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International Criminal Court
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December 29, 2025

Communication to the Office of the Prosecutor of the International Criminal Court Pursuant to Article 15 of the Rome Statute: Allegations of Crimes Against Humanity Committed Through the Systemic Enforcement and Judicial Protection of Drug Prohibition

This communication is submitted under Article 15 of the Rome Statute of the International Criminal Court (Rome Statute) to provide information on alleged crimes against humanity through the ongoing enforcement of drug prohibition. These acts form part of a widespread and systematic attack on civilian populations, driven by policies rooted in fear, racism, and arbitrary power rather than evidence-based public health objectives. The submitter, Roar A. Mikalsen, acting on behalf of the Alliance for Rights-Oriented Drug Policies (AROD), has documented these systemic failures through extensive legal challenges, publications, and correspondence with Norwegian, French, and U.S. authorities, as well as UN and CoE bodies. Evidence from these sources, along with AROD's 2025 Truth and Reconciliation Commission Report, demonstrates a pattern of wrongful imprisonments, deaths, judicial impunity, and erosion of the rule of law, qualifying as crimes against humanity under Article 7 of the Rome Statute.

Norway, as a State Party to the Rome Statute, falls within the Court's jurisdiction for crimes committed on its territory or by its nationals since July 1, 2002. The involvement of CoE institutions extends the scope to other State Parties, as CoE leadership has failed to intervene despite clear obligations under the European Convention on Human Rights (ECHR) and the CoE Statute. This communication requests that the Prosecutor initiate a preliminary examination and, if warranted, a formal investigation into the named individuals and others similarly situated for their roles in perpetuating this regime.

I. Factual Background

Drug prohibition, imposed globally through UN conventions and enacted domestically in Norway since the 1960s, has inflicted profound and enduring harm without yielding demonstrable public health benefits. Far from fostering a safer world, this regime equips tyrants with potent tools for social control and empire-building, while systematically eroding



open societies and the rule of law. As meticulously documented in publications such as *Human Rising: The Prohibitionist Psychosis and Its Constitutional Implications* (2020) and *To Right a Wrong: A Transpersonal Framework for Constitutional Construction* (2016), alongside AROD's recent police complaints and correspondence with the Council of Europe (CoE), the "war on drugs" has devastated justice systems worldwide. Mirroring the witch hunts of the 15th to early 18th centuries, the Nazi campaigns of the 1940s, and South Africa's apartheid regime, it emerges as an ideological construct fueled by fear and delusion that overwhelms reason and corrupts justice. By warping the natural law of supply and demand into a divisive narrative of victims and aggressors, prohibition incarnates Voltaire's prescient warning: those who can make you believe absurdities can make you commit atrocities. These atrocities stem directly from the utopian ideal of a "drug-free society," which anchors policies in extremist wishful thinking rather than empirical reality. Although the UN and CoE human rights frameworks have increasingly acknowledged this devastation and advocated for evidence-based reforms, the irreparable damage to state authority has proven fatal, entrenching a cycle of institutional failure and eroded public trust.

For six decades, this drug-free ideal has subverted reason, much like the Nazi pursuit of racial purification, which branded "Untermenschen" as expendable and transformed jurists into instruments of oppression. A sustained and systematic assault on populations has unfolded through the absence of principled oversight, with constitutional challenges across the United States and Europe routinely mishandled by jurists shielding abuses of power. This has allowed arbitrary persecution to flourish unchecked. Moral panic continues despite professional opposition, and without decisive ICC intervention to restore the rule of law, such leadership failures will perpetuate mass-scale death, disease, stigmatization, and societal unrest.

To illustrate the regime's toll, consider the following:

- **Scale of Harm in Norway:** Over 60 years, approximately 1 million punitive sanctions have been imposed, fueling a black market valued at 1.75 billion NOK annually. As drug use has only become more socially accepted and widespread, this system undermines police authority while contributing to around 300 overdose deaths per year, disproportionately impacting marginalized groups. For more than 30 years, Norwegian law professors have warned that history will judge this misapplication of law harshly, yet the rule of law remains compromised by judicial failures—such as the Norwegian justice system's 17-year denial of effective remedies since 2008. Civil disobedience efforts since then have sought principled guidance, but a collective delusion among jurists has entrenched impunity. Cases like *Mikalsen v. Norway* (ECtHR dismissals in 2012, 2023, and 2024) were rejected as "manifestly ill-founded" without reasoned analysis, violating ECHR Articles 3 (inhuman treatment), 5 (liberty), 6 (fair trial), 8 (private life), 13 (effective remedy), 14 (non-discrimination), and 18 (limitations on restrictions), as well as Norway's Constitution (§§ 89, 94, 98, 102). Recent civil disobedience actions, including AROD's cannabis café in April 2024 leading to Oslo



Tingrett's judgment of December 5, 2024, further highlight ongoing failures, with police complaints filed against prison officials (November 2, 2025) and over 30 judges and prosecutors (November 5, 2025) for crimes including abuse of power and unlawful detention.¹

- **Global and Regional Impact:** Building on information contained in Human Rising, AROD's 2025 Truth and Reconciliation Commission Report estimates 400,000 annual deaths and 5 million wrongful imprisonments worldwide due to prohibition. In CoE states, serving 700 million citizens, the policy sustains a \$300–500 billion illicit market, exacerbating violence, corruption, and human rights abuses. Expert reports (e.g., NOU 2002:4, NOU 2019:26, Politi og rolleforståelse (2022/2023), PACE Resolutions 2277 (2019) and 2225 (2018)) confirm inefficacy and rights violations, yet CoE bodies have ignored appeals since 2012.
- **Systemic Judicial and Institutional Failures:** In Norway, courts (e.g., Oslo District Court, March 28, 2025) evade proportionality reviews by citing ECtHR dismissals, suppressing evidence on prohibition's legitimacy. This judicial protectionism mirrors historical persecutions, fostering a "prohibitionist psychosis" (Human Rising, pp. 24-74) where dogma overrides reason, leading to arbitrary detention and inhumane treatment. To Right a Wrong (pp. 166-302) includes a case study demonstrating how the U.S. justice system has been corrupted by the drug-free ideal; as Professor of Law Douglas Husak has noted, "the Attorney General needs to see it," highlighting over 100 mishandled constitutional challenges that expose a profound crisis, where drug prohibition violates autonomy, liberty, and equality by criminalizing personal choice without empirical justification.
- **Historical Roots and Intent:** Prohibition originated in racism and ambitions of social control, evolving into a tool for dominance and empire-building (Human Rising, pp. 136-362). It has wrecked justice systems by mishandling constitutional challenges, protecting abuses of power, and prioritizing governance over rights (To Right a Wrong, pp. 166-302).

These facts reveal a deliberate policy of persecution, sustained by institutional inertia and complicity, causing widespread suffering for millions. Rather than “necessary in a democratic society”, drug prohibition is revealed as a threat to the welfare of mankind, as elite factions, intelligence services, and drug cartels have joined forces to subvert the rule of law (Human Rising, part three).

¹ All referenced documents, including the full texts of Human Rising and To Right a Wrong, police complaints, correspondence with CoE and ECtHR bodies, and this complete ICC communication, are publicly available on the Alliance for Rights-Oriented Drug Policies (AROD) website for verification and download: <https://www.arodpolicies.org/international-criminal-court-submission>.



II. Legal Analysis: Crimes Against Humanity Under Article 7

The acts described constitute crimes against humanity as a widespread or systematic attack against a civilian population, pursuant to policy, with knowledge of the attack (Article 7(1) and (2)(a)). Specific elements include:

- **Imprisonment or Other Severe Deprivation of Physical Liberty (Article 7(1)(e)):** Millions of wrongful imprisonments violate fundamental rules of international law, including ECHR protections and UN standards. In Norway and elsewhere, systemic arbitrary detentions persist without effective remedies, due to institutional failure at the CoE and UN to uphold the rule of law.
- **Persecution (Article 7(1)(h)):** Targeting cannabis users and associated groups on political, racial, or cultural grounds, denying equal rights. This mirrors scapegoating of minorities (Human Rising, pp. 24-70), with discriminatory enforcement exacerbating marginalization.
- **Other Inhumane Acts (Article 7(1)(k)):** Intentional infliction of great suffering through black-market violence, overdose deaths, and erosion of rule of law, comparable in gravity to enumerated crimes.

The attack is widespread (scale: millions affected) and systematic (organized via state policy, judicial complicity). Perpetrators acted with knowledge, as evidenced by AROD's communication and ignored expert warnings over 60 years (See checklist, Annex C). Complementarity is satisfied, as national remedies—such as AROD's police complaints (November 2 and 5, 2025) and ECHR appeals (2012–2024)—have proven inadequate or unavailable due to systemic bias and inaction.

III. Precedents Supporting Jurisdiction and Investigation

- **Apartheid as a Crime Against Humanity:** The Rome Statute (Article 7(1)(j)) explicitly includes apartheid-like regimes of systemic oppression. Prohibition creates a codified system of subjugation, akin to racial apartheid, by institutionalizing discrimination and impunity (Human Rising, pp. 24-203; ICC precedents in *Prosecutor v. Al Bashir* and scholarly analyses recognizing apartheid's evolution to non-racial forms).
- **Duterte and the Philippine Drug War:** The ICC's investigation and arrest warrant for Rodrigo Duterte (February 2025) for murder and other crimes in the "war on drugs" establish precedent for treating drug enforcement campaigns as crimes against humanity when they involve systematic attacks on civilians, impunity, and extrajudicial harms (ICC-OTP applications, March 2025). Norway/CoE's regime, while less overtly violent, parallels this through prolonged arbitrary persecution and judicial shielding.
- **Petro's Call for Investigation into U.S. Actions:** Colombian President Gustavo Petro's advocacy for ICC scrutiny of U.S. strikes on alleged drug vessels in the Caribbean (September-November 2025), including his United Nations General Assembly speech



on September 23, 2025, as potential crimes against humanity highlights the international recognition of "war on drugs" policies as systemic abuses. This advocacy is supported by related complaints, such as the December 2, 2025, filing by a victim's family to the Inter-American Commission on Human Rights. Former ICC Prosecutor Luis Moreno Ocampo's statements (November 2025) affirm that such actions, including those fostering impunity and black-market violence, warrant investigation. This supports extending scrutiny to European enablers of similar policies.

IV. Persons Responsible

AROD identifies the following for potential investigation, based on roles in sustaining prohibition:

- **Norwegian Officials:** Over 30 judges, prosecutors, and officials named in AROD's November 5, 2025, police complaint, including those from Oslo District Court, Appeals Court, and Supreme Court (e.g., Therese Heggedal, Rikke Lassen, Ragnar Eldøy, Espen Lindbøl, Guro Hansson Bull, Anne Cathrine Haug-Hustad, Lisa Vogt-Lorentzen, Espen Sandvik, Håvard Holm, Marius Stub, Halvor Aas, Halvard Leirvik, Ingeborg Kristin Sunde, Espen Bergh, Knut H. Kallerud, Kine Steinsvik, Ragnhild Noer, Erik Thyness, Inger Cecilie Østensen Berglund, Ingvald Falch, Christian Lund, Vilde Humlegård, Sturla Henriksbø, Christine Lundstein, Magnus Schartum-Hansen, Mikael Brekmo, Liv Hilde Nytrøen, Richard Beck Pedersen, Harald Holmsen, Håvard Kalvåg, Kristine Torp Johansen, Gracja Justyna Skallerud, Aud Kinsarvik Gravås, Ida Benedicte Engen, André Lillehovde van der Eynden, Beate Gangås, Runar Torgersen, Peter Frølich, Jonas Gahr Støre, Emilie Enger Mehl, Jørn Sigurd Maurud), for misuse of power (§§171-172), coercion (§263), unlawful detention (§§254-255), and obstruction of justice (§§157-158) under Norwegian Penal Code. Additionally, prison officials named in the November 2, 2025, complaint (e.g., Eline Furustøl, Margrethe Høstbjør, Leonora Lie) for similar offenses.
- **CoE Leadership:** Former Secretary General Thorbjørn Jagland and current Secretary General Alain Berset; PACE President Theodoros Rousopoulos; Commissioner for Human Rights Michael O'Flaherty; Director General of Human Rights and Rule of Law Gianluca Esposito; Committee of Ministers Chairperson Ian Borg; ECtHR judges Vincent De Gaetano and Lorraine Schembri Orland; ECtHR Former President Nicholas Bratza and President Marko Bošnjak for complicity through inaction despite appeals, breaching CoE obligations and enabling impunity.

These individuals, through acts and omissions, contributed to the attack with knowledge of its consequences.

V. Request for Action

The Prosecutor is respectfully requested to:



1. Acknowledge receipt of this communication.
2. Initiate a preliminary examination under Article 15(2) of the Rome Statute to assess the information provided.
3. If a reasonable basis is established, submit a request to the Pre-Trial Chamber for authorization of a full investigation under Article 15(3).
4. Take immediate measures to preserve evidence and protect potential witnesses and victims, in light of documented risks of institutional retaliation and suppression of rights-based advocacy.

In addition to the full texts of *Human Rising: The Prohibitionist Psychosis and Its Constitutional Implications* (2020) (Annex A) and *To Right a Wrong: A Transpersonal Framework for Constitutional Construction* (2016) (Annex B), submitted as annexes to this communication, AROD stands ready to furnish further documentation, including expert reports, judicial records, police complaints, and ECHR appeals.

The intent of this communication is to restore integrity to the fabric of law. The named individuals' actions and inactions over the past 20 years have stalled rights-oriented reforms, resulting in needless suffering for millions and gravely compromising the independence of justice systems across CoE member states by enabling political factionalism at the ECtHR and CoE bodies, which in turn fosters unchecked abuses. To underscore this threat and facilitate the Prosecutor's evaluation, we enclose a checklist (Annex C) modeled on objective frameworks used in Norwegian proceedings and drawn from verifiable expert sources. This tool poses targeted questions with expected answers based on established facts, demanding rigorous internal verification and prompt remedial action to prevent further erosion of the rule of law.

While the ICC has historically focused on overt atrocities, the "war on drugs" warrants scrutiny through its insidious outcomes: not genuine public health safeguards, but mechanisms of tyranny and social control. This reality has been evident to experts for over 30 years, inflicting suffering on millions via judicial systems that systematically deny effective remedies. The resultant damage—undermining public trust, entrenching impunity, and perpetuating arbitrary persecution—qualifies as crimes against humanity under Article 7 of the Rome Statute, as decades of ignored reports and stalled reforms have laid bare this systemic threat.

Respectfully submitted,

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 A. Mikalsen

Alliance for Rights-Oriented Drug Policies (AROD)



List of Appendices

Annex A: Human Rising: The Prohibitionist Psychosis and Its Constitutional Implications (2020). This book provides detailed analysis of the historical roots, psychological underpinnings, and constitutional violations of drug prohibition, serving as foundational evidence for the systemic persecution and rule-of-law erosion alleged in the complaint.

Annex B: To Right a Wrong: A Transpersonal Framework for Constitutional Construction (2016). This book outlines a framework for addressing constitutional crises in drug policy, including case studies of mishandled U.S. challenges, supporting claims of judicial failures and violations of autonomy, liberty, and equality in Sections I and II.

Annex C: Checklist for ICC review (objective framework drawn from expert sources). This checklist poses key questions on drug prohibition's legitimacy, drawn from expert reports, to facilitate evaluation of whether it constitutes crimes against humanity through systemic oppression and impunity, as referenced in Sections IV and V.

Annex D: Police complaint against First State Attorney Torgersen ("Annex D - AROD anmeldelse av Førstestatsadvokat Torgersen 2025.pdf," January 28, 2025). This complaint alleges misuse of authority and obstruction of justice by Torgersen in dismissing prior complaints, evidencing Norwegian officials' complicity in perpetuating arbitrary persecution as detailed in Section IV.

Annex E: Police complaint against Frølich ("Annex E - AROD anmeldelse av Frølich 2025.pdf," January 18, 2025). This filing accuses Committee leader Peter Frølich of abuse of power for failing to address constitutional violations in drug policy, highlighting political inaction contributing to the systemic assault on rights in Section I.

Annex F: Letter to the Director of Public Prosecutions with cannabis and checklist ("Annex F - AROD til Riksadvokaten-cannabis og sjekklister 2025.pdf," September 23, 2025). This letter demands principled review of drug laws and includes a checklist, demonstrating ongoing civil disobedience and ignored calls for accountability in Norway's justice system, supporting evidence of judicial failures in Section I.

Annex G: Letter to Norwegian Prime Minister's Office ("Annex G - AROD til Statsministerens kontor 2025.pdf," January 22, 2025). This correspondence urges constitutional reforms to end prohibition's harms; despite repeated requests to verify that prohibition fulfills a legitimate purpose, it received no response, illustrating governmental failures to uphold human rights obligations and underscoring the need for ICC intervention in Section IV.

Annex H: Police complaint against Correctional Service ("Annex H - anmeldelse av Kriminalomsorgen 2025.pdf," November 2, 2025). This complaint targets prison officials for unlawful detention and coercion, providing evidence of arbitrary imprisonment as a core



element of the alleged crimes against humanity; the Norwegian police have refused to investigate these alleged crimes, further entrenching impunity as noted in Section II. Annex I: Police complaint against prosecution and courts ("Annex I - anmeldelse Påtale og domstoler 2025.pdf," November 5, 2025). This document names over 30 judges and prosecutors for offenses like obstruction of justice, supporting claims of judicial complicity and systemic rule-of-law violations in Norway; the Norwegian police have refused to investigate these alleged crimes, exemplifying the institutional failures described in Sections I and IV.

Annex J: Letter to ECtHR President ("Annex J - AROD to president of ECHR 2025.pdf," March 18, 2025). This letter complains of ECtHR failures to address prohibition's legitimacy, evidencing institutional inaction and breaches of fair trial rights under the ECHR, as highlighted in Section I.

Annex K: Follow-up letter to ECtHR President ("Annex K - AROD 2 to president of ECHR 2025.pdf," May 10, 2025). This follow-up highlights repeated ECtHR dismissals without reasoning, underscoring judicial impunity and the erosion of effective remedies for persecuted groups in Sections II and III.

Annex L: Letter to CoE Secretary General ("Annex L - AROD to CoE Secretary General 2025.pdf," June 5, 2025). This letter details CoE's rule-of-law crisis in cannabis policy, providing context for the broader European failures and demands for intervention in Section I.

Annex M: Follow-up letter to CoE Secretary General ("Annex M - AROD follow up to CoE Secretary General 2025.pdf," July 1, 2025). This follow-up critiques inadequate responses and systemic failures, reinforcing evidence of CoE complicity through inaction in Section IV.

Annex N: Follow-up letter to CoE Secretary General ("Annex N - AROD 3 to CoE Secretary General 2025.pdf," September 18, 2025). This escalation urges urgent action on ECtHR failures, documenting ongoing harm and violations across CoE states in Sections I and II.

Annex O: Final follow-up letter to CoE Secretary General ("Annex O - AROD 4 follow up to secretary general 2025.pdf," November 26, 2025). This final demand threatens ICC inclusion for CoE leaders, highlighting 15 years of ignored appeals and democratic erosion in Section IV.

Annex P: Final follow-up letter to Commissioner for Human Rights ("Annex P - AROD 4 follow up to Commissioner for Human Rights 2025.pdf," December 2, 2025). This is the final of four letters to the Commissioner for Human Rights, addressing failure to protect the rule of law; it escalates demands for intervention on human rights crises, evidencing CoE's failure to protect vulnerable populations in Section I.

Annex Q: Final follow-up letter to Director General of Human Rights and Rule of Law ("Annex Q - AROD 4 follow up to Director General of Human Rights and Rule of Law 2025.pdf," November 28, 2025). This is the final of four letters to the Director General of Human Rights and Rule of Law, addressing failure to protect the rule of law; this escalation calls for scrutiny



of drug war outcomes as tyranny, supporting the complaint's framing of prohibition as crimes against humanity in Section III.

Annex R: Final follow-up letter to Committee of Ministers ("Annex R - AROD 4 follow up to the Committee of Ministers 2025.pdf," December 2, 2025). This is the final of four letters to the Committee of Ministers, addressing failure to protect the rule of law; this letter demands action on systemic violations, illustrating CoE leadership's role in enabling impunity in Section IV.

Annex S: Final follow-up letter to PACE President ("Annex S - AROD 4 follow up to the PACE President 2025.pdf," December 2, 2025). This is the final of four letters to the PACE President, addressing failure to protect the rule of law; this escalation threatens ICC action for PACE inaction, providing evidence of parliamentary failures in addressing rule-of-law breaches in Section IV.



Checklist for ICC review. (Annex C)

This objective framework, drawn from expert sources, demands internal verification and immediate remedial action:

| Question | Expected Answer | Justification and Source |
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| Have jurists contested drug prohibition for decades and argued for proportionality analysis? | Yes | The debate has been ongoing since the 1960s, with critics pointing out the prohibition's inefficiency and disproportionality. See Dichter (Marijuana and the Law, 1968), Bonnie and Whitebread (The Forbidden Fruit and the Tree of Knowledge, 1970), John Kaplan (Marijuana: The New Prohibition, 1971), Wisotsky (Beyond the War on Drugs, 1990), Duke and Gross (America's Longest War, 1993), Johs Andenæs (Liberalising av Narkotika? 1994). |
| Have investigations for over 20 years recommended decriminalization based on criminal law principles? | Yes | Since the Indian Hemp Drugs Commission Report of 1894—which concluded that moderate cannabis use is largely harmless, prohibition is unjustified and counterproductive, and regulation through taxation and licensing is preferable—these findings have been echoed and expanded in numerous subsequent reports, including the Dutch Baan and Hulsman commission (1970-71), the US Shafer Commission (1972), the Canadian Le Dain commission (1972). In Norway, investigations such as NOU 2002:4 and NOU 2019:26 recommend decriminalization due to high costs and lack of effect. See Human Rising (2020) ECtHR application 2025 |
| Have historians, criminologists, and legal sociologists warned against criminalization and pointed out scapegoating mechanisms in drug policy? | Yes | Experts such as David Musto, Louk Hulsman, Nils Christie, Ragnar Hauge, and Thomas Mathiesen have pointed out the hunt for scapegoats, with parallels to historical persecutions. See the documentary "Mikalsen v Norway: Moving |



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| | | a Nation Forward"; Truth and Reconciliation vol. 1 , p. 99 (Principled Considerations). |
| Has professional responsibility been upheld and investigations followed up with less intrusive measures? | No | For over 60 years, the Norwegian Ministry of Justice, CoE and UN bodies, and most nations have failed to assess alternatives, in violation of the proportionality principle (ECHR art. 8). Downgrading of rights law leads to a constitutional crisis, where courts ignore the duty to review, which entrenches lawlessness and collective trauma. See Human Rising (2020); ECtHR application . |
| While not defining it directly, CoE documents (e.g., via PACE resolutions) link extremism to threats against democracy, judicial independence, and human rights defenders, often associating it with biased enforcement and reprisals. Is drug prohibition such an ideology? | Yes | Increased police efforts correlate with more organized crime and overdoses, but supporters do not care about means that take society further away from the goal of better public health. As with other extremists, fear is so established that the rule of law's limitations must give way and violence is considered necessary to solve challenges, despite peaceful means being better suited. See UNHRC (2021); CoE Baseline Study on Human Rights and Drug Policy (2019); NOU 2019:26; Truth and Reconciliation vol. 12 . |
| Has the CoE and ECtHR's protection of prohibition without merits review enabled national courts to evade proportionality, perpetuating arbitrary persecution? | Yes | Dismissals in Mikalsen v. Norway (2012, 2023, 2024) as "manifestly ill-founded" breach fair trial principles (ECHR Art. 6; S.A.S. v. France, 2014); Oslo Appeals Court (April 4, 2025) cites these to suppress remedies, sustaining sanctions. See Human Rising, 2020 ; ECtHR application 2025 |
| "Public health" is the justification, but reports confirm that drug policy has major negative consequences. When the policy is continued despite lack of goal achievement, can other purposes motivate the prohibition? | Yes | Nixon's advisor John Ehrlichman admitted that the war on drugs was used to criminalize the anti-war movement and minorities for political gain. Anna Paulina Luna stated on the Joe Rogan Experience (episode #2365, August 2025) that the government has "lots of problems that gov does not want to fix but fundraise against", |



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| | | suggesting that the prohibition works as intended: It divides society and enables an eternal "war for peace" to maintain power and budgets. |
| Is drug prohibition central to a power game that weakens open societies and democratic institutions? | Yes | Intelligence services and elite networks facilitate drug trade through collaboration with cartels. This pattern is documented over 100 years (Human Rising 2020, part 3) and major money laundering is not touched by authorities. Symbiosis between state and cartel weakens the rule of law, nourishes shadowy elements, and leads to a sustained attack on the civilian population (Rome Statute art. 7), with violations of ECHR art. 6 (fair trial). See Human Rising (2020), part three. |
| Is the war on drugs – like the war on terror and communism – dependent on constructed and inflated enemy images, as well as an ideal tool for imperial and control ambitions? | Yes | The war on drugs is driven by exaggerated and easily refutable enemy images, which former public officials have admitted are promoted to split populations and criminalize opposition. History shows that the prohibition functions as a tool for imperial ambitions by justifying militarization, mass incarceration, and control. Public panic and taboos prevent addressing violations, divide society, and maintain eternal war for power/budgets. Intelligence operates in gray zones (cf. Human Rising), with destructive dynamics where open and democratic societies are ravaged. See Human Rising (2020) part three. |
| Does CoE inaction allow officials to fail their mandate to protect rights, risking broader impunity and democratic erosion? | Yes | Drug policy has led to tens of millions punitive reactions without approaching a drug-free society, as Johs. Andenæs warned in 1994. Since then, professional responsibility has failed, hundreds of thousands have suffered because the state has clung to a cure worse than the disease, and a systematic and prolonged attack on society's most vulnerable groups has |



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| | | worsened public health and weakened the state's authority. Violations of ECHR art. 13 (effective remedy) maintain lawlessness, and 60 years of uncontrolled power use actualizes ECHR art. 18 (abuse of limitations), with "democratic backsliding" threatening the Council of Europe's democratic pact. Norway's Politisk rolleforståelse report (2022, published 2023) highlights rights neglect, demanding CoE intervention to verify legitimate purpose and restore integrity. See Requiem for the Rule of Law: Shadows of Prohibition and the Dawn of Awakening (2025). |
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This checklist connects drug prohibition to crimes against humanity. For 15 years, the rule of law in 46 nations has been arrested by a failure of leadership at the CoE and ECtHR, and the ICC now faces a pivotal choice: continue the inaction, joining those remembered on the wrong side of history, or ensure accountability that restores the rule of law to 46 nations by initiating oversight and reforms to end this crisis. Immediate steps must be taken to resolve systemic issues, or the ICC will fail its duty to the rule of law.