

Lifting the ban on coca chewing

Bolivia's proposal to amend the 1961 Single Convention

By Martin Jelsma¹

January 31 marked the close of the 18-month period during which countries could submit objections to Bolivia's proposal to remove from the 1961 Single Convention on Narcotic Drugs the obligation to abolish the practice of coca chewing.

A total of eighteen countries formally notified the UN Secretary General that they could not accept the proposed amendment: the United States, the United Kingdom, Sweden, Canada, Denmark, Germany, the Russian Federation, Japan, Singapore, Slovakia, Estonia, France, Italy, Bulgaria, Latvia, Malaysia, Mexico and Ukraine.²

The U.S. convened a group of 'friends of the convention' to rally against what they perceived to be an undermining of the 'integrity' of the treaty and its guiding principle to limit the trade and use of narcotic drugs exclusively to medical and scientific purposes. The UN Economic and Social Council (ECOSOC or the *Council*) will have to decide how to proceed, most likely during its substantive session in Geneva this July.

This briefing paper analyses the reasons behind the proposed amendment and the opposing arguments that have been brought forward, and outlines the various options to be considered as the fate of Bolivia's proposal is determined. Simply rejecting the amendment will not make the issue disappear.



KEY POINTS

- The ban on coca chewing is a violation of indigenous rights and needs to be lifted
- The condemnation of coca leaf and traditional use by the 1961 Single Convention conflicts with the principles and provisions of later treaties and declarations
- The whole of South America expressed support for Bolivia's amendment proposal
- The UN Permanent Forum on Indigenous Issues, in its advisory capacity to ECOSOC, recommends that Member States support this initiative
- The opposing arguments brought forward in the eighteen objections to Bolivia's proposal are dubious and contradictory
- Rejecting the amendment will not make the issue disappear
- A constructive dialogue is required to resolve the legal ambiguities one way or another
- A WHO expert review of coca leaf is long overdue

THE BAN ON COCA CHEWING: LEGAL AMBIGUITIES

The decision to ban coca chewing fifty years ago was based on a 1950 report elaborated by the UN Commission of Inquiry on the Coca Leaf with a mandate from ECOSOC, after a brief visit to Peru and Bolivia. The head of the Commission, Howard B. Fonda, gave an interview in Lima in September 1949, before beginning his work:

“We believe that the daily, inveterate use of coca leaves by chewing ... not only is thoroughly noxious and therefore detrimental, but also is the cause of racial degeneration in many centers of population, and of the decadence that visibly shows in numerous Indians – and even in some *mestizos* – in certain zones of Peru and Bolivia. Our studies will confirm the certainty of our assertions and we hope we can present a rational plan of action ... to attain the absolute and sure abolition of this pernicious habit.”

Fonda’s language reads to us now like a relic from a long gone era. But the decision to outlaw coca chewing based on the outdated report is still in effect today. A scientific update formally sanctioned by a UN agency has not been undertaken since. Embarrassingly, therefore, the 1950 report still counts as the official UN reference document on the coca leaf.

Peru and Argentina did register reservations regarding the articles banning coca chewing when signing the 1961 Convention, but both countries later withdrew their objections, Peru upon ratification in 1963 and Argentina in 1979. Bolivia initially did not sign at all and only acceded to the treaty in 1976, without any reservations. The 1961 treaty obligation to abolish coca chewing is thus universally in force today, even though much has happened since that raises questions about the validity of the ban.

1971 Convention. Only ten years after the Single Convention, the 1971 Convention on Psychotropic Substances took a notably

different approach to plants from which alkaloids could be extracted. The 1971 Convention did not condemn traditional and ceremonial uses of the plants containing psychoactive ingredients that were included in the 1971 schedules.

The Mexican delegate at the 1971 conference referred to the traditional use of the peyote cactus (containing the hallucinogenic substance mescaline) arguing that the “religious rite had not so far constituted a public health problem, still less given rise to illicit traffic.... It would clearly be extremely unjust to make the members of those tribes liable to penalties of imprisonment because of a mistaken interpretation of the Convention and thus add an inhuman punishment to their poverty and destitution....”³

The U.S. delegation agreed to “a consensus that it was not worth attempting to impose controls on biological substances from which psychotropic substances could be obtained.”⁴ By excluding from the schedules plants from which alkaloids could be extracted, the 1971 Convention deviated – with good reason – from the guiding rule that was applied with zero-tolerance in the Single Convention.⁵

1988 Convention. The 1988 Convention against Trafficking of Narcotic Drugs and Psychotropic Substances added further confusion on the issue of traditional use. In a new attempt to obtain legal recognition for traditional uses, Peru and Bolivia negotiated paragraph 2 of article 14 into the 1988 Convention, saying that measures to eradicate illicit cultivation and to eliminate illicit demand “shall respect fundamental human rights and shall take due account of traditional licit uses, where there is historic evidence of such use.”

However, the 1988 Convention (articles 14.1 and 25) also said that its provisions should not derogate from any obligations under the previous drug control treaties. Bolivia therefore also made a formal reservation to the 1988 Convention emphasizing that its “legal system recognizes the ances-

tral nature of the licit use of the coca leaf which, for much of Bolivia's population, dates back over centuries." Peru also reserved the right to legal cultivation,⁶ and Colombia underscored the rights to grow coca of its indigenous populations.⁷

National legislation. Like Bolivia, Peru has always maintained a legal coca market under its domestic law and declared coca chewing in 2005 as cultural patrimony.⁸ Argentina decriminalised coca leaf in 1989 by inserting the following exemption article in its own law: "The possession and consumption of the coca leaf in its natural state, destined for the practice of 'coqueo' or chewing, or its use as an infusion, will not be considered as possession or consumption of narcotics."⁹

Colombia allows the traditional use of coca in its indigenous reserves.¹⁰ And the new Bolivian Constitution says that the: "State protects the original and ancestral coca leaf as part of the cultural Heritage ... in its natural state it is not a narcotic."¹¹ This article poses an absolute legal conflict with Bolivia's obligation under the 1961 Convention that needs to be resolved one way or another.

INCB. Several of these inconsistencies were pointed out by the International Narcotics Control Board (INCB) in the supplement to its Report for 1994. It contained a section on "Coca leaf: a need to clarify ambiguities," saying that "the Board would like the clarification of the long-standing misunderstanding of the provisions of article 14 of the 1988 Convention, which has had some bearing on the debate on coca leaf." The Board also pointed out that there

"were no specific provisions in the 1961 Convention regarding another traditional non-medical use of coca leaf, the drinking of coca tea (mate de coca). Thus, mate de coca, which is considered harmless and legal in several countries in South America, is an illegal activity under the provisions of both the 1961 Convention and the 1988 Convention, though that was not

the intention of the plenipotentiary conferences that adopted those conventions."

The INCB found that it "does not appear necessary to amend the international drug control treaties in substantive terms at this stage, but some technical adjustments are necessary in order to update some of their provisions."¹² Summarizing its conclusions on the coca leaf, the Board recommended that "the conflict between the provisions of the 1961 Convention and the views and legislation of countries where the use of coca leaf is legal should be solved. There is a need to undertake a scientific review to assess the coca-chewing habit and the drinking of coca tea",¹³ calling on the WHO to undertake such a review.

WHO. In 1992 the World Health Organization's Expert Committee on Drug Dependence (ECDD) undertook a 'pre-review' of coca leaf at its 28th meeting. The 28th ECDD report concluded that, "the coca leaf is appropriately scheduled under the Single Convention on Narcotic Drugs, 1961, since cocaine is readily extractable from the leaf. The Committee did not recommend coca leaf for critical review."

It is noteworthy that the Committee did not reconfirm the conclusion that coca leaf should be scheduled because chewing the leaves was considered a hazardous practice, but only because it is the raw material for cocaine extraction. Moreover, the Committee drew attention to the fact that since the 1950 report by the UN Commission of Inquiry on the Coca Leaf "there has been no official evaluation of coca leaf chewing by WHO."¹⁴

Subsequently, the findings of a 1995 WHO study on coca/cocaine proved controversial, and were left unpublished due to intense U.S. pressure. According to the briefing kit that summarized the study's results, the "use of coca leaves appears to have no negative health effects and has positive therapeutic, sacred and social functions for indigenous Andean populations."¹⁵

Indigenous Rights. The 2007 UN Declaration on the Rights of Indigenous Peoples – recently endorsed by the United States in December 2010 – states that “indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.”¹⁶

In May 2009, the Permanent Forum on Indigenous Issues, an advisory body to ECOSOC, stated that it “recognizes the cultural and medical importance of coca in the Andean region and other indigenous regions of South America” and recommended “the amendment or abolishment of the sections of the Convention relating to the custom of chewing coca leaf that are inconsistent with indigenous people’s rights to maintain their traditional practices in health and culture enshrined in Articles 11, 24 and 31 of the Declaration.”¹⁷ In April 2010, the Forum welcomed Bolivia’s amendment proposal and “recommends that Member States support this initiative.”¹⁸

OBJECTIONS TO THE AMENDMENT

The Bolivian amendment only proposes deleting the reference in article 49 of the Single Convention that “coca leaf chewing must be abolished within twenty-five years from the coming into force of this Convention.” The official Spanish version of the treaty confusingly uses stronger language: instead of ‘*must be abolished*’ it says ‘*quedará prohibida*,’ literally ‘*will become prohibited*.’ As the Commentary to the 1961 Convention specified, that 25-year period ended on 12 December 1989 (the treaty entered into force in 1964).

The eighteen objections submitted make hardly any attempt to argue against what Bolivia has actually proposed. The U.S. objection merely states that the objective of the Single Convention is to limit the use of narcotic drugs exclusively to medical and scientific purposes and that Schedule I lists coca leaf as a narcotic drug. No further explanation is provided.

However, the implication – as spelled out in the objection by Latvia – is that because the purpose of Bolivia’s amendment is “to maintain a habit and socio-cultural practice, not a medical or scientific purpose,” coca leaf chewing still needs to be abolished. The UK, Canada, Denmark, Bulgaria, Russia and Japan all more or less copied and pasted from the text of the U.S. objection, not adding any further explanation. These countries avoid addressing the inconsistency of a coca chewing ban with the 1988 Trafficking Convention, whereby all measures “shall take due account of traditional licit uses, where there is historic evidence of such use” (article 14) and with the 2007 UN Declaration on the Rights of Indigenous Peoples, key arguments brought forward by Bolivia.

Sweden, Germany, France and Italy, however, phrase their objections somewhat differently. Sweden says it understands the concerns of Bolivia about the conflict between the Convention and the traditional coca leaf chewing. However, Sweden maintains that “the Bolivian proposal poses the risk of creating a political precedent and might directly infringe on the international framework for the fight against drugs” that “would send a negative signal.” The ‘negative signal’ and ‘political precedent’ phrasing is also taken up by Italy, France and Estonia.

Germany recognizes “that the proposal touches upon complex development and health policy issues, in addition to the intricate drugs issues” and is aware of the particular importance of coca chewing “as part of the cultural identity of the indigenous population, the majority of all Bolivians”. Based foremost on “fundamental drug policy consideration” Germany cannot accept the amendment, but proposes further dialogue with Bolivia and “will give favourable consideration to the question of convening a conference of states to discuss the issue.”

Convening such a conference is precisely what most other objecting countries hope

to avoid, as mentioned explicitly by Denmark, who “finds no reason for calling a conference to consider the amendments.” Both France and Italy do refer however to a ‘dialogue.’ France is “deeply committed” to the Rights of Indigenous Peoples and “is therefore open to dialogue aimed at arriving at a solution that would better accommodate the tradition of coca leaf chewing while maintaining the integrity of the Single Convention of 1961.”

Italy also “underlines the importance of respecting the cultural identity and traditions of indigenous populations, guaranteed by the United Nations Declaration on the Rights of Indigenous Peoples. However, Italy believes that the dialogue aimed at further promoting respect for indigenous traditions should be fully coherent with and preserve the integrity of the Single Convention.” Estonia underscores the importance of dialogue with Bolivia over their concern, “but it needs to be dealt with outside the framework of the 1961 Convention.”

Perhaps feeling the pressure from the media and thousands of coca-chewing protesters gathering in front of their embassy in La Paz at the end of January, the U.S. issued a clarifying statement. The U.S. “respects the culture of indigenous peoples and recognizes that coca chewing is a traditional custom in Bolivian culture” and the “position of the U.S. government to not support the proposed amendment is based on the importance to maintain the integrity of the 1961 Convention, which constitutes an important tool for the global fight against drug trafficking.”

There is a blatant contradiction in a line of reasoning that purports to uphold respect for indigenous rights while simultaneously rejecting the correction of an obvious violation of those rights embedded in the Single Convention. The importance of defending the “integrity” of the drug control treaty system essentially overrules indigenous rights, according to the objecting countries. Behind this position lies the

fear that allowing Bolivia’s amendment to be adopted might open a Pandora’s Box. The Single Convention, in this view, must be regarded as sacrosanct, cast in stone, and allowing any changes would jeopardize the integrity of the control system. Mexico spelled it out in its objection, saying the country: “deems it inadvisable to initiate a process to amend the Single Convention of 1961.”¹⁹

It appears to be forgotten that only a decade after the adoption of the Single Convention, the U.S. itself proposed numerous amendments. “The United States believes it is now time for the international community to build on the foundation of the Single Convention, since a decade has given a better perspective of its strengths and weaknesses,” the U.S. argued at the time. The UK was the first to support the U.S. call to improve the Convention and to convene a Conference of the Parties to discuss the proposals, adding some amendment proposals themselves, which led to the 1972 Protocol amending the 1961 Convention. At the time, the U.S. did not “regard its proposals as sacrosanct; it welcomed suggestions for new improvements; it hoped also that other countries would come forward with their own proposals.”

The main objectors to Bolivia’s current proposal, arguing the need to protect the integrity of the treaty by not allowing any amendments, were precisely the countries who proposed the first amendments themselves, at which time they argued the need for the control system to develop and improve. Another disturbing element underlying several objections is that they are essentially saying to Bolivia: “We don’t really have a problem with coca chewing, but we prefer that you keep violating the Convention rather than try to change it according to the established procedures.” A more ‘negative signal’ regarding the integrity of the treaty system is difficult to imagine, coming from countries ostensibly protecting it.

OPTIONS FOR A SOLUTION

Adoption. The fact that eighteen countries objected to the amendment, effectively blocks its automatic adoption. It does not mean, however, that the amendment is rejected outright. Countries can still withdraw their objections, as the first three countries that objected last year (Egypt, Macedonia and Colombia) have already done. In theory, ECOSOC can still decide that the amendment can be approved but not considered binding on countries that oppose it, in line with the official Commentary on the amendment procedures.²⁰ After all, only 18 of the 184 countries that are Party to the 1961 Convention (as amended by the 1972 Protocol) have filed objections, less than ten percent.

However, given the nature of the opposing group, especially the fact that all of the G-8 countries have objected, it is highly unlikely that the amendment could simply be approved. Normally, decisions are taken by consensus at ECOSOC meetings, though the Rules of Procedure do allow for a vote. Article 47 of the Single Convention states that if “a proposed amendment is rejected by any Party, the Council may decide, in the light of comments received from Parties, whether a conference shall be called to consider such amendment.” Before coming to a decision it would “generally be advisable” that the Council consults the Commission on Narcotic Drugs (CND), the functional body operating under ECOSOC.²¹ As mentioned above, the other relevant ECOSOC advisory body, the Permanent Forum on Indigenous Issues, has already presented its recommendation on the matter, namely to support the Bolivian initiative.

Conference of Parties. A conference of the Parties in principle would operate on the basis of a simple majority voting procedure, as did the original 1961 conference and the 1972 conference that adopted the protocol amending the Single Convention. Procedurally, calling for such a conference would

be the most correct course of action, but it is clear already that most objecting countries (with the notable exception of Germany) prefer to avoid it. Not only because it might be a costly and time-consuming effort for such a ‘minor’ adjustment, but more out of fear it could open a Pandora’s Box, as other countries might want to use the opportunity to present other amendments, as happened in 1972.

Other possible options the Council can consider are explained in the official Commentary. The Council may “refuse to act on a proposal to revise the Convention” if an amendment is rejected by one or several Parties or could “submit proposed amendments to the General Assembly of the United Nations for consideration and possible adoption.”

Ultimately, as article 48 of the Convention stipulates, if a dispute arises that cannot be solved through negotiation or mediation, such dispute “shall be referred to the International Court of Justice for decision.” Most likely, some agreement will already be reached through informal negotiations before the ECOSOC meeting takes place in July.

“Dialogue.” Several countries refer in their objections to their willingness to engage in a constructive dialogue about the concerns underlying Bolivia’s proposal, especially the conflict with indigenous rights. Spain has also offered to play a role in terms of facilitation or mediation. Though difficult to imagine how the legal conflict could be “dealt with outside the framework of the 1961 Convention,” it is definitely worthwhile to explore the different options in the context of a more informal but serious dialogue between the interested parties.

It might be proper to involve indigenous peoples representatives in such a dialogue, as the UN Special Rapporteur on indigenous peoples rights, James Anaya, said that it “has become a generally accepted principle in international law that indigenous peoples should be consulted as to any deci-

sion affecting them,”²² a right also recognized in the Declaration on the Rights of Indigenous Peoples. The dialogue could discuss the concerns of the objecting countries, especially the consequences they feel it would have on them if the amendment were to be approved, and it could discuss the merits of two other possible procedures the treaty offers: withdrawal from the treaty followed by re-adherence with a reservation, and a WHO review of the scheduling of the coca leaf.

Withdrawal & reservation. In case the amendment is rejected, President Evo Morales has said that Bolivia will contemplate withdrawing from the Single Convention and adhere again with a reservation on the coca leaf, similar to the reservation Bolivia made upon signing the 1988 Convention.²³ Other countries that have voiced explicit support for the Bolivian amendment such as Spain, Ecuador, Venezuela and Uruguay, as well as countries that legally allow coca chewing within their country, such as Peru, Argentina and Colombia could consider joining Bolivia if it decides to withdraw and re-adhere with reservations. Also, in northern Chile and in the Brazilian Amazon there are ancestral practices of coca leaf consumption.

In fact, all South American countries have signed several declarations by the Union of South American Nations (UNASUR) that acknowledged that the chewing of coca leaves is an ancestral cultural expression that should be respected by the international community.²⁴

WHO review procedure. A review of coca leaf by the WHO is long overdue, as both the INCB and the WHO Expert Committee have mentioned. The European Union, after discussing Bolivia’s proposed amendment in several meetings of the Horizontal Drugs Groups, also mentioned that “pursuing the dialogue would remain essential on the basis of future scientific studies to be carried out by the WHO.”²⁵ Any country can request the WHO to undertake such a

critical review, which would lead to a recommendation by the Expert Committee regarding the status of the coca leaf under the Single Convention.

The Committee, after reviewing all the available evidence, could either recommend that no change is required, to move coca leaf from schedule I to another schedule, or to remove coca leaf from the schedules altogether. The CND subsequently decides by simple majority vote whether or not to adopt the WHO recommendation.

Hopefully all countries involved are willing to engage in an open and constructive dialogue about the dilemma Bolivia and other countries allowing coca leaf consumption are faced with. Simply rejecting the amendment will not make the issue disappear. The legal conflict will have to be resolved one way or another.

NOTES

1. Martin Jelsma coordinates the Drugs & Democracy programme at the Transnational Institute (TNI) in The Netherlands.
2. For an overview with links to the official notifications, see: <http://www.druglawreform.info/en/issues/unscheduling-the-coca-leaf/item/1184-objections-and-support-for-bolivias-coca-amendment>
3. E/CONF.58/7/Add.1, United Nations Conference for the adoption of a Protocol on Psychotropic Substances, Vienna, 11 January - 19 February 1971, *Official Records, Volume II: Summary records of plenary meetings, Minutes of the meetings of the General Committee and the Committee on Control Measures*, New York, United Nations, 1973, pp. 106-107.
4. *Ibid*, p. 38.
5. David Bewley-Taylor and Martin Jelsma, *Fifty Years of the 1961 Single Convention on Narcotic Drugs: A Reinterpretation*, TNI Series on Legislative Reform of Drug Policies, No. 12, March 2011.
6. Upon signature, Peru deposited “an express reservation to paragraph 1 (a) (ii) of article 3, concerning offences and sanctions; that paragraph includes cultivation among the activities established as criminal offences, without drawing the necessary clear distinction between licit and illicit cultivation.”
7. Colombia deposited a declaration upon ratification saying among other things, “It is the view of Colombia that treatment under the Convention of the cultivation of the coca leaf as a criminal offence must be harmonized with a policy of alternative development,

taking into account the rights of the indigenous communities involved and the protection of the environment.”

8. Peruvian National Culture Institute, Resolution 1707/INC of 6 December 2005, http://www.inc.gob.pe/patrimonio_cultural.shtml?x=23

9. Argentina, Criminal Law N 23.737, 1989, Art. 15.

10. Article 7 of Law 30: “... reglamentará los cultivos de plantas de las cuales se produzcan sustancias estupefacientes y el consumo de éstas por parte de las poblaciones indígenas, de acuerdo con los usos y prácticas derivadas de su tradición y cultura.”

11. Constitution of the Plurinational State of Bolivia, Article 384. The Constitution came into effect on 7 February 2009, after more than 61 per cent of voters approved its text in a referendum on 25 January 2009.

12. *Evaluation of the effectiveness of the international drug control treaties*, Supplement to the INCB Annual Report for 1994, p. 9. http://www.incb.org/pdf/e/ar/incb_report_1994_supplement_en_3.pdf

13. E/INCB/1994/1, INCB Report for 1994, Chapter I, *Overview: Evaluation of the effectiveness of the international drug control treaties*, New York, 1995, p 4.

14. WHO Expert Committee on Drug Dependence, Twenty-eighth Report, 836 Technical Report Series, Geneva 1993.

15. WHO/UNICRI Cocaine Project, *Briefing Kit*, 3 March 1995. <http://www.druglawreform.info/images/stories/documents/who-briefing-kit.pdf>. See also: *Coca, Cocaine and the International Conventions*, TNI Drug Policy Briefing, No. 5, April 2003.

16. Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples, Adopted by General Assembly Resolution 61/295 on 13 September 2007.

17. E/2009/43 - E/C.19/2009/14, Economic and Social Council, *Permanent Forum on Indigenous Issues, Report on the 8th session* (18-29 May 2009).

18. E/2010/43-E/C.19/2010/15, Economic and Social

Council, *Permanent Forum on Indigenous Issues, Report on the 9th session* (19-30 April 2010).

19. The original Spanish wording is even more clear: “no resulta oportuno iniciar ningún proceso de enmiendas a la Convención Única de 1961,” that is, “Mexico does not want to start ‘any process of amendments,” (emphasis added).

20. United Nations, *Commentary on the Single Convention on Narcotic Drugs, 1961*, New York, 1973, p. 462: “...always provided that no amendment, however adopted, would be binding upon a Party not accepting it.”

21. The Commentary reads: “It was undoubtedly the understanding of the Plenipotentiary Conference that the Council would consult the Commission on Narcotic Drugs before taking a decision under article 47. It was therefore found not to be necessary to provide in the treaty expressly for such a consultation. The Council has, however, no legal obligation to obtain the views of the Commission before taking action under the terms of article 47, although this might generally be advisable.” (p. 463).

22. James Anaya, “Indigenous Peoples’ Participatory Rights in Relation to Decisions about Natural Resource Extraction: The More Fundamental Issue of What Rights Indigenous Peoples Have in Land and Resources,” in *Arizona Journal of International and Comparative Law*, 22:1 (2005).

23. Parties will have a period of twelve months to object to the new reservation. For a legal analysis of the option of treaty denunciation and reaccession with reservation, see: Helfer, L.R., “Not fully committed? Reservations, risk and treaty design,” in: *Yale Journal of International Law*, 2006, Vol. 31, pp. 367-82. http://www.yale.edu/yjil/PDFs/vol_31/Helfer.pdf

24. Declaración Presidencial de Quito, III Reunión Ordinaria del Consejo de Jefas y Jefes de Estado y de Gobierno de la Unión de Naciones Suramericanas (UNASUR), 10 August 2009, http://www.comunidadandina.org/unasur/10-8-09Dec_quito.htm

25. 5443/11 - CORDROGUE 9, Meeting of the Horizontal Working Party on Drugs, 21 December 2010, Summary of discussions, Brussels, 19 January 2011.

TNI Drug Law Reform Project

The project aims to promote more humane, balanced, and effective drug laws. Decades of repressive drug policies have not reduced the scale of drug markets and have led instead to human rights violations, a crisis in the judicial and penitentiary systems, the consolidation of organized crime, and the marginalization of vulnerable drug users, drug couriers and growers of illicit crops. The project aims to stimulate the debate around legislative reforms by highlighting good practices and lessons learned in areas such as decriminalization, proportionality of sentences, specific harm reduction measures, alternatives to incarceration, and scheduling criteria for different substances.



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