



DRUGS PEACE INSTITUTE

Utrecht, March 30, 2021.

The President of the French Republic,
Mr. Emmanuel Macron.
c / o Mr. Luis Vassy,
Ambassador of France to the Kingdom of the Netherlands.

Mr. President,

Subject: your war on drugs is a crime against humanity - remembrance of rights past.

To mark this year 2021 the 60th anniversary of the UN Single Convention of 1961 on Narcotics Drugs ([SC1961](#)) and the 30th anniversary of [CIRC](#) (Collective for Information and Research on Cannabis) and in view of your desire to be successful in your fight for prohibition of drugs at the end of your five-year term, the Drugs Peace Institute ([DPI](#), The Netherlands) has examined the current state of cannabis in your country, whose drug policy concerns us as citizens of the European Union.

The preliminary conclusion of this reflection is that your repressive drug policy deserves the qualification of a crime against humanity. On the other hand, the intervention of CIRC, which has provided already for thirty years, free of charge, the expert information you need to formulate a fair and humane policy towards users and an effective legalization of cannabis, can be qualified as genuine activism in defense of human rights. The institute considers it useful to inform you about the salient points of its conclusions.

The aim of the CIRC is to get cannabis out of its prison and give its users their dignity back. Its members fought at their peril, calling out and provoking those responsible for the disaster caused by prohibition and encouraging cannabinophiles to become activists despite repression. In the name of harm reduction, CIRC called on cannabis enthusiasts to cultivate cannabis in their gardens and to share the fruit of their experiences and their harvests. It follows that an activist can only, without forsaking his conscience, present cannabis in the most favorable light so that anyone who wants or needs it can learn and benefit with confidence and adequate assistance of its industrial, medicinal, and liberating applications.

As your legislation penalizes such favorable speech with a criminal conviction, the French State is never in a position to listen or react to the multiple testimonies of its citizens. It is one of the reasons why the DPI nominated a group of longtime activists, gathered in a *de facto* association under the name of "[Grand Bouquet Cannabique of Defenders of Human and Citizen Rights](#)" (GBC) for the Nobel Peace Prize 2021. Like the members of the Nobel Committee, you thus have the opportunity to judge the beneficial properties of this plant as explained by these experienced experts.

The publication of this nomination goes against the privacy policy of the Nobel Committee which prefers that the candidacies received are not published until 50 years later. The members of the

Grand Bouquet Cannabique nevertheless believe that it is their duty to use the publicity of this nomination for the benefit of all persecuted cannabinophiles in France, while hoping that the Norwegian Committee will please accept a derogation from their rules and that you yourself will not prosecute them, even though this act is punishable by up to five years in prison.

Since the new millennium, the world is gradually turning away from the SC1961, an assault reminiscent of the pre-WWII fascistoid culture on the absolute freedom of the human spirit promised in the Universal Declaration of 1948. Indeed, despite what the authors of the SC1961 affirmed, the well-integrated cannabis use is not dangerous for the user, it does not harm others nor society, it does not lead to dependence, it has proven therapeutic effects for an increasing number of pathologies and recreational use brings well-being to the user and provides a very positive contribution to the development of adult democracies respectful of its citizens. Users and other anti-prohibitionist experts alike say that marijuana should be removed from the list of controlled substances.

This pro-legalization development has gained momentum in recent times due to growing democratization in decision-making and an endless stream of new scientific discoveries. A new capitalist messianism recognizes the medical, therapeutic, and spiritual properties beneficial for humans, according to a universal justifying discourse, based on science and experience, which makes it possible to regulate each drug according to its properties and the cultural context, while respecting the human rights of users.

In the USA, great instigator of the SC1961, the responsibility for the damages that the war on drugs has caused in the country are also being debated. We hear the public 'mea culpa' of different authorities in charge of the prohibition policy, who anticipate reparations for racial minorities, the victims of the exceptionally discriminatory execution of this policy, the immediate termination of unfinished prison sentences, the halting of new criminal trials and the deletion of the criminal record of convictions for simple use. In addition, there are beginnings of discussions on legal and penal responsibilities of the prohibition actors.

In France too, if all the human waste and the unbearable social chaos engendered as a result of the drug policy initiated by the SC1961 and your law n° 70-1320 of 1970 (Law 1970) cannot be blamed on the use of cannabis, they can certainly be attributed to your prohibition of this use. This takeover of individual freedom which aims to force citizens to give up their use and to conform against their will to the local ideology of power, by imprisonment, like criminals, or through therapeutic injunction, like sick people, is a betrayal by the republic of its ideals of freedom, equality and fraternity. Thus, instead of discouraging the use in order to prevent it, you encourage it by all those who are indignant at the betrayal of their ideals and who no longer believe your empty slogans based on lies. They prefer to be inspired by the certainty of the message of ecstasy and healing provided by their use.

It is only thanks to this deceit, generously qualified as dubious science, that the prohibition of the use of cannabis has triumphed, to serve the private interests of nations, of social elites, institutionalized religions, financial groups, selfish individuals, all to the detriment of our earthly ecstasy and our healing relationship with our allies, the plants. The tone was set by [Rodrigues Dória](#), psychiatrist and professor of public medicine in Bahia (Brazil), who informed the Second Pan American Scientific Congress in Washington, DC, in 1915, that "the pernicious and degenerative vice" of smoking cannabis is like a kind of "revenge of the vanquished", the revenge of the "savage" blacks against the "civilized" whites who had enslaved them.

Then, during the Second Opium Conference in 1924, [Mohamed El Guindy](#), the Egyptian delegate, proposed the surprise inclusion of cannabis in the scope of this Convention, asserting that hash was

"at least as harmful as opium, if not more". The other delegates were not prepared to contradict his lies. The claim that 30-60% of cases of insanity were caused by hashish was an exaggeration out of proportion. The Annual Report 1920-21 of Cairo's Abbasiya Asylum, the largest of Egypt's two psychiatric hospitals, recorded 715 admissions, 19 only (2.7%) were attributed to hashish, far less than the 48 attributed to alcohol.

But the final touch, a master stroke, which made the whole world approve the prohibition of cannabis, is undoubtedly to be attributed to the master American fraudster, the arch racist and neocolonialist [Harry J. Anslinger](#). This boss of the National Narcotics Bureau (FBS) from 1933 to 1962, who, after decades of blatant disinformation, put the world back on the wrong track with the passage of the SC1961. In this way he succeeded in making the recently established United Nations ignore the newly acquired universal order of human rights and to violate it at will in the next half-century, as the whole world has been able to watch. With Anslinger, the edifice of the drug treaties is built in accordance with the policy of the empire of the great powers and the submission of personal freedom to their ideologies.

The pathology of humanity thus exposes the prohibition of the use of psychotropic substances as the ultimate act to deprive people of the freedom to escape the alienation produced by ideology. Through the imposition of the SC1961, the USA and their friends thus presented all the established powers of a legal justification and the means to prohibit and punish with impunity any attempt of the human being to escape, with the help of nature's plants, the dictates of other people as well as any attempt to thus find personal sovereignty.

The need for this adherence to the prohibition of cannabis by all the planet's governments, had been refuted, however, by a whole century of serious research which began in 1894 with the report of the [Indian Hemp Drugs Commission](#). Nothing important in the positive conclusions of this historic report on the widespread cannabis use in India has been proven wrong since its publication. All subsequent reports, including the [Panama Zone Report](#) (Panama Canal Authority, 1925), [La Guardia Report](#) (New York, 1944), [Wootton Report](#) (United Kingdom, 1969), [Baan and Hulsman Commissions](#) (Netherlands, 1970 and 1971), [Shafer Commission Report](#) (USA, 1972) and the [Le Dain Commission](#) (Canada, 1973), came to roughly the same conclusions. Their message was that cannabis was not a harmless psychoactive substance but, compared to other drugs, its dangers were exaggerated, and criminalization would be counterproductive. The reports had little effect however on the attitude of the international community in charge of drug control, which kept the prohibitive ethics of the control regime intact. In the end, only further research would definitively invalidate prohibitionist moralism.

In this climate of increasing international awareness that a serious historical error has been made and is waiting to be erased, a "Joint Information Mission of the National Assembly consulted during 2020 stakeholders in public policies of prevention and repression of trafficking and use of cannabis in France and the experiences of legalization and decriminalization abroad." At the beginning of 2021, a Citizen Consultation questioned the French public in order to better understand their perception of recreational cannabis and their vision of the future of public policies in this area. The outcome is clear: "the legalization of cannabis is no longer a taboo in France" a rapporteur of the Mission concludes. The citizens gave their verdict: 81% of the 253,000 people who responded to an online questionnaire proposed to legalize cannabis.

The prohibition of marijuana is a total failure, a waste of money and an instrument of discrimination of racial minorities. It directs the force of public order unnecessarily against its citizens, promotes an illegal market of marijuana for the benefit of organized crime, cuts critically ill patients off from access to medically beneficial marijuana treatments and continuously dehumanizes 8% of your citizens.

But, contrary to the will of the legislator to find solutions to the problems posed by a 50-year-old law, you are responding with new repressive measures. Thus, your government generalized for the 2020 fall a fixed tort fine (AFD), of 200 €, for possession and use of narcotics detected by means of a saliva test, with filing of a criminal record for a period of 10 years. Carried out as part of the road safety system, it aims however to penalize all users through very broad road controls and saliva tests, since not only the drivers of vehicles are checked, but also their passengers, as well as cyclists, farmers with horse and wagon and even passing pedestrians and as the saliva test detects cannabis use up to a month after consumption while the disruptive effects on driving only last for a period of a few hours.

This contradiction between a repressive executive and a reform minded legislative power demonstrates your government's contempt for the well-being and respect for cannabinophiles. Your denial of science and absence of compassion indicate the great moral laxity of your prohibitionist regime. It imposes a state of siege on the users, who are made to feel like second-class citizens, whose virtual green cannabis leaf is reminiscent of the WWII yellow star. This is state terrorism perpetrated by the Minister of the Interior Darmanin, who continues your irrational war on cannabis, wielding lies long expired. History repeats itself, [the emperor wears no clothes](#). Maybe without your knowledge and please excuse me if I may appear rude, but your stooge, Gerald Moussa Darmanin, has put his master in the nude.

Mr. President, the crime against humanity of which you are suspected obliges the DPI according to the international agreements to make a formal request to the prosecutor of the International Criminal Court to initiate a ' *preliminary examination* ' to determine whether there is a reasonable basis to open an ' *investigation* ' into crimes against humanity committed by the government of France in the execution of its policy of prohibition of psychotropic substances, more in particular by you, Macron, Emmanuel Jean-Michel Frédéric, president and Castex, Jean, prime minister and Darmanin, Gérald Moussa, Minister of the Interior. Let me please explain.

A crime against humanity, as stipulated by article 7 of the [Statute of the International Criminal Court](#) can be any one of certain acts committed as part of a systematic State attack directed against any civilian population, aware of this attack. Then follow eleven acts constituting this crime. Most are precisely defined, such as murder, extermination, torture, rape, sexual slavery, imprisonment and forced prostitution, pregnancy, and sterilization. Two other acts, however, are defined in a more open manner and lend themselves to the recognition of the act of prohibition of psychotropic substances - as organized by SC1961 and national implementation laws - as a criminogenic or an outright criminal act and even as a crime against humanity.

The first of these two definitions qualifies persecution as a crime against humanity - i.e. intentional denial of fundamental rights - of any group for political, racial, national, ethnic, cultural, religious or sexist motifs, or according to other criteria universally recognized as inadmissible under international law. The SC1961, which codified the control of cultivation of plants which are used as raw material for narcotics and introduced a homogeneous definition of drug dependence and its management, forced many countries to criminalize old traditions employing psychotropic substances for medical, religious, and cultural use, even though these traditional uses had been mastered for many centuries.

By codifying SC1961 the United Nations thus had the *dubious honor* to commit the first crime against humanity by virtue of the act of intentional denial of fundamental rights, by imposing the prohibition of psychotropic substances for traditional cultural and religious use of indigenous peoples, and this

for political reasons specific to the group of the fiercest prohibitionist members of the United Nations on grounds recognized as inadmissible under international law.

This was implicitly admitted by the UN in 2013 in the case of Bolivia which obtained an exception, hotly contested, to the ban on traditional coca chewing *in Bolivia*. But the United States and a group of "friends of the convention", including France and the full G8, did thwart Bolivia's attempt to amend the Single Convention and *completely* remove the provision according to which "chewing of the coca leaf must be abolished". Despite their knowledge of the persecutory character of the preservation of this prohibition, this crime against humanity was fiercely defended and once confirmed, has been pursued with conviction for the other Andean countries.

The second definition includes all "other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health. " The notion of 'similar character' makes it possible to define points of resemblance which can justify a comparison between different acts. An obvious comparison then is that between the acceptance of gender identity and sexual orientation and the prohibition of freedom of consumption, therefore between the granting of the qualification of a human right to sexual preference and the refusal of this qualification to consumption preference.

Discrimination on the basis of consumption preference as practiced under the regime of the fixed tort fine constitutes, according to our reflection, this "other inhumane act" which qualifies your policy of prohibition as a crime against humanity. The drug control law gives a very unsatisfactory transcription of the legal reality in France, as in many other countries: there is a big discrepancy between your codified law, the acted standards, such as the AFD, and standards of behavior, which really govern life in a society and are regarded in the popular conscience as true laws. It is "living law" which becomes the framework for structuring current social relationships. Its source is in the free discovery of law by many types of different social associations in which people coexist. For drug law, the user associations are a privileged source for advancing the standards of behavior that they ask society to respect, especially when the norm implies recognition of illegality of a ground of discrimination to which they are exposed, which intentionally causes great suffering or serious injury to body, physical or mental health and therefore constitutes a crime against humanity.

The hasty implementation of the AFD, on September 1, 2020, without waiting for the end of the two months experimentation period, indicates a sense of great urgency on the part of the government. It is estimated that the executive deemed it opportune to seize the news, after the excitement caused by the broadcast on social networks of daylight Nice shooting against a background of trafficking. Since the AFD control method used has a very reduced element of surprise, it is less of a shock remedy against trafficking than of an "*additional tool*" to deter consumers, according to Le Monde (July 27). Yet it is unlikely that the government will react by reinventing as last resort a fifty-year-old system which has continued to fail and of which the history of prohibition in France shows that each 'additional tool' increases the number of consumers.

With the prospect of an imminent legalization proposal from the Parliamentary Mission, it is felt that you apparently believed that to ensure your re-election in the coming presidential elections you had to appease the prohibitionist right. As the lying mantras of Darmanin and Co. are no longer sufficient to convince and achieve it, you added the AFD to it. A political maneuver whose victims remain the users and working-class neighborhoods. To coax the right, you hit on the users, the needy and the very sick included.

For a long time, complacency with the fate of drug users, propagators of unspeakable evil, was very politically correct. That time is over. The lies have been exposed. Mankind can seek drugs peace again, the war on drugs can end. Monsieur the President, users will come to reclaim their lost rights.

In an initial period of 5 and a half months of the AFD, i.e. some 170 days, around 42,500 users were amended, roughly 250 per day. For the 15-month period from mid-February 2021 to the presidential elections of mid-June 2022 we can therefore foresee an additional number of 112,500 fines. A grand total of more than 150,000 victims to be sacrificed for political gain. Among them are people who will miss out on their lives, who will suffer, and possibly die for being caught by your AFD.

You do not even wish to punish them, it's only for the pleasure of electoral victory on your path of crime against humanity.

Please believe, Mr. President, in the expression of my feelings of continued interest.

May life be as sweet to you as you give it back to all your citizens.

Adriaan Bronkhorst Buller
Drugs Peace Institute
Utrecht
Netherlands

PS: The formal request to be sent to the International Criminal Court will be duly noted.

cc: Embassy of the Netherlands in Paris
International Penal Court
Federation of CIRCS
Grand Bouquet Cannabique
Norwegian Nobel Committee
PAKA Chanvre'n Co
Schildower Kreis

[Drugs Peace Institute](https://www.drugspeaceinstitute.org) - Foundation, Chamber of Commerce Utrecht, The Netherlands
KvK 41213130 - www.drugspeaceinstitute.org - contact@drugspeaceinstitute.org