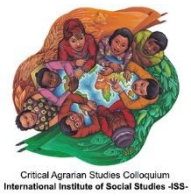

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Growing crops for the Illicit Market: the pending issue of drugs and development

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Growing Crop for the illicit market: the pending issue of drugs and development

Pien Metaal and Katie Sandwell

Introduction

In several regions of Latin America and the Caribbean, Asia, and Africa, crops used for illicit purposes provide a lifeline for small-scale subsistence farmers. Lack of access to stable markets and land, or lack of secure tenure, especially in the context of conflict situations and disrupted supply lines, make the cultivation of coca, opium poppy, and cannabis one of the few viable livelihoods for certain communities of farmers. The profitability per hectare of these crops allow farmers to make a living on smaller plots of land than would otherwise be possible; the volume and weight of the products, which are often bought directly at the farm gate, allow farmers who otherwise lack access to markets the opportunity to sell their crops. Moreover, these plants have a long history of cultural and religious use that is legally recognized by several international instruments protecting human and indigenous rights, but not by the world drug control apparatus.

For decades, international drug control has emphasized reducing the supply of plants used to make illicit drugs by targeting growers directly. Drug control policies have disproportionately affected the small-scale, marginalized farmers in remote areas who produce the bulk of these plants. Farmers are subject to criminalization and imprisoned for their activities; they suffer a forced eradication of their crops by physical or chemical means and are dispossessed from their land. Farmers cultivating crops used for illicit purposes may be unable or less able to access a range of state services, where these are provided, from basic police protection or defence of legitimate land claims, to development assistance of any kind.

Although there is an increasing recognition in global drug policy that eliminating the production of plants used to produce illicit drugs will not be possible without addressing the poverty and underdevelopment that deprives farmers of other viable agricultural options, the so-called alternative development policies currently on offer are far from adequate to address the situation effectively. Policies often suffer from a series of failures, one of which is referred to as the lack of proper sequencing (farmers are required to accept the eradication of their crops long before they can profit from alternative crops). Policies often encourage or require monoculture cultivation of cash crops for international markets, and, in many cases, simply fail to provide a viable alternative livelihood in the ecological and political situation in which farmers subsist.

The marginalization of these farmers has been perpetuated and exacerbated by their lack of access to the national and international fora in which drug policy is developed. Geographically marginalized and excluded from official economies, such farmers may be underrepresented in their own country's political bodies. Criminalization, stigma, and violence surrounding illicit drug markets create added

obstacles to farmers' political organizing and impede them in from influencing policies at either national or international levels. However, after many years, consultation mechanisms which allow civil society to give direct input into the development of international policies are slowly developing, and are beginning to give these communities new opportunities to be heard.

The Transnational Institute has worked to support these farmers' voices to be heard in international policy fora, enabling the formation of a global movement of producers of illicit crops advocating for more humane and just drug control. This paper will introduce the system of international treaties and regulations which structure global drug policy, and will then share excerpts of the report from the Global Forum of Producers of Prohibited Plants, a major meeting, the second of its kind, which took place in the Netherlands in January 2016. The proceedings of the conference focus on farmers' experiences in their own words, and consolidate these into clear recommendations for a revised international drug policy.

International Drug Policy

The UN drug control regime is based on three treaties: the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances and the 1988 Convention against Illicit Traffic. An important purpose of the 1961 and 1971 Conventions is to ensure the availability of narcotic drugs and psychotropic substances exclusively for medical and scientific purposes.

At the same time, the treaties aim to prevent diversion into illicit channels, as well as including general provisions on trafficking and drug use. The aim of preventing illicit use has come to dominate international political discussion and national drug policy regimes. The 1961 Convention, in particular, specifically focuses on plants and their derivatives such as opium, heroin, coca leaf, cocaine and cannabis, scheduling them on different lists based on their harmfulness. These treaties oblige governments to prevent trafficking of these substances, both within their borders and internationally. As a result of political pressure, and without adequate scientific evidence, both cannabis and coca have been scheduled as particularly harmful drugs, comparable to heroin.

The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances significantly reinforced the obligation of countries to apply criminal sanctions to combat all aspects of illicit production, possession and trafficking of drugs. While all three international drug treaties start with preambles expressing concern for the health and welfare of mankind, the application of the treaties, and international monitoring of their effectiveness over recent decades, has generally focused on restricting and controlling the supply of illicit drugs, with only limited attempts to directly measure the impacts of policies on health and welfare, let alone development.

Three international bodies are primarily responsible for overseeing the implementation of the treaties and ensuring that national drug policies of States

are in accordance with their requirements. The Commission on Narcotic Drugs (CND) is a functional committee of the Economic and Social Council of the UN (ECOSOC) and was established in 1946 "to assist the ECOSOC in supervising the application of the international drug control treaties." (http://www.unodc.org/unodc/en/commissions/CND/). The CND, the UN's central policymaking body on drug issues made up of 53 Member States, governs the operations of the United Nations Office on Drugs and Crime, the body "mandated to assist Member States in their struggle against illicit drugs, crime and terrorism." (https://www.unodc.org/unodc/en/about-unodc), and has the power to amend the schedules of drugs upon the recommendation of the Expert Committee on Drugs Dependence of the World Health Organisation, the body charged by the 1961 and 1971 Conventions with the scientific and medical review of scheduling proposals. The CND is authorized to consider all matters pertaining to the aims of the Conventions and see to their implementation.

Finally, the International Narcotics Control Board is a quasi-independent body which plays a central role in interpreting the treaties and making recommendations to States on how to implement them, as well as in monitoring the enforcement of international restrictions on narcotic and psychotropic substances, identifying weaknesses in national and international control systems and contributing to correcting such situations.

Decisions about international drug policy, therefore, take place at a variety of levels, with powers split between bodies made up of representatives of member states (like the CND), and other agencies made up of experts. Together, these bodies identify high-level strategies for global drug control. While states have some discretion about how they implement the treaties, their national drug policy is heavily constrained by the substance of the international agreements made in these venues.

In general, farmers' voices have been excluded from all of these spaces. However, producers of illicit crops have been organising to ensure that their voices are heard. In 2009, the First Global Forum of Producers of Crops Declared Illicit[i] took place in Barcelona, attended by more than 70 leaders and representatives of farmers involved in the cultivation of cannabis, coca and opium poppy in Asia, Africa and Latin America & the Caribbean, as well as international experts, NGOs, and government representatives. A critical function of the Forum was to create an opportunity for farmers' voices to be heard and included in the civil society input for the March 2009 High Level Segment in Vienna, during which UN drug control bodies evaluated the 1998 UNGASS Political Action Plan (which laid out the outlines of global drug policy for 1998-2008). The "Beyond 2008[ii]" formal civil society consultation organised by the Vienna NGO committee to provide official input into the High Level Segment included no farmer representatives.

In the 1998 UNGASS Political Action Plan, the world community committed itself to "eliminating or significantly reducing the illicit cultivation of the coca bush, the cannabis plant and the opium poppy by the year 2008"[iii]. Farmers and their families bore the brunt of the resulting drug supply control policies, and it was therefore

critical that they have the opportunity to voice their concerns and contribute to the important policy moment of the 2009 High Level Segment. The Barcelona Declaration[iv], produced at the First Global Forum of Producers of Crops Declared Illicit[v], was taken to the UN High Level Segment and presented in a side event.

The next major policy moment in international drug control took place in March 2013, at the 58th Session of the Commission on Narcotic Drugs (CND), at which the commission discussed the UN Guiding Principles on Alternative Development. In preparation for this, and to ensure that farmers' perspectives would be represented, the initiators of the First Global Forum convened an expert meeting in Valencia in November 2012. The meeting critically reviewed the UN Guiding Principles for Alternative Development, a set of policy guidelines for dealing with illicit crop cultivation, and produced the Valencia Declaration on Alternative Development[vi] The Guiding principles were, nonetheless, approved and ultimately adopted by the UN General Assembly in December 2013.

The next UN General Assembly Special Session (UNGASS) on the World Drug Program was originally planned for 2019, ten years after the 2009 High Level Segment in Vienna, but three Presidents (of Colombia, Mexico and Guatemala) called upon the world community to urgently discuss all possible scenarios, since, they argued, current drug control strategies were failing to address the increasing violence related to drug markets in their countries. These countries argued that alternative policies should be discussed openly, with a focus on health, human rights, and replacing the current repressive focus of international drug policy. As a result of this plea, the UNGASS on the World Drug Problem was held in New York between April 19 and 21, 2016, and was committed to addressing pressing tensions in the international drug control system.

Two civil society bodies, the NGO committees in Vienna (where the CND is based) and New York, united to prepare the contributions of civil society organisations around the globe for this important political moment. A Civil Society Task Force (CSTF) was created, and a global survey prepared to gather input on the global drug problem. All geographic regions of the world were represented in the Task Force as were “especially affected populations”, including farmers. Pien Metaal, member of the TNI Drugs & Democracy team, was selected to represent this particular population on the CSTF. She established a Steering Committee consisting of a core group of farmers’ representatives from different continents involved in the cultivation of poppy, cannabis or coca. This Steering Committee played a pivotal role in a new global consultation within the framework of the UNGASS and the CSTF. The Task Force will remain active to contribute to the next high level moment in 2019. In addition, during the Global Forum of Producers of Prohibited Plants, three representatives were elected to attend the UNGASS.

Farmers’ representatives were thus, for the first time, present in this space and able to share their perspectives and concerns. Final decision-making, however, remains with state representatives and many participants at the UNGASS felt that the outcome document adopted did not go far enough to address critical issues with the global drug regime, including its heavy impacts on producers of prohibited

plants. Nonetheless, the presence of producers of prohibited crops at this meeting represents an important step forwards for their visibility and towards the development of inclusive international policy in consultation with those most affected by its implementation. Furthermore, the participation of producers' representatives at UNGASS is just one outcome of a larger organizing process which is just beginning. The development of global networks and of venues for these farmers' communities to share their stories, and alternatives, is itself politically significant.

The Heemskerk Forum (The Global Forum of Producers of Prohibited Plants)

During the three coldest days of 2016 sixty-four delegates from around the world gathered in the North of The Netherlands for a meeting at Slot Assumburg in Heemskerk.

For two full days all participants were asked to contribute to discussion about the four thematic areas listed below, which had been defined previously by the Steering Committee:

- Crop control policies and forced eradication;
- Traditional, medicinal and modern uses of controlled plants;
- Sustainable rural development;
- Drugs and conflict.

The sixty-four participants were divided into four working groups. All groups were expected to discuss the themes mentioned above. Every group had support from a translator (English/ Spanish and vice versa), two moderators and two minute takers. The group division took into account a balance in terms of region or country of origin, language, gender and plant grown.

During the whole of day one, all four groups discussed each topic, resulting in several documents reflecting the debate and interventions.

The steering committee used these documents to develop a draft declaration during the morning of the second day, while the group visited a nearby tourist site. The draft declaration was presented and discussed at the plenary in the afternoon of day two, amended, and finally approved by the assembly(see box).

After the approval of the Heemskerk Declaration, all delegates were asked to elect one representative for the plant they grow to travel to New York and attend the UNGASS.

The UNGASS Farmers Delegation:

- Ms. Amapola Duran Salas- Peru coca producers and leader of CONPACCP
- Mr. Abdellatif Adebibe- director of cannabis producers association Sanja du Rif from Morocco

- Mr. Sai Lone- coordinator of the Myanmar Opium Farmers' Forum

Excerpts from the thematic group discussions during day 1 of the Forum

The Heemskerk Forum was held under Chatham House Rules, meaning that no individual participants are identified in the comments below.

Crop control policies and forced eradication

Forced eradication of crops is a basic tool of drug control policies today, applied in almost all countries and used as a basic indicator of success by governments. Although proper sequencing of crop control is part of the official policy discourse, in practice most farmers do not have alternatives in place when their fields are eradicated.

In all countries and regions represented at the GFPPP the main, and sometimes only, policy intervention by authorities in areas with crops used for illicit purposes is the eradication of crops by forceful means. Typically these plants are grown in remote areas with little or no state presence.

Eradication takes place in a number of different forms and shapes: using chemical agents, applied from the air or from the ground; using biological means such as diseases or fungi; or using mechanical or manual means. The last method is the most common, and may be combined with other methods.

Eradication is often accompanied with other displays of force: in most cases interventions are carried out by armed police, Special Forces and/or military troops, and the use of force during these interventions is common. In many instances farmers are physically assaulted and/or arrested. The plants are cut down, uprooted, or set on fire. Often troops destroy other property or crops they find.

Almost without exception eradication operations are not announced and the sudden appearance of troops and the accompanying show and application of force can be traumatic, particularly for children.

All participants agreed that this practice was a breach of human rights principles, causing diverse forms of conflict between and amongst members of the affected communities. Furthermore, pre-selling of a harvest is common and eradication therefore often leaves farmers indebted, without any prospect of recouping their investments or repaying their loans. With their harvest destroyed, others cannot feed their families, buy goods, or invest in new crops without help.

In Bolivia the cultivation of coca is permitted for selected communities on subsistence plots, according to Law 1008 and the 2004 Cato agreement[vii]. After two decades of militarized interventions in the Tropics de Cochabamba, the main coca growing area, a pacification policy was implemented. This involved reaching agreements with farmers prior to eradication. Nevertheless, forced eradication is still carried out on the fields of subsistence farmers of both coca and cannabis in other regions. The manual eradications that are conducted by state troops have

been accompanied by human rights abuses and the forced displacement of indigenous and farming communities, albeit to a reduced degree.

"Remember who eradicates and how. In Bolivia nowadays, from the state perspective, you have the ideological forces (army and police) and the social forces (the communities) which consist of coca farmers´ leaders. So if we have social control through our own community leaders, we don´t understand why the government continues with the forced eradications. Coca growers make a great effort to live from coca. When you eradicate it, there is no alternative for them. After the eradications, the farmers wait until they are able to produce another harvest, they go fishing and hunting, but after three months they can start producing coca again. Another side-effect of the eradications is that they fumigate both coca and fruit plantations. So forced eradications go beyond the eradication of coca; it hurts the peasants also in other ways by destroying other crops and their environment."

In Colombia[viii] continuous massive eradication campaigns have caused, and continue to cause, much collateral damage and contribute to the political instability of the country.

The Colombian participants unanimously confirmed that forced eradications – especially aerial glyphosate sprayings – have created the following problems:

- Environmental impacts: water (and especially groundwater) is contaminated and the soil is impoverished and poisoned due to the herbicide used in the sprayings
- Harm to humans and consequences for public health
- Violations of the rights of indigenous peoples
- An escalation of conflict between the farmers, armed rebel groups, and the government. Forced eradications cause communities to live in-between the actions of rebel groups, government forces and drug traffickers
- Forced or inescapable displacement of people

Additionally, eradications do not take personal consumption of coca into consideration.

In the words of one of the participants:

"Colombia is the country that uses aerial spraying most, targeting especially coca and cannabis. Last year, the government suspended the (aerial) eradications with glyphosate, but the manual eradications continue. One of the results is that persons are displaced. As a consequence of the fumigations small-scale coca farmers and their helpers are affected. The state persecutes the producers; the ones at the bottom of the production chain, not the drug traffickers. Eradications affect the ones who do not enrich themselves through the production."

Chemical spraying does not only occur in Latin America. South African farmers have also been targeted by aerial spraying in an indiscriminate manner, starting in the post-Apartheid period, sponsored by the United States of America[ix]. However, the government rarely prosecutes farmers of illicit crops publicly, so legal battles are

avoided and farmers are deprived of the opportunity to officially defend themselves.

"In the primary spraying zones (east coast), there are bio-diverse areas and national parks. Before spraying, the government does not conduct EIAs. Illegal crop farmers are not criminalised. The police come, they spray and they leave. Nobody is ever arrested so the farmers cannot be helped in court cases."

The Myanmar delegation explained what happens when their communities are targeted for forced eradication of poppy fields:

"In Myanmar they do not use the technique of aerial spraying. They do it manually. Those in charge of eradication of the crops are the police and the army. It is common that they hire people from the municipality or force the farmers to eradicate their own crops. All opium crops are illegal. If you plant it, they consider you a criminal. Growing opium is good business for these farmers, because in a small period (3 months) they can grow a crop and harvest it. They don't grow it for use, but for business. If you are arrested you face high imprisonment. We want to propose, that the government pays attention to alternative development. The government should discuss with the people. They want a bottom-up approach. Not top-down."

In the Northern part of Morocco forced eradication of cannabis has been taking place for about a decade. One of the members of the two person Moroccan delegation (two others were absent because they were refused a visa to enter the Netherlands) said the following:

"We are the number one producer of cannabis worldwide. After our independence in 1955-1956 cannabis was declared illegal, and eradication has been going on since 1994. But since the government didn't offer the farmers any other option, people kept on growing. Since it's illicit, when they catch you as a farmer, you can go to prison. If you are a dealer you face five to eight years. The people say, if you give us an option, we will use it. Either legalize it and give us the opportunity of growing, or illegalize it and we can move to something else, but be clear to us. Right now the benefits are taken by the big dealers; the farmers are like 'slaves'/workers. They only make just enough to survive."

In Saint Vincent & the Grenadines eradication started in a political context and uses slash and burn tactics:

"The US government was responsible for eradications (marihuana), now it´s done by our national police (on foot). The current president prefers the US to not be involved. The farmers, who do not want to be subjected to the eradications, grow higher up in the mountains. The difference in eradications by police and US; the police (on foot) eradicate more. After eradications, farmers grow again."

One participant from Indonesia (Aceh) where cannabis cultivation has a long history[x], explained:

"Eradication programs of cannabis in Indonesia began in '99. They mainly started in Aceh, one of the 33 provinces of Indonesia that is close to India, on the western tip of the island of Sumatra. Eradication was largely unsuccessful as consumption was

mostly for cultural purposes in the form of traditional uses (big events, medicinal, cooking).

The 2004 Tsunami affected the cannabis cultivation and fields. The area is controlled by strong Islamic government which believes the crop to be "Haram" (forbidden). Clerics and government officials have used the Tsunami as propaganda for eradication, claiming it was divine punishment for the cultivation of cannabis."

In the Andean country Peru forced eradications have been carried out continuously in recent decades. One of the delegates explained:

"In my country, it happens both through fumigation, manual means, and less direct methods (intimidation). Many governments past and present have ignored the demands and protests by the farmers to ask for negotiations. Eradication has brought corruption of authority and impoverishment of the farmers. The country also delegates some of its eradication missions to the US, to the point that the US ambassador coordinates and supervises these activities. The democratic process has been corrupted by the prohibition of coca production, both as food and for medicinal use."

Traditional, medicinal and modern uses of controlled plants

There is no formal recognition of traditional uses of cannabis, coca and poppy according to the international drug treaties, and modern forms of use are banned. Medicinal use is a fundamental part of the drug control system, but is not accessible to all.

The international drug conventions limit the use of opium poppy, coca and cannabis to exclusively scientific and medicinal purposes. The traditional existing uses of these plants are not recognised in the global drug control regime, although this exclusion has been challenged from the moment these conventions were negotiated. This omission has led to further polarisation of the debates about the validity of these legal instruments. Only very few governments have defended the right to use these plants for traditional or ceremonial uses, and questioned the drug control regime for this reason.

Some confusion exists as to what is meant by medicinal use, as referred to in the international drug treaties. Cannabis, coca, and poppy have been used in folk medicine in a variety of ways throughout the history of humankind. However, these traditional uses are labelled "pseudo-medicinal" by the International Narcotics Control Board (INCB) since they do not comply with the modern protocols established by the pharmaceutical industry.

Representatives at the Heemskerk Forum discussed the importance of access to these plants for traditional uses by rural communities.

In Myanmar opium is traditionally used for basic medicinal needs; cannabis is also cultivated and medicinally used in the South-east Asian country.

"The production is mainly for economic reasons; however, it is being used for medicinal purposes in the country as well. We need to keep making opium in order to use it as a medicine. Opium is traditionally used for basic medicinal needs; as a painkiller, against cough, malaria and high blood pressure. There also is a cultural use (example: wedding gift; mainly functions to give as present to guests). Cannabis is also used as well as medicine; increase appetite, diminishes pressure."

In some other regions of the world opium cultivation has no medicinal or traditional application whatsoever. As one of the Mexican delegation said:

"Especially in Sinaloa, we don't have any background of previous uses of opium or marihuana. So we don't have those traditional uses. It is mostly used for economic reasons, mostly controlled by mafia or the cartels. We are learning a lot here of the traditional forms of use."

In the Caribbean, cannabis has many cultural, ceremonial and folk medicinal applications and functions. The deeply rooted Ganja culture in Jamaica may hide the fact that cannabis has been illegal on the island for decades. In April 2015, the adoption of new legislation started a process of change, partially decriminalizing cannabis: people are allowed to grow up to five plants and to carry a certain amount for personal use.

Religious and ceremonial uses of the plant by the Rastafarian community are also recognized by law: they can transport and grow cannabis for their ancestral practices. Still, the law does not recognize all the traditional uses of cannabis on the island and excludes other groups whose cultural practices incorporate the use of cannabis.

"In Jamaica, the government recognized traditional use only for one specific group; the Rastafarian. We have a strong indigenous community. Other groups want to use cannabis for traditional uses, but that is not yet recognized. We are pushing for a wider recognition of the use. The government is still saying that because of international legislation and agreements, they can only go as far as to a certain point and traditional uses can´t be widely recognized. In Jamaica there is a high recreational use of cannabis. The definition of ´traditional use´ needs to be revised, because there is a bigger group of users than only the Rastafarians."

A participant from St. Vincent & The Grenadines mentioned:

"Medical use is not widespread. The Rastafarians mostly know the use of it. What they do is to use the root for asthma. Call for more education about medicinal uses."

Many other examples were given of medicinal uses for cannabis around the world: from South Africa to Morocco, Indonesia to Mexico, cannabis has uses that are not formally recognized or regulated despite the fact that medicinal uses of these plants is permitted according to international treaties. However, although important debates about the regulation of medical cannabis are taking place in several countries, all participants agreed that recreational use is still the most widespread form of cannabis use globally.

The coca leaf also has a significant history of ancestral uses, inside and increasingly outside the Andean Amazon region where it grows. These uses are related to consuming coca as a mild stimulant; as a labour and community enhancer; and for its social and divine functions, nutritious features and ceremonial importance. A World Health Organization study in 1995, which was never published, summarized the results of research on coca and cocaine: "Use of coca leaf appears to have no negative health effects and has positive therapeutic, sacred and social functions for indigenous Andean populations."[xi]

This finding was confirmed at the GFPPP. The participants from Bolivia, Peru and Colombia all said coca is used traditionally for many purposes: From a Bolivian participant:

"Coca is about cultural identity, both for producers and consumers. It is all about traditional use. We do not get drugged by it; it gives us strength and energy. We are not addicts. 60 or 70% of population consumes coca leafs. Among university students even more"

Someone from Colombia added:

"Inside all indigenous houses there is something we call a Nazatul, which contains all the things necessary to survive. The coca leaf is part of that. It gives strength to the workers and peasants, to be active during the day. We also use it as medicine for different rituals. The coca leaf is a spiritual medicine. It gives you mental lucidity. We show people the benefits of coca leaf. They see it helps with insomnia, indigestion problems etc. It is a very complete kind of food for everybody. We want to show the benefits of the coca leaf to the world."

Peruvian coca growers see themselves as victims of the war on drugs and the dubious international approaches to the plant they cultivate. Growing coca often offers them the only chance to escape from poverty or to cope with their marginalised position. In addition to their historical and cultural claims, the growers also promote economic alternatives by promoting natural coca products:

"We defend coca not only for its medicinal uses, but also as a cultural patrimony. It was officially declared as such in 1995, but our president is actually not recognising this. We have therefore proposed an actualisation in the census of the farmers, all this to formalize the production of coca. We as growers defend coca in its natural state, not cocaine, the derivative. We don´t feel responsible for [the damage cocaine is causing], and we do not support its recreational use. We are looking for alternative uses to, for example, make flower, candy, oil, cakes and soup of coca."

Prohibition of coca in its natural form, but also of cannabis and opium poppy, seriously endangers the survival of traditional uses, but also limits the economic potential for farmers and their communities to find alternative incomes using the plant for other purposes:

"Indigenous people use the plant for traditional, cultural, and spiritual uses. We are looking towards paths to industrialization of the production, but economies of scale pose problems. Projects for alternative uses have no support from government, and

the prohibition prevents market access. There is also a net division between farmers and the indigenous people. Very often, farmers are stigmatized for not keeping coca indigenous, meaning that they are excluded from the allowances that are made for these purposes, and there is little transferral of knowledge. "

A Moroccan delegate told us:

"We have been advocating reforms from the government to the king. We are coming with proposals coming directly from the producers. It is a public debate, on TV, in the parliament. So we are working to participate in the opposition for a proposal. They only use us to get votes in these regions, but we tell them that it is not about politics, that the farmers want to make a living. Since we always have been prosecuted, we have lost a lot of traditional ways of use. We have talked with a lot of experts to ask how can we bring back or repair traditional use."

Sustainable rural development and political economy

Cultivation of plants used for illicit purposes is closely related to general development opportunities, political and economic control and state presence in rural areas. Sustainable alternatives for illicit crop cultivation are rare, and remain a challenge.

The close relationship between the absence of sustainable development opportunities and the existence of crops for illicit use in many regions around the world has been recognised by the UN agencies involved with drug control (UNODC) and development (UNDP). The policies and practices of Alternative Development (AD) as a development-led response to illicit cultivation have proven insufficient to prevent an increase in cultivation of these crops around the world. However, this has not stopped some countries from glorifying the results of their AD projects.

The World Drug Report 2016 dedicated a chapter to the connection between sustainable development and the global drug phenomenon. It explains the connection between development and the cultivation of cannabis, coca and opium poppy for illicit uses in the following manner:

"In the relationship between economic development and drugs, nowhere is the link more pronounced than in the case of the illicit cultivation of drug crops. Socioeconomic factors such as poverty and lack of sustainable livelihoods drive farmers in rural areas to engage in illicit crop cultivation and are manifestations of poor levels of development, which, alongside issues of governance, constitute the enablers of large-scale illicit crop cultivation in rural areas"[xii]

During the Forum, we heard many examples from participants that confirmed the mechanisms described above. Some of the questions guiding the discussion addressed Alternative Development and how participants perceived the options for development in their regions. None of the participants in the Heemskerk Forum had had positive experiences with AD in their region.

For decades, inhabitants of the poverty struck Rif region in northern Morocco found a way to escape economic hardship through the cultivation of Kif (cannabis flower in the local language). The local way to consume the plant is by smoking the flowers in a large pipe, but most of it is processed into cannabis resin, or hashish. Morocco is named in the 2016 World Drugs Report as the biggest hashish producer in the world, followed by Afghanistan, Lebanon, India and Pakistan. Its market lies predominantly in Europe.

As political pressure from the European Union and the United States to reduce cannabis cultivation increased, the Moroccan government conducted unpopular crop eradication programmes. However, in recent years, the Moroccan government has been more willing to discuss regulation of cannabis for medicinal or industrial purposes, but not for recreational use. Growers attending the Forum shared alternative proposals:

"We have talked to the leaders of the country, we have made them clear that we are only small farmers and we only want peace, so we propose alternative solutions. First we propose the creation of development for the 'Kifis-country', where most cannabis is grown. We provide short, middle and long term solutions. We also want to involve the European Community in this debate, because right now they look at us in a criminal way. We want information, education and training for alternative uses of crops, agricultural and ecological tourism. First of all the training of the women is important, because change will come through women. We want to avoid conflict. A key thing is the huge unemployment amongst young people, those are potential customers and groups like ISIS and other conflict groups are looking to hire these young people."

"There are political representatives who have agreed to legalise some forms of production. But the resistance comes from the big companies. We don't want this. For recreational uses we have thought of coffee shops in the traditional houses. In this way we don't export it and we will 'kill' the dealers and the drug traffickers who are profiting from the growers and are exploiting us. We are pledging for a wider implementation of recreational uses such as the creation of traditional coffee shops."

"*In 1999 when we built a development association, we went directly to the Moroccan state and the European Union. They came to the area and we had some pilot projects. So they developed a strategy for the short, medium and long term to start with a pilot project to start with 30,000 residents. We started with the production of honey, and the promotion of tourism. But when it was implemented, we voluntarily planted 18,000 plants, we produced honey, but most founders didn't follow-up. We should continue it, because you need time before the first harvest is there. In this meantime (3, 4 years) the supporters from the government and EU disappeared. But in the meantime we kept on producing hashish because they left us alone and it took time to grow the trees. Because of this people lost the trust in the institutions and they realised that they themselves are responsible for these projects. In the meantime we keep on pushing. We are not necessarily asking for money, we want expertise and follow-up of the programme."*

In Peru, one of the main countries pushing AD on a global scale, failed alternative development projects and programmes of crop substitution brought the coca growers many problems. 30 years of alternative development initiatives have been an utter failure, according to the participants. Money from international donors in most cases did not reach the farmers since most of it was appropriated by different bureaucratic layers. Technical assistance proved insufficient and a lack of follow-up made potentially successful projects fail at an early stage.

"*I produce more than only coca, I have received nothing more than just baby plants from the central government, and with this they want me to totally change my way of living. That's why we tell the government, we have suffered from many failed projects, so hold on, you don't have the money and resources to do these projects. If the government really wants to make a change, we demand that money from alternative development associations must come straight to us and not first to the government."*

"If alternative crops would be the solution, the problem wouldn´t have existed. The current [alternative development] programmes only force people to continue growing coca to survive."

"We as coca producers have to call on the government to receive support for a product. The farmers of the lowlands produce all kind of products, all kind of crops are possible to grow there. But those who are higher up in the mountains can produce just a small range of products. Therefore there should be soil analyses. Because where the coca plantations are, the soil requires nutrition and vitamins. So this is the first step."

"The government needs to think in big terms, it affects a huge amount of people throughout the entire country. We only receive names of projects, but nothing happens. So with the course of time, growers don't believe in the government anymore. The trust is gone because of all the failed projects."

"In the VRAEM valley area (Valle del Rio Apurimac, Ene y Mantaro, a central valley in Peru) alternative development projects never come to us, only by name, only the banner. It does not reach us. For example we had like 200 plants for coffee and for 200 for wood. You can't change your entire way of life in this way. We need support, technical assistance and time. Thus we have rejected this. The government is now developing a project for the VRAEM valley; it is still in a process of negotiation. It has to work out and thus far it has been very negative."

For the participants from Myanmar, the lack of development opportunities for the people currently involved in growing opium poppy is linked to the larger issues such as access to land and the broader development agenda of the government, which promotes foreign (primarily Chinese) investments, of questionable benefit to the local population.

"Our country is very different. The programs are being controlled by the government. They say it is for the people, but it is in fact for China. There is no money for the locals. A lot of our lands have been occupied by the Chinese. We don't have

places to cultivate anymore. We need to respect and recognize the opinions of one and another."

"The Chinese model that was implemented in 2005 in Myanmar concerns the substitution of crops by investments in (Chinese) rubber plantations. People had to move to other regions better suited for rubber plantations. There are only vocal agreements on profit distribution, there are no contracts."

"We only had one or two experiences with Alternative Development. The government gave some crops for alternative development. But one problem was that the seed was not suitable to the area. They just gave it and didn't support the farmers with the development of the new crop. It costs more to bring your product to the market. So they gave the wrong crops and for the wrong market. That's why it didn't work out."

"For alternative development to be sustainable, they have to give suitable crops. The seed that they are giving should be good quality. We would ask the government to come to the ground level and to give the technical support that we need. And also we need sustainable markets and marketing to be able to put our products on the market. Because the infrastructure in the rural area is very bad, it costs a lot of time to bring products to the market. "

"The government should invest in the infrastructure for this. Up to now we have to pay very high taxes. Where we live the water is the problem, there is no water. We need access to water. Opium needs no water, so that's why they produce this sort of illegal crop. In our area the law is different for everyone [corruption]. We hope that now with the new government the law will be the same for everyone."

"When the Englishmen came they said all the land is government owned. The problem is that when the big companies came in they confiscated all the lands because the government gave it to them. If you have money you can buy as much land as you want."

Most of the GFPPP participants came from countries or regions where no AD projects exist at all. In fact only four of the countries represented had seen the implementation of AD projects, just a small share of the countries present at the Forum. Paraguay and Mexico for example, are both considered to be the main cannabis producer in their respective geographical region, but they have no AD and little development assistance of other kinds. This is what the participants had to say about the situation in their respective countries:

"In Mexico we don't have alternative development programs, contrary to what the government says. If there are 100 claims for general governmental agrarian support, hardly one or two will make it. And the second problem is that when the request reaches the government officials, they are not familiar with the problem or the crop situation."

Another Mexican delegate said:

"The government is spreading lies about controlling and eradicating poverty. There were indeed programs and land reforms by the state, but the projects mainly

benefitted corporations instead of the marginalised populations. An idea is to export products that can be grown in Mexico (example a herb called Hibiscus Flower) to Mexicans that live and work in the US. This was done in order to lift the economic situation for poor peasants, and prevent the Mexican rural population from migrating."

The situation in Paraguay is somewhat similar:

"The Paraguayan constitution mentions agrarian reform, but we see it as a massive form of rural depopulation through the massive sell-off of rural land to national and international entities. Without a global change in relationship to development cooperation, change is not going to be likely and long-term sustainable development will be impossible."

In the Caribbean region there are few efforts made to redirect rural development or influence its course unless private enterprise and enough money are involved. Jamaica has no rural development programmes at all. For one Jamaican participant the situation is clear:

"Jamaica came out of an old plantation economy. Jamaica is not ready for large scale farming."

"Alternatives need to be economically, functionally and socially viable. Jamaica's climate is ideal for producing Ganja (cannabis). Ganja in Jamaica is the agricultural project that can guarantee for a country like Jamaica (an exotic country) a situation where farmers can provide for themselves. Ganja is the means to rural development."

"The problem is the same as in Peru, that the access to markets is the problem. Small farmers find it more efficient to go into cannabis farming. The big companies have taken over the production of plants and bananas. There are no markets for the small farmers. Access to markets is crucial. Next to this the access to technical support is crucial and a big problem, the people are not educated enough. With cannabis they have an illegal market to which they can supply; with other legal crops they can't find a market because the production is taken over by big companies. We need to be enabled to sustain and supply those markets without the technical knowledge."

Also in other parts of the Caribbean the lack of (successful) alternatives is apparent:

"Farmland in St. Vincent is on highlands. In 2001 the government began a development programme; two main covenants were alternative development and environmental conservation. Both failed for numerous reasons. Firstly, too many corporate and political stakeholders caused fragmentation and lack of unity in the talks. There was a particular lack of unity between government and civil society. Lastly, there was a serious lack of funds to implement these reforms in any meaningful way."

Drugs and conflict

Many of the rural areas where crops are grown for illicit purposes suffer from conflict: civil war, land tenure and territorial disputes, ethnic/ indigenous claims, and other – often historical – divides. Policy interventions in these areas need to take this into account to avoid being counterproductive and deepening conflicts even further.

Myanmar[xiii] has been in a state of civil war since the country became independent from British colonial rule in 1948. The continued efforts to engage in peace talks between the different groups and the government include discussions about the cultivation of opium, but not all armed groups involved in growing opium poppy are participating in these peace talks. The policies that criminalise opium forged a firm connection between conflict and the plant:

"Drugs and conflict have a daily impact on affected communities. Trying to find the root cause of the conflict, you have to address inequalities as something political. Some groups have more (political) power over other groups. We think that the conflict will reduce when we´ll achieve more equal rights as for example self-determination."

"Drugs and conflict are directly linked in Myanmar. Different from Latin America is that the conflict in our area is not so much existent because of business interests, but more because of political interests. We have many ethnic groups, but after the period of British colonization, many of those groups are again fighting for political power. These conflicts often are fought in the mountainous zones. To fight a war you need an army, to have an army you need money. To find money in the mountains, you will need to find opium. It´s a high value cash crop."

In absolute numbers, Mexico is one of the countries that suffer most from violence associated with drug markets and state efforts to control them. Thousands of casualties have resulted from both drug trafficking organizations' struggle for market control, and army and police interventions aimed against them.

"There are several different conflicts. You have the ones we have as growers with the authorities, even if they find just a little bit of cannabis it is an excuse to stop any support for other crops. But first, in the wars the cartels fight for the control over the drugs market, often, the growers are being paid, not with money, but with cars or guns. These wars result in so many deaths and killings in Mexico…"

High levels of corruption and the suspicion that the federal police are involved in cartel activity make Mexicans highly distrustful of their own authorities. The weapons that are used in the cartel wars appear to come mainly from the United States; research from a US government accountability office suggested that about 70 per cent of the firearms confiscated by Mexican authorities between 2009 and 2014 came from the US.[xiv]

"The buyers purchase products with weapons and stolen cars. They also decide on the price, and it's not much, it's just an alternative crop to help us survive. However, Mexican forces are killing farmers, and the violence of the cartels escalates. There

have been massacres against other farmers, such as on sugarcane plantations, those were attempted to be covered up!"

Another example of a country where conflict and drugs are closely related is Colombia. Over half a century of internal conflicts have led to a situation where farmers of crops for illicit use find themselves stuck between armed groups, ignored by the state, and cut off from legal opportunities to provide their families with a livelihood.

"We, the peasants also have been surrounded by both the army and the guerrilla who charge us, and the paramilitaries, who say we are collaborators of the guerrilla and foreign governments, who pursue us like delinquents. The only ones who pay are the peasants. We have been involved in this war for the simple fact that we need to eat. We are the ones that pay."

The underlying cause of conflict in Colombia has always been closely related to access to, distribution, and use of land. Since many coca farmers do not possess legal titles for the lands they live and work on, they are easily displaced without legal entitlement to restitution. The lack of legal titles also makes it difficult for affected farmers to officially access development programmes.

"The conflict has always been related with the lands. We are not being recognized as peasants. The counter drugs campaign was aimed at taking away the only livelihood of coca farmers."

"A different lesson to be learned from Colombia: there have been investments in warfare for a long time; there is a need for investments in peace now. We need to have sustainable and significant investments in development; in areas where the conflict has caused most harm."

Several positive references were made to the development of a peace agreement in Colombia, and the position of the issue of coca and other illegal crops in the negotiations.

Outcomes of the Forum:

The Heemskerk Forum offered a unique opportunity to exchange and appreciate the experiences and opinions of farmers who are involved in the cultivation of plants processed and used for illicit purposes around the world. Growers of cannabis, coca and opium poppy plants were able to express their views on how current crop control policies impact their livelihoods, and to hear similar stories from around the world.

A video impression presenting the main conclusions of the Heemskerk Forum was launched at the 59th session of the CND, in March 2016 in Vienna, during the two-day UNGASS preparation segment. Civil Society Task Force members also presented the conclusions of their consultations with regional representatives and affected populations.

At the UNGASS in April 2016 the three representatives appointed during the Heemskerk Forum participated in different parts of the meeting. Due to the limited opportunities available, not all representatives were able to make formal presentations. However, Amapola Duran Salas, the Peruvian representative for coca growers, was elected as a Civil Society representative to speak at one of the Thematic Roundtables on Alternative Development.

Ms Nang Pann Ei spoke at the same Roundtable on Alternative Development on behalf of the Opium Farmers Forum (OFF) of Myanmar. Although she was not officially representing the Heemskerk Forum, her affiliation with the OFF, and the thematic roundtable she was selected for, made her intervention an extra opportunity to speak on their behalf and share the views of the opium farmers.

Mr Sai Lone spoke at the Civil Society side event, as the representative of the Opium farmers. Mr Abdellatif Adebibe had no official speaking time allocated but made interventions on several occasions.

Concluding Remarks

The current drug control regime impacts rural communities around the world. The global crisis in agriculture forces many people to make risky decisions, including choosing to grow prohibited plants. This choice guarantees families a modest but stable income, but it also exposes them to law enforcement agencies and human rights violations. The persistence of drug markets and their illegal nature on the one hand, and the policies designed to counter them on the other, have contributed to increased violence and, at times, to greater political instability, affecting producers of crops used for illicit purposes, as well as their communities more broadly. Drug supply control policies have focused exclusively on forced eradication without supporting farmers to develop alternative livelihoods.

Furthermore, where they exist, Alternative Development programmes tend to be focussed on mono-cultural cash crop production for international markets, emphasizing commodities like palm oil, cocoa or coffee. There is an urgent need to involve marginalized communities both in discussions about drug control specifically and in a broader exercise of determining what kind of development could truly, sustainably, replace their current dependence on illicit markets.

At the same time, any sincere discussion about rural development in regions where plants used for illicit purposes are grown needs to take into account the situation of communities involved in growing prohibited plants. Their involvement is a prerequisite for the development of viable, humane and effective new policies which recognize the links between economic marginalization and the drug trade, without unreflectively adopting a mainstream development discourse that forces farmers to produce alternative commodities under equally (or more) exploitative conditions.

While developments around regulating the illicit markets are underway in a number of countries(for both cannabis and coca leaf) the interests and needs of

communities already involved in the cultivation of these plants need to be actively protected. Otherwise, there is a real risk that emerging legal global markets for these crops will remain inaccessible to them, and that the regulation of these crops will leave traditional growers with even fewer options. In order to safeguard their ability to transition to legal production of those crops of which they are already expert growers it will be necessary to strengthen and defend the democratic rights of these producers.

Finally, the traditional use of many of these plants and their roles in both indigenous and peasant cultures around the world must be taken fully into account. Coca, cannabis, and opium all have long histories of traditional, medical, or ceremonial use. The right to traditional use of these plants needs to be accommodated in legislation and practise, and defended by all organisations working with indigenous populations and communities around the world.

The best chance of bringing these many complex and related aspects of drug and development policy into the picture is by involving farmers themselves in the policy-making process. The presence of farmers' representatives at UNGASS 2016, sharing their views and experiences, constitutes a significant change from previous international discussions of drug policy. As one of the populations most affected by the international drug control regime, it is essential that these farmers have the opportunity to be heard and to add their voices to those calling for more balanced and humane international drug policy. However, as drug policy is increasingly understood to be linked to other aspects of society, from health and development to peace and crime, it is also imperative that these farmers are heard in other fora and are consulted about policies which will affect them.

BOX: The Heemskerk Declaration

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22 January 2016, Heemskerk, Netherlands

Today in a meeting in The Netherlands, small scale farmers of cannabis, coca and opium from 14 countries discussed their contribution to the United Nations General Assembly Special Session (UNGASS), to be held in New York from 19 to 21 April 2016. The UNGASS will discuss all aspects of global drug control policies, including the worldwide ban on the cultivation of coca, poppy and cannabis, an issue the Global Farmers Forum demands that their voices be heard and taken into account.

Considering:

To date representatives of small farmers of prohibited plants and affected communities have not been adequately taken into account in international debates on drug policy.

Inherent contradictions and inconsistencies exist in the application of international drug control, including Alternative Development programs and human rights treaties, which take precedence over the drug control treaties. UN agencies and UN member states are all bound by their obligations under the Charter of the United

Nations to promote “universal respect for, and observance of, human rights and fundamental freedoms.”

A previous Farmers Forum provided input to the UN evaluation of the missed target of reaching a drug-free world by 2009. The UN Political Declaration adopted at the time established 2019 as a new target date to “eliminate or reduce significantly and measurably” the illicit cultivation of opium poppy, coca bush and cannabis.

Taking into account the problems faced by the communities where these plants are cultivated the Farmers Forum discussed the following issues:

- Crop control policies and forced eradication;
- Traditional, medicinal and modern uses of controlled plants;
- Sustainable rural development;
- Drugs and conflict.

Conclusions

1. Forced eradication – chemical, biological, manual or any other form – of crops produced by small farmers is contrary to human rights, causes diverse forms of conflict, expands countries’ agricultural frontier, leads to environmental degradation, causes food insecurity and destroys rural economic survival strategies. It aggravates social problems – as well as problems related to health and internal security - increases poverty, leads to displacement of affected populations, delegitimizes state institutions, militarizes local communities and is a form of undemocratic intervention, forcing those impacted to seek survival strategies in other informal or illicit economic activities and in some cases pushes people to take more radical positions. Finally, forced eradication is counterproductive with regards to sustainable development.

2. The inclusion of the three plants in the international treaties impedes the recognition of both traditional, and modern uses and the ability to obtain them legally. Not all people have access to medicinal uses and the market is controlled by the pharmaceutical industry. In some countries, laws recognize traditional and medicinal uses. Nutritional uses and other forms of industrialization of these plants have not been widely promoted, despite the fact that there are many examples of community and institutional initiatives that demonstrates the benefits of such use. Recreational use of these plants is completely prohibited even as an increasing number of countries seek to regulate these markets. Producers and users and their organizations, communities and leaders continue to be stigmatized, criminalized and incarcerated.

3. Rural development strategies must promote small-scale agriculture. Most participants in the Farmers Forum have not been beneficiaries of Alternative Development or other forms of assistance. Those who have had experiences with Alternative Development programmes affirm that these have largely failed to improve the livelihood of affected communities. The main problems have been the

lack of community involvement in the design, planning and execution of the interventions; short-term time-frames; inadequate technical assistance; foments corruption and funding does not reach the intended beneficiaries; failure to take into account a gender perspective; the use of alternative crops negatively impact the environment and do not promote food sovereignty but focuses on mono-cropping, fostering land grabbing for big companies, and a lack of sustained access to land, markets and technologies. The conditioning of development assistance on prior eradication leaves people without sources of income, pushing people back into illicit crop cultivation. Present Alternative Development programs do not envisage the cultivation for licit purposes.

4. The prohibition of coca, cannabis and opium poppy generates conflicts, as the people that grow them are criminalized, their human and cultural rights are violated, they are discriminated against and legally prosecuted. The different levels of conflict that exist have their origins in both drug control policies and the drugs market itself. Conflicts and violence are caused by the interventions of state authorities (police and armed forces), through eradication acts or other interventions; the presence of armed groups and internal wars; ethnical divisions and territorial and border disputes; access to and control of land; access to water and other natural resources/common goods; corruption; migration and displacement; the overload of the judicial system; the illegal trade in arms and precursors and illicit logging; unemployment, amongst others.

Recommendations

1. We reject prohibition and the war on drugs.

2. We demand the removal of coca, cannabis and opium poppy from the lists and articles in the 1961 UN Single Convention and the 1988 Convention. No plant should be a controlled drug under the UN Conventions or national legislation. We claim the right to cultivation for traditional and modern uses of these plants.

3. We call for the elimination of all forms of non-voluntary eradication.

4. We demand that all affected communities should be involved in all stages of drug policies and development, from the design to its implementation, monitoring and evaluation.

5. In case crop reduction is desirable and feasible it needs to be gradual and reached in dialogue and agreement with the affected communities, based on mutual respect and confidence.

6. The conditioning of development assistance on prior eradication is unacceptable. The proper sequencing of development interventions is fundamental to its success.

7. Integrated sustainable development should be the main intervention for crop producing communities. Such development should promote and protect the livelihoods of small scale farmers and rural workers, and should guarantee access to and control over land and common goods.

8. The state and its institutions will need to assume responsibility to address the needs of the communities involved in cultivation of coca, cannabis and opium poppy.

9. We demand that the farmers and their families involved in the cultivation of coca, cannabis and opium should not be prosecuted by criminal law, or discriminated against.

10. Coca, cannabis and opium poppy and their use should not be criminalized.

11. The expansion of licit markets of coca, cannabis and opium poppy should become part of development strategies.

12. We support the peace process in Colombia and Myanmar, which should be inclusive.

Nazioarteko Hizketaldia

ELIKADURAREN ETORKIZUNA ETA NEKAZARITZAREN ERRONKAK XXI. MENDERAKO:

Mundua nork, nola eta zer-nolako inplikazio sozial, ekonomiko eta ekologikorekin elikatuko duen izango da eztabaidagaia

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GUNTZAILEAK/COLABORAN/COLLABORATING ORGANIZATIONS

LAGUNTZA EKONOMIKOA/APOYAN/WITH SUPPORT FROM

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[xii] The World Drug Report (WDR) 2016, page 82, available at https://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf

[xiii] For more background information on Drugs and Conflict in Myanmar, please look at https://www.tni.org/en/page/drugs-and-conflict-in-burma

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