

Resolution of NLG International Committee
To Spearhead Grassroots Campaign to Ratify International Covenant on Economic, Social and Cultural Rights

WHEREAS Millions of working class Americans are losing their homes and jobs as a result of the current global economic crisis as well as the on-going volatility of the US capitalist system, and whatever minimal state and local safety nets that once existed are being eliminated by government budget cuts, and

WHEREAS at least 47 million Americans have no health insurance at all because they cannot afford the exorbitant price of decent health coverage, and those with insurance are subject to loss of their coverage if they lose their jobs, and

WHEREAS Debate on the need for universal affordable health care is being framed as a privilege or moral obligation or a benefit to the economy, rather than as a internationally-recognized HUMAN RIGHT; and

WHEREAS Health care, housing, education, and food security are internationally recognized HUMAN RIGHTS, as declared in the Universal Declaration of Human Rights and as guaranteed by the International Covenant on Economic, Social and Cultural Rights (ICESCR), approved by the UN in 1966 and ratified by 160 nations, including all EU and major industrial states, except the United States;

WHEREAS Jimmy Carter signed the ICESCR in 1977 but the Senate never ratified it, and a House Resolution , introduced by Rep John Lewis, calling for its ratification is pending in the House of Representatives (HR 416); and

WHEREAS the International Committee of the NLG has prepared a Toolkit for local activists to introduce Resolutions for their city, county and state governments to call on President Obama and the Senate to ratify the ICESCR and join the vast majority of nations who recognize economic, social and cultural rights as core human rights subject to state protection:

THEREFORE, be it RESOLVED that the NLG calls on its members to make use of the ICESCR Ratification Toolkit (provided in the CD in the Convention materials and available from the International Committee website) in their local jurisdictions to further a national Grassroots Campaign to Call for Ratification of the International Covenant on Economic, Social and Cultural Rights, and

Be It Further Resolved that the NLG calls on its members to help frame the debate on health care, housing, education and food security in terms of internationally-recognized HUMAN RIGHTS.

RESOLUTION CALLING FOR AN END TO THE WAR ON DRUGS

Since its inception in 1969, 40 years ago, at the hands of then-President Richard M. Nixon, the “War on Drugs” has been a dismal failure. Responsible for approximately half of the 2 million people incarcerated each year in the United States, the “War on Drugs” has unnecessarily destroyed countless lives and families.

In fact, the “War on Drugs” is largely responsible for this country’s dramatic increase in incarceration over the past four decades. In the 1980s, as the general arrest rate rose by 28 percent, arrests for drug offenses rose by 128 percent. If not for the “War on Drugs,” the number of people annually incarcerated in the United States between 1980 and 2000 would not have increased more than fourfold, from less than 400,000 to more than 2 million people.

This so-called war has been primarily focused on marijuana, which accounts for nearly a quarter of drug arrests, and is the fourth most common cause of arrest, in the United States. By all appearances, the “War on Drugs” has been applied in a highly disproportionate way with people of color experiencing the brunt of arrests and incarcerations. Of those arrested for drug offenses in 2005, nearly forty-five percent were Black, more than 20 percent were Latino and 28.5 percent were White, compared to the racial breakdown, generally, in the United States of 12.1 percent, 12.5 percent, and 69.1 percent respectively.

The institutionalized nature of how the “War on Drugs” has disproportionately affected people of color can also be seen in the disparity in sentencing. For example, although showing signs of changing, for many years Black Americans were sentenced more harshly for crack cocaine offenses than Whites were for powdered cocaine. Also, in 2006, eighty-two percent of those sentenced under federal crack cocaine laws were Black, yet more than two-thirds of people who use crack cocaine are White.

Over the years, the “War on Drugs” has siphoned untold amounts of money from important social programs. The federal government's annual "Drug Control" budget increased from \$1 billion in 1980 to more than \$20 billion today. Spending by local, state and federal governments exceeds \$40 billion a year and continues to increase unabated. The U.S. also uses the "War on Drugs" to further its political and economic influence in other countries. For example, between 2000 and 2006, the U.S. spent \$4.7 billion on "Plan Colombia," an unsuccessful effort to eradicate coca production in Colombia. Other similar imperialist efforts involving the federal Drug Enforcement Administration and the U.S. military have been used in Peru, Mexico, and Afghanistan, among other countries. Despite the incredible social and economic costs of the "War on Drugs," illicit drugs have become cheaper, more pure, and continue to be readily available.

For these and other reasons, the National Lawyers Guild strongly opposes the “War on Drugs,” calling instead for an end to drug prohibition. It is prohibition that has caused such a dramatic increase to our incarceration rates, the destruction of countless lives and families, and the unfair application of laws against people of color in this country. Examples in other countries of drug decriminalization and legalization, under strict taxation and regulation schemes, have shown that such policies will not increase drug abuse and have sharply reduced crime and the need for incarceration. By avoiding incarceration as a means of punishment or rehabilitation for drug use, a methodology that has failed at the societal level, we can and should establish a more humane approach that utilizes harm reduction and drug treatment methods when necessary.

The Drug Policy Committee of the National Lawyers Guild demands that the federal government end its unnecessary, harmful and imperialistic war against people who use drugs, mainly people of color and low income. Instead of criminalizing drug use, the federal government should implement the means to regulate and tax drug use by adults.

Therefore be it resolved that this resolution be implemented by the Drug Policy Committee in the following ways:

Organizing events (panels, debates, and presentations) in law schools; writing amicus briefs in relevant cases; and reaching out to the media in reaction to articles about current events related to the harms of the War on Drugs, including border wars and prison overcrowding.