply contested issue. Nevertheless, the case against prohibition is overwhelming, and on behalf of drug users everywhere, we ask that First principles be applied to drug policy and that their impact be recognized.

To help out in this quest, we also provide additional sources of information, which include (1) To End a War: A Short History of Human Rights, the Rule of Law, and how Drug Prohibition violates the Bill of Rights, and (2) Constitutional Challenges to the Drug Laws: A Case Study. The former demonstrates incompatibility with the UN Human Rights Charter, while the latter shows how the US Justice system have mistreated constitutional challenges.

These books have been reviewed by professionals and the time has come for the UN human rights apparatus to act. The situation in Norway, after all, which is described in Human Rising, is the result of a failure by this apparatus (among others) to provide applicants with an honorable solution, but this cannot go on indefinitely. Sooner or later, the UN must speak up against largescale human rights trespasses committed in the name of a War on Drugs, and with this application (signed by an individual which, having exhausted all domestic remedies, is a legitimate complainant) the Alliance for Rights-Oriented Drug Policies seek justice for the world's 2-300 million drug users.

For too long we have been denied a fair hearing, and we hope that the UN Human Rights Committee will now make amends. As an NGO dedicated to restoring the rule of law, we will assist in any way we can, and look forward to hearing from the Committee on this most important/urgent matter.

Yours Sincerely,

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

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