



Mr. Alain Berset
Secretary General
Council of Europe
Avenue de l'Europe
F-67075 Strasbourg Cedex, France

June 5, 2025

Addressing the CoE's Rule of Law Crisis in Cannabis Policy and Supporting AROD's Requiem for the Rule of Law Event

Dear Mr. Secretary General,

On behalf of the Alliance for Rights-Oriented Drug Policies (AROD), I am writing to seek your leadership in addressing the systemic rule of law crisis perpetuated by cannabis prohibition, as detailed in our letters to PACE [President](#) Theodoros Rousopoulos and Pompidou Group Deputy Executive Secretary Thomas Kattau (dated June 2 and June 5, 2025, respectively). In Norway, six decades of prohibition have imposed 1 million punitive sanctions, fueled a 1.75 billion NOK black market, and contributed to 300 annual overdose deaths, with no evidence of deterrence. AROD's Truth and Reconciliation Commission Report: Norway's Cannabis Laws – A Human Rights Crisis Without Legitimate Purpose [estimates](#) 400,000 annual deaths and 5 million wrongful imprisonments globally due to prohibition.

The European Court of Human Rights (ECtHR) has exacerbated this crisis by dismissing cases like Mikalsen v. Norway (2012, 2023, 2024) as 'manifestly ill-founded' without reasoned analysis, violating procedural fairness under S.A.S. v. France (2014) and the 2019 UN Guidelines on Legal Aid. The refusal to examine cannabis prohibition's legitimacy undermines the rule of law, with national courts confirming their opposition to judicial review by citing the ECtHR's dismissal and barring defense attorneys from referencing UN and CoE documents supporting AROD's arguments. This [occurred](#) in the Oslo City Court on November 25, 2024, reflecting a 17-year pattern (since 2008) of denying defendants the opportunity to challenge cannabis prohibition. These failures undermine ECHR Articles 6 (fair trial), 8 (private life), 13



(effective remedy), and 14 (non-discrimination), as well as Norway's Constitution (§§ 89, 94, 102)."

Other CoE states can learn significantly from the Norwegian justice system's failure to uphold the rule of law in drug policy, as Norway has abandoned two centuries of legal tradition rooted in its 1814 Constitution to protect cannabis prohibition from review. Your 2025 Report, *Towards a New Democratic Pact for Europe*, highlights systemic rule of law deficiencies, aligning with AROD's call for accountability. We urge you to lead the CoE in restoring trust for 700 million citizens by supporting the following actions:

- Promote ECtHR Accountability: Encourage a Grand Chamber review of *Mikalsen v. Norway* to ensure reasoned decisions on cannabis prohibition's proportionality.
- Endorse a Truth and Reconciliation Commission (TRC): Support AROD's proposed 15-day TRC, modeled on Norway's Sámi and Kven commissions, to address 1 million sanctions' human rights toll.
- Amplify the Requiem for the Rule of Law Event: Attend or acknowledge our [protest](#) on June 23–24, 2025, outside PACE and the ECtHR, which exposes prohibition's destructive effects on the European human rights system.

We invite you to engage with AROD through a dedicated meeting to discuss these proposals. Your leadership is critical to aligning cannabis policies with the CoE's human rights and rule of law standards. We look forward to your support in this urgent effort.

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 (AROD)