Morocco and Cannabis

Reduction, containment or acceptance

Tom Blickman

KEY POINTS

• Morocco continues to be the world's largest producer of cannabis resin (hashish). Over the past 50 years, the Moroccan cannabis growers shown a remarkable resilience to government attempts to eradicate or reduce cannabis cultivation as well as a noteworthy ability to adapt to changing international market conditions.

• Since Morocco's independence the government has practiced a policy of containment regarding cannabis cultivation, allowing no new areas but tacitly allowing those already in production to be maintained.

• The rapid increase in illicit cannabis cultivation in the Rif during the last decades, as well as poor soil conservation practices, have taken a heavy toll on the Rif's already threatened forests and fragile ecosystems.

• The unregulated cannabis market in Morocco has negative social consequences. Some 48,000 growers have arrest warrants hanging over their heads, which is a source of corruption and repression. An amnesty and decriminalization could be effective measures to diminish negative social consequences and open the debate about regulation.

• Cannabis farmers in Morocco should have access to emerging legally regulated cannabis markets that are gaining ground worldwide. The challenge is to find a sustainable development model that includes cannabis cultivation in Morocco, instead of excluding cannabis and ignoring the realities of more than 50 years of failed attempts to eradicate the only viable economic option in the region.
According to the World Drug Report 2016, based on reports from Member States during the period 2009-2014, Morocco continues to be the world's largest producer of cannabis resin (hashish), followed by Afghanistan and, to a lesser extent, Lebanon, India and Pakistan. Moroccan authorities claim that in a decade, the area under cannabis cultivation in the country decreased by 65 per cent from an official all-time high of 134,000 ha in 2003 to 47,196 ha in 2013. Moroccan authorities expect the total area to decline further to 34,000 ha, in the next five years. Nevertheless, Moroccan hashish is still widely available on the European market. Although cannabis cultivation might have gone down, this does not necessarily imply a decline in hashish production.

Local cannabis growers have, over the past 50 years, shown a remarkable resilience to government attempts to eradicate or reduce cannabis cultivation as well as a noteworthy ability to adapt to changing international market conditions. According to figures cited by the interior ministry, an estimated 90,000 households, or 760,000 Moroccans, depend for their livelihoods on cannabis production, which is concentrated in the northern Rif regions of Al-Hoceima, Chefchaouen and Ouazzane. Other observers estimate that 140,000 growers are involved in cannabis cultivation, and if their families are included, more than one million people depend on the illicit economy.

This briefing will discuss whether or not the aim of reducing cannabis cultivation is realistic or beneficial for Morocco, what it would actually mean for the major production area the Rif – one of the poorest, most densely populated and environmentally fragile regions in the country – and what that could imply for meaningful sustainable development. The briefing will give some historical background, discuss developments in the cannabis market, and highlight environmental and social consequences as well as the
recent debate about regulation in Morocco and about European policies. Finally, it will offer some reflections on future sustainable development goals regarding cannabis cultivation.

**Historical background**

In Morocco, cannabis has been cultivated and used for centuries. The introduction of cannabis dates back to a period between the 7th and 15th century, in the wake of successive Arab conquests in North Africa at that time. In the 18th century the isolated Rif Mountains of northern Morocco became the main growing area. Traditionally, chopped cannabis herb mixed with chopped tobacco, a mixture known as *kif* – meaning “supreme happiness” –, is smoked in a pipe with a small clay or copper bowl called a *sebsi*. Cannabis was also traditionally used in sweets (*maajoon*) and tea, and limited medicinal and religious uses have been reported. Historically, local administrations collected taxes on the sale of tobacco and *kif*, which were transferred to the sultan or the *Makhzen*, which held the monopoly.

At the end of the 19th century, 90 per cent of France's need for pharmaceutical cannabis products – which were not prohibited at the time – was met by imports from Morocco. With the arrival of European colonial powers at the end of the 19th century, a control regime developed that would vary over time between regulation, prohibition and, ultimately, turning a blind eye to cultivation in the Rif. Around 1890, Sultan Mulay Hassan authorized cannabis cultivation in five *douars* (villages) the Amazigh (Berber) tribal areas of Ketama, Beni Seddat and Beni Khaled in the Rif, while restricting its trade elsewhere. This area is still the heartland of cannabis cultivation today, despite the prohibition of cultivation in 1956, when the country became independent. The Rifans claim that King Mohammed V

![Kif and a sebsi. Photo: Zorro Red Eye, Cannabis Culture](image)
verbally exempted the historical zones of cultivation from the prohibition, which the government denies.

Today, well-kept cannabis fields in the area are openly maintained on terraced slopes and even along the side of the main roads. Local villagers claim they are allowed to grow cannabis due to a dahir (decree) issued in 1935 by the authorities of the Spanish protectorate of northern Morocco (1912-56), based on a previous one dating from 1917. According to the 1917 decree, kif had to be sold to the Régie marocaine des kifs et tabac, a multinational company based in Tangier, largely controlled by French capital, which acquired the monopoly to trade cannabis and tobacco in Morocco at the 1906 Algeciras Conference convened to determine the status of the country.

In 1912, the country was divided into two zones, one under French administration, the other, in the North, under Spanish rule, with the latter including the cannabis cultivation zone in the Rif area. The aim of the dahirs’ regulation of the cultivation, transport, sale, and consumption of kif was to protect the interests of the monopoly against clandestine producers and sellers. Farmers depended on the Régie for permission to grow their crops and were obliged to hand in their harvest at factories in Tangiers and Casablanca where it was processed for commercial sale in tobacco shops. Use was largely unproblematic: many smoked a few pipes in the evening while sipping coffee or a cup of tea. “The number of these ‘careful’ smokers is fairly high in the towns among the artisans and small shopkeepers”, a UN study in 1951 reported.

The status of cannabis was not undisputed in the Rif. During the short-lived Republic of the Rif (1923-26), established by Mohammed ben Abdelkrim who had unified the Amazigh tribes against Spanish occupation, the cultivation and consumption of kif was prohibited. Abdelkrim considered cannabis contrary (haram) to Islam. How effective the ban was is unclear but, in any event, when Abdelkrim was defeated, the Spanish and French occupational authorities allowed cultivation again. In the French-controlled area “a zone of toleration to the north of Fez,” close to the Rif, was established, “in order to allow adaptation to the new economic order of tribes” and contain cannabis smuggling from the Spanish zone.

France, due to its perceived obligations under the 1925 Convention, issued a decree in 1932 prohibiting the cultivation of cannabis in its zone except for cultivation undertaken for the Régie around Kenitra (Gharb) and Marrakech (Haouz). Although Spain adhered to the convention in 1928, licensed cultivation continued in the Spanish zone, which became the main source for licensed kif in the French zone as well. Apparently the regulation of 1917 was widely circumvented and the kif grown in the Spanish zone largely escaped the Régie’s regulation. Consequently in 1935 a decree in the Spanish zone restricted the cultivation area to the original villages in the area of Ketama, Beni Seddat and Beni Khaled. However, subsequent decrees did not specifically mention any area.
Only in 1954 did the French protectorate prohibit all cultivation. In the Spanish part, a dahir in 1954 still authorized the cultivation, production and distribution under licence of the monopoly, but with a significant possession threshold of 5 kilograms. Amounts surpassing that limit would incur administrative sanctions. Cultivation was allowed in unnamed municipalities with the authorization of local authorities and the monopoly. In 1956, when Morocco gained independence and elected to adhere to international drug control conventions, cannabis prohibition was extended to the former French and Spanish zones. However, King Mohammed V decided to condone cannabis cultivation in the five historical douars after quelling an insurrection in the Rif that was motivated by, among other grievances, the ban on cultivation. The number of occasional or regular smokers at the time has been estimated at nearly one million, or about 8 per cent of the population.

As a concession to angry growers, the government promised to buy the crops to be incinerated; a promise that held for three years. This situation and other factors led to a revolt in the mountains in 1958, an uprising that was harshly repressed by the Moroccan army in the spring of 1959. The campaign was led by the future King Hassan II, then Crown Prince and Chief of the Royal Armed Forces. In January 1959, after ten days of extremely violent fighting in which some 8,000 people were killed, the army entered the city of Al Hoceima. In the forty years of Hassan's rule, he would never return to the Rif. In the 1980s and 1990s, the North witnessed other uprisings: first in 1984, following measures taken to limit the trafficking of cannabis and contraband, then in December 1990 in Fez, Tangier, Tetouan and Al Hoceima where the riots were firmly suppressed. During the reign of Hassan II there was a strong link between cannabis cultivation and the irredentism in and marginalization of the Rif.
The cannabis boom

At the time of independence, the herbal kif market was largely domestic and regional (mainly confined to Algeria). Only in the 1960s, with the emergence of the counter-cultural movement in Western Europe and North America, did Moroccan cannabis become an export product, which resulted in profound changes in the Moroccan cannabis industry. Most importantly, the industry shifted to hashish production for the illicit market in Europe. Hashish is less bulky than herbal cannabis, can be stored longer and is easier to transport. Accounts differ about how the method of sieving cannabis for hashish production was introduced, but most likely it was imported from Lebanon either by Western hippies in the late 1960s or through people with connections to the French underworld in Marseilles, which had historical connections in Lebanon. Morocco is a producer of both kif and hashish, although very little kif is produced today and only hashish is exported. Hashish is exported not only to Europe but regionally as well, including to Egypt. In the mid-1960s, observers already noted that the Moroccan government attempted to practice a policy of containment, allowing no new areas of cannabis cultivation but allowing those already in production to be maintained.

Cultivation increased rapidly in the 1980s due to growing demand from Europe and decreasing supply from traditional producers in Afghanistan and Lebanon, as a result of regional conflicts. Before this increase, cannabis cultivation in the Rif extended over probably less than 10,000 hectares within the traditional area. For the Rifan farmer cannabis represented an opportunity to move rapidly from a subsistence family economy to a cash economy: precarious, certainly, but substantial.

Production probably peaked around 2003 when a crop monitoring survey by the United Nations Office on Drugs and Crime (UNODC) and the Moroccan government revealed that 134,000 hectares were under cultivation, producing 3,080 tonnes of hashish. The country was considered to be the largest hashish producer in the world. At the time cannabis was 12 to 46 times more profitable than cereal crops. Although official estimates were lower, the Spanish agronomist Pasqual Moreno, a European authority on cannabis cultivation in Morocco, estimated that the total area under cultivation might be closer to 200,000 hectares. “You now find kif fields clearly visible from the roads, with no attempt made to hide them. The plantations have spread north to the Mediterranean, south towards Fes, and west towards Larache,” Moreno explained. “I have been coming to Morocco for 25 years, and I have never seen it like this.”

A subsequent survey in 2004 showed a significant decrease to 72,500 hectares producing 2,760 tonnes of hashish, and in 2011 cultivation was estimated to be 47,500 hectares producing 760 tonnes. The Moroccan government increased eradication significantly after 2003, using slash-and-burn campaigns and herbicide spraying. At the time, the Moroccan
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The Ministry of Interior (MOI) had as its goal the reduction of cannabis cultivation to 12,000 hectares by 2012, although they seem to have revised this to 34,000 hectares. According to Driss Benhima, the chief of the Agence pour la promotion et le développement économique et social des provinces et préfectures du Nord du royaume (APDN), from 2003-2006, the reason that the authorities were able to reduce cannabis cultivation in the regions of Taounate and Larache was that those regions had only recently started to produce cannabis on lands that had previously been in use for commercial agriculture. Redirecting those areas back to licit agricultural production caused less risk of social trauma. Taounate and Larache lacked the history of traditional family cannabis cultivation present in the Rif, and were instead commercially exploited lands relying on agricultural workers.

However, while the figures from 2003 were based on a joint survey by Morocco and the United Nations Office on Drugs and Crime (UNODC), with remote sensing and sample-based field surveys, those from 2013 were based on data gathered unilaterally by the Moroccan authorities with no information available on how the data were collected. As discussed by researchers Pierre-Arnaud Chouvy and Kenza Afsahi, there are currently no reliable numbers concerning the exact cultivation areas, the scale of cannabis cultivation, or the amounts of hashish produced. Chouvy and Afsahi point out several discrepancies in the available figures, in particular according to data from the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA):

While European and Moroccan seizures of Moroccan hashish have decreased in the past few years, apparently substantiating a decline in resin production in Morocco, the EMCDDA stressed “anomalies” between “the dramatic fall in estimated cannabis resin production in Morocco” and seizure data. Indeed, more Moroccan hashish was seized by Morocco, Spain and other European countries, and Algeria, than hashish estimated...
exported in 2009. In fact, the EMCDDA explained that “adding the quantities seized in Algeria to those intercepted in Spain and Morocco in 2009 would leave no or only very little cannabis resin of Moroccan origin to supply the consumer markets of the 22 European countries mentioning Morocco or Spain as a source of this drug”. While the EMCDDA did not offer any explanation for such a discrepancy it did hypothesize that hashish production had not declined to the extent suggested by the available information.44

Although there is no doubt that cultivation had decreased significantly at the time,45 this does not necessarily imply a decline in hashish production. According to recent research, the actual production of hashish (as opposed to the area cultivated) might not be diminishing due to the introduction of higher-yield strains:46

Field observations and interviews show that kif cultivation is quickly receding: indeed, very little of the kif variety could be seen in the Rif’s cannabis fields in the summer of 2013. The old Moroccan landrace is being quickly replaced by about ten new hybrid varieties, including the widespread khardala. It can safely be assumed that the on-going and massive switch to hybrid varieties is the reason why international hashish seizures seem to invalidate the official hashish production estimates in Morocco. Cannabis cultivation has undoubtedly declined but has been modernized, allowing for considerably higher hashish yields that explain why and how hashish production levels may have been maintained. Also, what is basically a new Moroccan hashish is also more potent, which explains why the THC contents of seized hashish have increased along the past decade. Yet such a hashish revival is still unaccounted for by most international and national agencies dealing with drug issues or the economic development of the Rif region.

The new hybrids might have raised the yield three to five times. On the other hand, according to a well-informed observer, cultivation might have increased as well. According to the APDN in charge of development projects in the area, the kif growing areas are divided into three categories. There are the historical zones, around Ketama, where cannabis has a centurieslong historical presence, and where the growers are in possession of a dahir authorizing this activity. There are areas with less than 50 years of activity, and finally, there are new areas that are less than 20 years old. The policy is aiming to block the spread of the crop, as cannabis threatens other agricultural sectors and forests.47

The control regime under which cannabis cultivators in the Rif area have operated has varied from official authorization to informal toleration by the powers governing the area. Nevertheless, cultivation of the plant has flourished for over a century despite eradication campaigns and alternative development projects for crop substitution since the 1960s. Most likely, since the 1960s the unstated policy aim of the Moroccan authorities is to
contain cannabis cultivation to the traditional area around Ketama and Bab Berred where it has been first licit and later condoned for over a century. Resistance against eradication in the area would be strong and might turn violent easily. Given the history of rebellion, the authorities have opted for containment instead of eradication.

The market has changed from domestic consumption to international export while the product has changed from kif to hashish, with the arrival of the sieving production method from Lebanon around the end of the 1970s. New strains were also introduced, first from Lebanon, followed increasingly in recent years by hybrids from commercial grow houses in Europe with much larger yields and potency, so much so that the original Moroccan varieties are rapidly disappearing. Since 2013, the Moroccan parliament has been considering regulating cannabis for industrial and medicinal uses, in an effort to normalize the situation, which might shift the pendulum on the status of cannabis toward regulation again.

**Alternative development**

Close to Azila, a small village near Ketama at the foot of Mount Tidiquin, the highest peak in the Rif Mountains, cannabis fields surround the remnants of a United Nations alternative development project started in 1989. An empty, ramshackle office and some withered apple trees are sad reminders of a failed attempt to lure farmers away from cannabis cultivation. The apple trees would have taken five years to bear any fruit and the breed of goats imported from France did not fit the specific conditions of the area. The
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irrigation canals built by the programme are used today mainly to water collective lands devoted cannabis cultivation. The situation is illustrative of the failure of alternative development programmes to substitute cannabis production in Morocco. The traditional carrot-and-stick approach has not worked. Cannabis farmers have adapted to changing market opportunities and have proven to be resilient against attempts to eradicate their main source of income. However, the current uncontrolled situation is not without its problems.

Morocco has a long history with rural development programmes that included cannabis crop substitution. In 1960, after outlawing cannabis, the postcolonial Moroccan government initiated a programme and requested technical assistance from the United Nations. A project “Survey of the Riff Region” was undertaken by the Food and Agriculture Organization (FAO) through a Special Fund Scheme. In Ketama seeds and fertilizers were distributed to assist farmers to switch to other crops, while studies were undertaken to convert kif cultivation to other crops, including tobacco.

In 1961, the United Nations and the FAO initiated a rural development programme, Développement Economique et Rural du Rif Occidental (DERRO), which, although not specifically targeting cannabis cultivation, was intended to develop the area and counter deforestation, erosion and migration.

The few alternative development projects that have taken place in the Rif have failed to diminish or even contain cannabis cultivation in the region and some reportedly even had counterproductive unintended consequences.

One such project, for example (PMH Nord project led by AFD between 1997 and 2002, at a cost of 4 million Euros), aimed at reducing cannabis cultivation in an area by extending an irrigation perimeter and by modernizing irrigation techniques. Although such a phenomenon had already happened with opium poppy cultivation in southern Afghanistan and in other countries, the project eventually led to an increase of cannabis cultivation after the farmers chose to irrigate cannabis fields rather than alternative crops. Coupled with a misunderstanding or ignorance of what is basically a new cannabis economy, a limited knowledge of the past failures and limitations of alternative development programmes is of course a real concern for the region.

In 1993, the Moroccan government started an eradication campaign, using the classic carrot-and-stick approach. Eradication and interdiction operations were scaled up and Moroccan authorities proposed a large-scale crop substitution plan to encourage Rifan farmers to replant their kif fields with fruit and nut trees. The Développement Economique du Rif Occidental (DERO) project was a five-year government initiative to improve the region’s infrastructure and encourage agricultural and industrial development in the Rif. According to Interior Minister Basri at the time, the crackdown on cannabis production had “seriously affected the livelihoods of about 3 million
Moroccan citizens.” The DERO project and other development programs were intended to fill the economic void caused by the anti-drug campaign.\textsuperscript{56} At the time a study commissioned by the *Observatoire français des drogues et des toxicomanies* (OFDT) in 2001 concluded:

Even assuming that the European Union and European countries devote considerable resources to financing the development of the Rif - agroforestry projects, livestock, tourism, industry - it is unrealistic to think that they will fix the entire population of the Rif, especially as the soils of large areas become unfit for agro-pastoral activities. Technicians studying the feasibility of the EU’s comprehensive Rif development plan have told us that cannabis is currently a major obstacle to its implementation. Yet only a project of this magnitude could address the problem without the people being severely affected by the reduction or eradication of cannabis (and possibly by competition from European countries in cases where cannabis derivatives will be *de facto* legalized). Even if a project of this type was a success, between half and two thirds of the population should leave the area. It would therefore be necessary that the EU, and in particular Spain and France, show a lot of imagination to channel a new flow of migrants that would surely arrive on their territory.

“The only way to eradicate cannabis, is to convince the Europeans to smoke carrots,” an evaluation of the EU’s development and poverty reduction programmes concluded.\textsuperscript{57} “The official ban has in fact encouraged criminalisation of the growing and trade of cannabis and the creation of mafias in northern Morocco,” the report says. “Legalising cannabis would circumvent mafias and increase farmer’s profits.” There are major inconsistencies in the EU development strategy towards Morocco, or rather conflicting goals: while migration control from Morocco is a high-ranking issue on the EU agenda, eradication of the cannabis economy will almost certainly increase migration to EU member states. EU member states are worried about the increasing illegal immigration. In direct negotiations, the issue of re-admission of undocumented migrants is a pressing issue. According to the *Document de Stratégie 2002-2006* of the MEDA programme\textsuperscript{58} “the emigration of Moroccans to the EU is a problem which needs to be addressed immediately”.

After terrorist attacks in New York (9/11) and in Madrid in 2004 (in which attack several Moroccans were involved), migration is increasingly linked to the issue of security. The EU strategy is linking development to migration policies. Development of the marginalized Rif area, the prime source area of Moroccan migration to Europe, is seen as crucial to reduce migration. The provinces in the North are considered to be the source of multiple problems: poverty, drugs, smuggling, and illegal migration. Infrastructural projects (e.g., road building) and economic development are aimed at generating employment in order to “fix populations in the main migrant sending regions”.\textsuperscript{59} However, the policies are incoherent and priority is given to the interests of EU member states; licit agricultural development has been severely impeded by
protectionism from the EU, in particular by European Mediterranean countries regarding the export of citrus products, olives and wine.

The creation in 1996 of the APDN was part of Morocco’s candidacy for accession to the European Community in 1995 and the Barcelona process. The agency is, in fact, a continuation of DERRO program, through the MEDA initiative, but actions currently undertaken are not commensurate with those in the past. Morocco has enlisted the help of the European Union to curb the illegal economy. The Moroccan State justifies the aid from Europe because hashish produced in Morocco is mainly exported to Europe, while migration due to the poverty and overpopulation in the Rif is perceived as a threat to Europe.

Both Morocco and the EU are still looking for sustainable alternatives with Morocco cleverly playing the role of “le Maroc bon élève” - the “good student” that complies with European policies in order not to lose important financial aid and access to European markets. However, occasionally, Morocco’s frustration about impossible requests and the lack of aid from Europe comes to the surface. In 2009, Abbas El Fassi, the then Moroccan prime minister, summarized Morocco’s dilemma in an exclusive interview broadcast on the state-owned national television channel 2M TV: “to help those farmers of cannabis stop their activities, the government gives them a sheep and some olive’s trees so they can make a kind of alternative cultivation instead of cannabis. The question is: how can a sheep and some olives help Morocco get rid of hashish?”

The EU granted Morocco “advanced status” in 2008, giving it better trade terms and increased development aid, in recognition of its success in
stemming the cannabis trade, as well as its progress in reducing illegal migration to Europe.\textsuperscript{63} However, these two policy objectives seem to be at odds with each other. Destroying the cannabis industry, which provides much-needed income might destabilize the region both socially and economically and, consequently, increase migration towards Europe.

For now, the Moroccan authorities seem to balance the situation carefully. Hashish trafficking is silently tolerated because it is source of income for the country. But once the capital of the cannabis trade is transferred out of the country to be invested in Spain or to finance the importation of cocaine, for example, the state reacts. This careful balance is recognized by European officials: “Unless major efforts are undertaken to do away with corruption and something is done in the production areas about the conditions which make cannabis growing and cannabis trafficking the sole viable alternative for the local population, eliminating production and repressing drug trafficking alone will not suffice to resolve the problem,” a note to the Council of the European Union in 2010 concluded.\textsuperscript{64}

Environmental damage

The Rif is an environmentally fragile region and one of the poorest and most densely populated in Morocco. According to a study by the UNODC, the rural population density of the region (124 inhabitants/km\textsuperscript{2}) is three times higher than the national average (37 inhabitants/km\textsuperscript{2}).\textsuperscript{65} The rapid increase in cannabis cultivation during the last decades, as well as poor soil conservation practices, have taken a heavy toll on the Rif’s already threatened forests and fragile ecosystems. Erosion and deforestation were already main priorities for the DERRO project in the 1960s.

The best soils in the region were used for cannabis production, according to a 1992 study.\textsuperscript{66} Despite the highest rural population density in Morocco, poor soils, and one of the most acute erosion problems in the world, the proceeds of the cultivation of cannabis and labour migration were considered absolutely necessary to avoid social catastrophe in the Rif in the short term. In the long term, however, cannabis cultivation promoted a slower ecological catastrophe of accelerated erosion, while holding back migration by providing extra income in the region. Rifans are addicted to cannabis cultivation and are inadvertently destroying their homeland in the process, the study concluded. Not only did the cannabis industry helped to fix some of the rural population in the region, but it also induced the return of people who had emigrated to Tangier or Tetouan.\textsuperscript{57}

The switch from the mostly rain-fed \textit{kif} to systematically irrigated new hybrid varieties puts the region’s scarce water resources at even greater risk, as well as further damaging soil conditions. In the same way as the old \textit{kif} landrace is said to have disappeared with the development of the hashish industry,
the new cannabis strains could also disappear, replaced with hybrids that can potentially deplete the already scarce water resources. This does not bode well for the ecological and the socio-economic future of the Rif. Uncontrolled cannabis cultivation is increasingly threatening the unique cedar forests in the region. Fields are advancing higher and higher in the mountains, and are a cause for concern for many in the region.

Recently, Driss Benhima, the chief of the APDN from 2003-2006, urged the adoption of a public strategy that would centre on the ecological and social consequences of current cannabis policies, based on a consensual model. He added that most growers were aware of the negative environmental consequences of cannabis cultivation, but did not see a way out in the short term. The issue of exploitation of the forests and who would benefit from this is also a contentious issue between the government and local populations.

**Social-economic consequences**

Estimates of the number of people depending for their livelihoods on cannabis production range from 760,000 to over 1 million – or 90,000 to 140,000 households – concentrated in the northern regions of Al-Hoceima, Chefchaouen and Ouazzane. The cannabis industry has brought little wealth to farmers, but does provide some extra income. According to farmers, a kilogram of *kif* sells for USD 8 and they make an average of just USD 3,000 to USD 4,000 a year.

The monoculture of cannabis has profoundly changed agricultural practices and local know-how and has led to an increasing acculturation of the populations of the Rif. This acculturation is the result of the cultivation of cannabis as the dominant crop, or even in the sole crop in certain villages with an ancestral tradition of cultivation. This has led to the loss and weakening of traditional knowledge and farming techniques. Depending on the cultivation area and generations of producers, this effect manifests in different ways. However, overall the result is increased vulnerability of household cash flow to price fluctuations difficulty accessing cannabis markets during the periodic tightening of government controls.

Illicit revenues from the hashish industry are reinvested in uncontrolled real estate development, in particular in the northern cities of Tanger and Tetouan, distorting the local economy in urban areas as well. The trade also increases corruption. In February 2009, for the first time, the Moroccan Court of Appeal in Casablanca convicted 109 people, charged with arranging a criminal group, international drug trafficking, bribery and failure to report a crime. Among them, there were 33 civilians, 29 members of The Moroccan Royal Navy, 19 of the Royal Gendarmerie, 27 of the Auxiliary Forces, and one member of the Royal Armed Forces (FAR).
Some 48,000 growers have arrest warrants hanging over their heads, which is a source of corruption and repression. Cannabis cultivation allows the *moqadem*, the chief of the village and the local representative of the governor who is nominated by the Ministry of the Interior, to effectively take their citizens hostage. The *moqadem* makes the law and can undo it as well. Villagers in the Rif explain the mechanism: Flour is subsidized in Morocco; a bag, all over the country, costs the fixed price of 100 dirhams (about nine euros). “But the guy asks us 150. [...] Every time we protest, it’s the same answer: you’re a trafficker. I have the lists. I can denounce you at any time.” Growers say that neighbours with scores to settle file anonymous complaints with authorities resulting in a visit from the paramilitary gendarmes, confiscation of the crop and months or years in prison - unless a bribe can be paid.

Amnesty for the growers was an important issue during the election campaigns for the September 2015 municipal elections and the October 2016 general elections. Hamid Chabat, the secretary general of the *Istiqlal* Party, called for an amnesty for cannabis growers. He said that nearly 80,000 cannabis growers were released on bail and risk going back to prison at any moment because of their involvement in the cultivation of cannabis, while “[the] corrupt and money launderers enjoy amnesty.” He added that the majority of these small growers under prosecution lack identity documents and cannot exercise their voting rights. Benhima argues that decriminalization of cultivation would restore the social contract, but cannabis cultivation as such should remain prohibited.

Both the *Parti authenticité et modernité* (Modernity and Authenticity Party - PAM) and Rifan deputies of the *Istiqlal* party support the legalization and regulation of cannabis for pharmaceutical, medical and industrial purposes. In 2013 proposals advocated by Chakib El Khayari, president of the *Association Rif des droits humains* (ARDH) and spokesperson of the *Collectif marocain pour l’usage médical et industriel du kif* (CMUMIK) were incorporated in law proposals by both parties. The PAM called for the establishment of a “national agency for the culture of cannabis” in charge of selling cannabis crops to industrial and pharmaceutical companies. The import of cannabis seeds and its distribution to farmers would also fall under the responsibility of the proposed agency.

The center-right PAM, founded by the former deputy interior minister Fouad Ali El Himma, a close confident and former classmate of King Mohammed VI and currently a senior advisor in the Royal Cabinet, already raised the issue at the municipal elections in May 2009. “It is abnormal that we plant *kif* in Morocco and that in Europe people become rich with it,” he said. “The cultivation of *kif* should be the issue of a national debate.” During the 2016 election campaign, Ilyas El Omari, the current secretary general of PAM and President of the Regional Council of Tangier-Tetouan and Al Hoceima, said in an interview with *Telquel*, that he would like to make it possible for the youth of the region “to be able to open cafes where they can legally sell cannabis to consumers in reasonable and specific amounts on a weekly basis.”
Nevertheless, despite the emergence of voices demanding the legalization of cannabis cultivation in Morocco’s northern regions since 2013, the Prime Minister Abdelilah Benkirane, said that his government will not authorize its cultivation, saying that those who claim otherwise are selling “illusions” to the small growers in the north of the kingdom. The growers themselves are sceptical as well. At a rally organized by the PAM in Bad Berred a grower remarked “We have heard this speech on several occasions. It is the practice that poses a problem.” Indeed, during election campaigns many promises to tackle the problem are made, which return into oblivion when the campaigns are over.

The growers, however, are convinced that the application of the proposed legal changes would be insufficient. To begin with, the proposals make no reference to the transformation of the plant into hashish, the main source of income for farmers. Another problem is the delimitation of the regions where the plant is grown. In recent years, cultivation has spread to the south of Ketama until reaching Taounate and the region of Fez (see map), and even more to the west, notably at Ksar El Kebir and in the neighbourhood of Larache. These extensions have led to a fierce struggle between farmers and the authorities, who do not hesitate to destroy these new kif lands, although they have not been able to completely eradicate them.

“These new farmers are using tractors to plough hundreds of acres of fertile and easily accessible land. They produce more kif and resell them at prices not exceeding 15 DH per gram. They ruined us because our hashish costs more,” a grower explains. Indeed, the rugged nature of the fields of the Ketama region demands a lot of manpower to work the land. Thousands of people from all over Morocco travel to the region to work, for a daily salary of 120 to 150 DH. They are fed and housed for free and are entitled to their hashish per day. “People think we are rich but hashish yields no more than 80,000 DH per year per household. We can hardly get by. The drug barons are the ones who build fortunes,” the grower adds.

What next with development?

Since 2003, Morocco has received 28 million euros from the European Union to eradicate the cultivation of cannabis. In addition, the United States has given $43 million, between 2005 and 2012, to help farmers find new crops to replace cannabis. The results, however, are poor. “Eradication should not precede economic development or even accompany it,” says Pierre-Arnaud Chouvy, a research fellow at the French National Centre for Scientific Research in Paris. “It should come afterward and only in case of necessity. Alternative development never had the expected success. It lacked political will, financial resources, persistence and it was poorly designed.”

Khalid Benomar, head of strategy and planning of the APDN, seems to agree.
The evaluation of the old alternative development programs has obliged the agency to change its approach: “We noticed that all the approaches initiated previously were vertical, which means that all attempts at reconversion would fail. It is difficult to impose the substitution of cannabis for food crops from above.” The new approach of the APDN is now based on the supply chains in the North, based on two main elements: a participative approach and local design of the projects. The initiative for crop substitution must come from the people themselves. Most projects are still general development projects, such as roads, electricity and water supply, schools, health care, etc. as well as some minor crop substitution projects.\footnote{The APDN has adopted an integrated development approach, as the poverty rate in the northern region is higher than the average of 23%. “Everything the Agency did in terms of reconversion [crop substitution] was doomed to fail, because there was not a favourable development environment, especially the inadequacy of basic infrastructure,” says Benomar.\footnote{Cannabis is the result of a clandestine culture, whose finished product, hashish, is destined mainly for export. There are five or six intermediaries between the local producer and the consumer. “There is a significant shift between producer price and consumer price, which can be multiplied by ten at the national level and by 20 or 30 internationally,” says Benomar. Indeed, even with a good harvest, a farmer can generate, at best, only 40,000 DH/ hectare in the region of Ketama. The income, although high compared to other crops (notably cereals) is still insufficient to meet the needs of fellahs with a very high birth rate, over 6.5% compared to 2.2% at the national level. In a household of eight people, 40,000 DH (EUR 3,750) remains a modest income. Farms in the region rarely exceed one hectare. This fragmentation makes crop substitution difficult. “The demand for kif and the ease of its marketing have prompted many people to abandon other crops. New generations are only able to cultivate kif; it is the only crop that provides such income per hectare,” according to Benomar.}

In its new approach, the APDN has promoted co-operatives to develop new income-generating activities. These are complementary activities such as beekeeping, sheep breeding, goat breeding or arboriculture. “There have been successful experiences, but we have seen many constraints, including resistance from the people who boycotted training and collaboration,” Benomar explains. Successful crops such as olive growing need at least 10 years to become profitable, while the cycle of cannabis does not exceed 5 months. Other sectors such as sheep and goats were unsuccessful. “The farmer sells his cattle acquired through development projects to return to the kif. Sometimes, the animals are butchered for consumption,” he says. Ecotourism is potentially one of the most successful activities in the North. The natural and cultural diversity of the region creates a high potential for success. “There are several bed and breakfasts that have been created; the initiators are former cannabis farmers. Their activity ensures them a decent income allowing them to abandon the culture of kif and its problems,” says Benomar. These projects target tourists who seek a total change of scenery in the countryside.
In fact, since the independence of Morocco, there have been constant efforts to eradicate cannabis in the Rif, all of which have failed. Particularly in the case of cannabis, traditional alternative development based on crop substitution is outmoded. Unimaginable only five years ago, regulation of recreational cannabis markets is gaining ground worldwide. Uruguay was

**“INTER SE” TREATY MODIFICATION**

There is no doubt that recent policy developments with regard to cannabis regulation have moved beyond the legal latitude provided in the UN drug control conventions. Initiating a formal procedure to review or amend the current treaty framework, however, would immediately trigger an avalanche of political conflicts between some of the most powerful countries in the world, and is considered to be a diplomatic nightmare to be avoided. Cannabis growers in Morocco depend on the international market for trade, although this is currently prohibited. European regulatory regimes currently under consideration, like regulating domestic cannabis cultivation to supply Cannabis Social Clubs in Spain or coffeeshops in the Netherlands, are limited to national regulations disregarding the import of Moroccan hashish.

However, if parties to the UN treaties are willing to do so, there is an option to open up the market for Moroccan growers. The 1969 Vienna Convention on the Law of Treaties (VCLT) allows for the option to modify treaties between certain parties only, offering in this context an intriguing and under-explored legal option. According to Article 41 of the VCLT, “Two or more of the parties to a multilateral treaty may conclude an agreement to modify the treaty as between themselves alone,” as long as it “does not affect the enjoyment by the other parties of their rights under the treaty or the performance of their obligations” and it is not “incompatible with the effective execution of the object and purpose of the treaty as a whole.”

In principle, both conditions could be met. It would require that the agreement include a clear commitment to the original treaty obligations vis-à-vis countries not party to the inter se modification agreement, especially concerning prevention of trade or leakage to prohibited jurisdictions. All the provisions in the treaties - including those pertaining to cannabis - would remain in force vis-à-vis the treaty’s State parties that are not part of the inter se agreement. Over time, such an inter se agreement might evolve into an alternative treaty framework to which more and more countries could adhere, while avoiding the cumbersome (if not impossible) process of unanimous approval of amendments to the current regime.

In theory, modification inter se could be used by a group of like-minded countries that wish to resolve the treaty non-compliance issues resulting from national decisions to legally regulate the cannabis market, as Uruguay has already done, and Canada appears poised to do. Such countries could sign an agreement with effect only among themselves, modifying or annulling the cannabis control provisions of the UN conventions. This could also be an interesting option to explore in order to provide a legal basis justifying international trade between national jurisdictions that allow or tolerate the existence of a licit market of a substance under domestic legal provisions, but for which international trade is not permitted under current UN treaty obligations.
the first country to regulate its market in 2013. Since November 2012, four states in the United States (Colorado, Washington, Oregon and Alaska) as well as Washington DC have regulated the market. California, the 6th largest economy in the world, along with Massachusetts, Nevada and Maine will do the same after ballot initiatives cleared the way on November 8, 2016. That means that the entire west coast of the US will have a regulated cannabis market. Prime Minister Justin Trudeau has announced that Canada will take the same step in the spring of 2017.

While cannabis policy reform is taking off in the Americas, Europe – currently the main market for Moroccan cannabis – seems to be lagging behind. That is to say, in European nations at the level of national governments, denial of the changing policy landscape reigns, and inertia prevents action on calls for change. At the local level, however, disenchantment with the current cannabis regime is giving rise to new ideas. In several countries in Europe, local and regional authorities are looking at regulation, either in response to pressure from grassroots movements – in particular Cannabis Social Clubs (CSCs) – or due to the necessity of addressing the public disorder generated by the illicit market and the involvement of criminal groups in the marketplace. Due to the local nature of the regulation proposals, and the reluctance of national governments, proposals do not consider including imported cannabis, despite the fact that Moroccan hashish, for instance, still has a significant market share.

To insist now on crop substitution is putting the cart before the horse. What is the sense of ‘development’ when it prepares the supposed beneficiaries to lose their current and future market share in a liberalizing environment? Moreover, it will become increasingly difficult to convince cannabis farmers in the traditional production areas to give up growing cannabis for emerging legally regulated cannabis markets, which – when that market was still illegal – they supplied illicitly for the past decades, and in which they have an established brand. Why should these farmers be excluded from benefiting from the inevitable policy changes? Why should emerging regulation schemes in the Americas and Europe be purely domestic?

The proposals in the Moroccan parliament to regulate cannabis for industrial purposes (hemp for fibre) and for pharmaceutical or medical purposes, will only resolve part of the problem. Whether industrial hemp from Morocco can compete with the already highly-mechanized hemp industry in European countries such as the Netherlands and Poland is questionable. This is certainly not an option for the mountainous Rif area, but it may be viable in the flat lands elsewhere in the North, or around Grand Casablanca, where cannabis cultivation is much more recent and not traditional. Medical cannabis requires strict rules according to pharmaceutical standards, and, consequently, requires high investments to start producing, while the medical cannabis industry in countries like Canada, the United States and the Netherlands are already much more advanced. What would be possible is cannabis for cosmetic and non-
medical pharmaceutical products, which are already widely available in Morocco.

However, under the current circumstances, the illicit industry is much more profitable and will always pay growers more than they would get in the regulated non-recreational market. A blanket legalisation of cannabis production in Morocco would almost certainly mean that cultivation would shift from the Rif to more appropriate lands elsewhere in the country, leaving the growers in the Rif worse off. The challenge is to find a sustainable development model that includes cannabis cultivation in the area, instead of excluding cannabis and ignoring the realities of more than 50 years of failed attempts to eradicate the only viable economic option in the region. A model is needed that not only accepts the existing illicit cultivation of cannabis, but assists cannabis growers in preparing for future regulated cannabis markets, building on their decades of experience in growing the plant. Without going into detail such a development programme, which could be tested in a five-year pilot in the Rif, could include:

• Technical assistance to prevent further ecological damage by countering erosion and encouraging reforestation, keeping in mind the reality of the local population’s reliance on cannabis cultivation;

• Technical assistance to set up sustainable irrigation and water management systems to counter water depletion, taking into account traditional local water management;

• Technical assistance to preserve unique local strains of cannabis;

• Technical assistance to diversify crops and preserve local agricultural know-how and traditions, without the obligation to eradicate cannabis;

• Technical assistance on questions of communal land rights and land rights for cannabis growers;

• Technical assistance to diversify the economy; for instance encouraging sustainable tourism to strengthen the Amazigh culture, recognizing that recreational cannabis use by tourists may also be an added benefit to the local economy;

• Legal support for an amnesty for small-scale cannabis growers, to diminish their vulnerability to corrupt authorities.
Morocco and Cannabis: Regulation and the UN Drug Treaties: Strategies for Reform

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Morocco and Cannabis: Reduction, containment or acceptance


Ounnir, A. (2006), Rapport sur l’usage de drogues et le droit au Maroc, Projet ALCS/OSF de playdoyer pour les droits humains des personnes usager des drogues


Endnotes

1. Tom Blickman is a senior researcher at the Transnational Institute (TN). The author would like to express his gratitude to the reviewers for their helpful comments and suggestions. Any errors of fact or interpretation remain the responsibility of the author.

2. Given the absence of systematic measurements, however, the extent of and trends in cannabis cultivation and production are difficult to assess. Most indirect indicators come from law enforcement and reflect their priorities and activities, not simply the existence of cannabis cultivation and production. (WDR 2016, p. 43)

3. WDR 2015, p. 57

4. INCB (2016), p. 45

5. Chouvy (2016)


7. Martelli (2013)

8. Jaidani & Elkadiri (2015a)


10. However, kif is also used to indicate cannabis in general.

11. Benabud (1957); Carpentier, Laniel & Griffiths (2012)

12. Makhzen means “store”, “warehouse” or “treasure.” It also means “state treasure”. Before the French and Spanish protectorates in Morocco, Makhzen indicated the central power; since independence, it designates the State and its agents (Afsahi 2015), or more widely, the governing institutions centred around the king and consisting of royal notables, top-ranking military personnel, landowners, high security service officials, civil servants and other well-connected members of the establishment.


22. See: Dahir aprobando el Reglamento para la represión del contrabando de tabaco y kif en la Zona de Protectorado, Boletín oficial de la zona de Protectorado español en Marruecos, nr. 53, December 31, 1954, available at http://prensahistorica.mcu.es/es/consulta/registro.cmd?id=11000159036. Although the decree was signed by the Sultan, it was submitted by the authorities of the protectorates.


25. Benabud (1957)

26. Moroccan authorities in 1961 claimed that nearly 50 tons of kif were purchased and destroyed under this scheme, in addition to the 36.5 tons resulting from numerous seizures. See: United Nations (1961)

27. Le Tellier (2006), p. 143. Widespread protests and social unrest flared up again following the death of Mouhine Fikri in October 2016, a 31-year-old fish vendor who was crushed by the compactor of a garbage truck. See: Tinasti (2017).

28.

29. According to a well-informed observer the method of sieving cannabis to produce hashish was introduced by people from Algeria with connections to the French underworld in Marseille.


32. Mikuriya (1967)


34. Chouvy (2005)

35. Grovel (1996)


37. Labrousse & Romero (2001). The 2003 UNODC study calculated that cannabis cultivated land yielded 7 to 8 times more income than that producing barley when not irrigated, and 12 to 16 times more when irrigated. See: UNODC (2003)


39. Chouvy & Afsahi (2014). According to a note from the Spanish Regional Chair of the Dublin Group, the Royal Gendarmerie estimated the area under cultivation in 2008 to have been 39,738 ha. In 2009, that area seems to have gone down to 23,471 ha, which would represent a reduction of 41 %. On the other hand, according to an estimate based on satellite pictures, the area under cultivation was 88,338 ha in 2008 and 64,680 ha in 2009, a 27 % reduction from 2008 and a 52 % reduction since 2003. See: Council of the European Union (2010).


41. INCSR 2010

42. Laforge (2017)

43. Chouvy & Afsahi (2014)


45. Based on personal observation over the decade, Chouvy and Afsahi do think cultivation has decreased significantly. Sources interviewed by the author in July 2009, also mentioned a significant decrease, in particular outside the traditional areas around Ketama. However, more recent observation indicates that the area under cultivation might have once again increased significantly.

46. Chouvy & Afsahi (2014). See also: Enquête Cannabis : La fureur Khardala, FinanceNews, 14 May 2015, available at http://www.financenews.press.ma/site/plus/enquete/13065-enquete-cannabis-la-fureur-khardala A well-known seed company running several coffeeshops in Amsterdam introduced seeds in Morocco and produces a ‘high-end’ hashish for the more opulent section of the Amsterdam market, see: Meet the Woman Reinventing Dutch Coffeeshops, Leafly (no date), available at https://www.leafly.com/news/food-travel-sex/meet-woman-reinventing-dutch-coffeeshops See also: Council of the European Union (2010). The note to the Council explains that “[t]he reduction in the area under cultivation should not be interpreted as an automatic fall in cannabis and hashish production. The use of plant varieties more productive than the traditional ones, irrigation systems and favourable meteorological conditions have made it possible to offset, or more than offset, the intended effects of crop eradication, with an increase in annual production per hectare under cultivation. Even though it is difficult to quantify the volume of cannabis and hashish production, data on the confiscations carried out by the Royal Gendarmerie do not show a reduction corresponding to that in the areas under cultivation.”

47. Jaidani & Elkadiri (2015b)

48. Mikuriya (1967). In April 2010, the population of the town of Bab Berred mobilized against the operations of security forces in the fight against cannabis cultivation (Alami 2010). In January 2013, the population of Beni Jmil and Ketama revolted against eradication efforts (Kabbaj 2013).


50. Karam (2013)

51. Labrousse & Romero (2001)

52. The New York Times, May 1, 1960
MEDA comes from *Mesures D’Accompagnement* (French for accompanying measures), but also known as Middle East Development Assistance. The programme’s regional dimension deals with problems common to Mediterranean partners of Europe and emphasises the partners’ complementary nature. The MEDA programme provides financial support to the Union’s Mediterranean policy as defined in the Barcelona Declaration of 1995. The main aims are to support economic transition, to develop better socio-economic balance, to foster regional integration and to gradually create a euro-Mediterranean free trade area. MEDA I (1995-1999) was succeeded by MEDA II (2000-2006).

The first legal basis of the MEDA programme was the 1996 MEDA Regulation (Council Regulation Nr. 1488/96) for the period of 1995-2000. On November 2000 a new improved regulation (Nr.2698/2000) establishing MEDA II for the period of 2000-2006 was adopted. The MEDA programme is the main financial instrument of the Euro-Mediterranean partnership.

The mission of the APDN is based on three main objectives, which are the three historical problems of the North, namely, smuggling, illegal immigration and the cultivation of cannabis.

According to the 2003 UNODC study, the average income from the sale of cannabis was approximately DH 20,900 (USD 2,200) per family. This income represented, on average, half (51%) of the total annual income of cannabis growers DH 41,335 (USD 4351). This overall figure was comparable to the average annual income of the 1,496,000 farmers in Morocco.
This policy briefing discusses whether or not the aim of reducing cannabis cultivation is realistic or beneficial for Morocco, what it would actually mean for the major production area the Rif – one of the poorest, most densely populated and environmentally fragile regions in the country - and what that could imply for meaningful sustainable development. The briefing will give some historical background, discuss developments in the cannabis market, and highlight environmental and social consequences as well as the recent debate about regulation in Morocco and about European policies. Finally, it will offer some reflections on future sustainable development goals regarding cannabis cultivation.

CONTRIBUTORS

AUTHOR: Tom Blickman
EDITING: Katie Sandwell

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TRANSNATIONAL INSTITUTE (TNI)

De Wittenstraat 25, 1052 AK Amsterdam, The Netherlands
Tel: +31-20-6626608, Fax: +31-20-6757176
E-mail: drugs@tni.org
www.tni.org/drugs

@DrugLawReform
Drugsanddemocracy

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