

LEAP Europe CND Thematic Intersessional Statement

September 2022

Excellencies, Honourable Chair, ladies and gentlemen,

I am speaking to you today on behalf of the Law Enforcement Action Partnership or LEAP. We are a growing movement of police officers and members of the criminal justice system, advocating for drug policy and criminal law reforms based on scientific evidence and policy assessments.

A Century of international drug control Conventions has tied governments of the world to a principle of common and shared responsibility of protecting people from the potential harms of drugs.

The Conventions commit you to “control” drugs, as their titles state. These treaties give back to governments the sovereignty and control over drugs... including the option of prohibition. But this is only but one option.

The real obligation is to control drugs and protect the health and welfare of humankind. Not to prohibit.

Likewise, none of the joint commitments taken in 2014, 2016 or 2019 even mentions prohibition.

Notably, the option of prohibition [and its legal exceptionalism] has proven, in many instances, to be unenforceable, but also un-agreeable by large parts of the population.

However, acceptability by citizens, and enforceability by us –police and justice– are the two legs upon which the Rule of Law stands.

Prohibition as a response to drugs, in many aspects, hampers the Rule of Law.

Reconciling the law with achievable and agreeable objectives is a necessity to preserve our societies from further harms, violence, and disconnect between law enforcement and the people.

Having on our side the law, and the Conventions, is a necessity.

Recently, scholarly discussions have concluded that the regulation of cannabis –one of the most pressing needs to address the challenges I just mentioned– is possible in conformity with the drug control treaties, under Article 2 paragraph 9 of the 1961 Convention.

This perspective, already embraced by one Member State to date, should be an item of discussion for your Commission, as domestic cannabis laws continue to evolve.

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Excellencies,

The real challenge to the joint commitments of the international community is the split between the rhetorics of prohibition and its inapplicability on the ground.

Prohibition drives us, law enforcement, into a situation where we neither serve nor protect.

We can do better. We can differentiate licit from illicit goods, we can regulate instead of banning, we can make the distinction between simple non-medical use and drug abuse –as the Conventions do– and refer the latter to healthcare and social services.

These are activities that law enforcement and public servants can, know how, and want to do. This is what the population wants.

Protection, not persecution.

For the health and welfare of the people.

I thank you.
