



The Coca Debate: Headed toward Polarization or Common Ground?

**By Kathryn Ledebur and Coletta A. Youngers
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In March 2008, the International Narcotics Control Board (INCB, a United Nations agency) provoked outrage in Bolivia by calling for the elimination of traditional uses of coca, such as chewing coca leaves and drinking coca tea. Although a 1961 anti-drug convention called for the elimination of all such uses of coca within 25 years, subsequent UN statements have recognized the legitimacy of traditional coca consumption. Dismayed by the lack of sensitivity to indigenous cultures, President Evo Morales' government announced that it would formally request coca's declassification as a narcotic drug, as it is presently listed in the 1961 convention. Such a move would have no bearing on the status of cocaine under the conventions.

Even though modifying the status of coca under the UN conventions would not affect provisions related to controlling cocaine and other illicit drugs, the obstacles to coca declassification remain formidable. Historically, UN member states have resisted changes to the established conventions and significant political support would need to be built among countries that have ratified the 1961 convention. Moreover, the Bolivian government is facing a delicate political situation domestically, which understandably diverts attention and resources from other, less immediate initiatives. In any case, changing coca's status will be a difficult and lengthy endeavor, but it would represent an important step toward promoting respect for indigenous rights in Bolivia and other Andean countries.

The INCB's condemnation of the coca leaf comes at a time when the Bolivian government is making significant headway in meeting its international anti-drug obligations. A fundamental pillar of Morales administration's "coca yes, cocaine no" policy is cooperative coca reduction in the Chapare coca growing region and the extension of this approach into areas previously unaffected by forced coca eradication. In 2006 and 2007, the Morales administration surpassed its annual goal of eliminating 5,000 hectares of coca. In addition, since it took office, interdiction efforts have increased significantly. The Bolivian government has continued to work with U.S., UN and European Union (EU) anti-drug programs. At the same time, however, the government's coca policies have generated friction among some coca farmers. In particular, the Bolivian government faces major challenges in carrying out its coca reduction strategy in the traditional growing zones of the La Paz Yungas and in other areas of new coca planting.

The Bush administration has been highly critical of the Morales administration's approach to coca, even while acknowledging Bolivia's intensified cocaine interdiction efforts. Historically, the U.S. government has, as a practical matter, recognized the legitimacy of traditional uses of coca. But recent U.S. statements in support of the INCB condemnation of coca chewing and coca tea raise the question as to whether the U.S. stance is shifting towards the radical position laid out by the INCB.

Such a shift would place the U.S. government dramatically at odds with Bolivia, throwing up additional obstacles to cooperation on what remains an important issue to both countries.

The United Nations Debate: Criminalizing Coca?

Most tourists visiting La Paz, Bolivia, or Cusco, Peru, are served coca tea soon after arriving at their hotels. The tea helps alleviate the discomfort many visitors feel because of the high altitudes of these Andean cities. However, according to the UN's INCB,¹ sipping coca tea or chewing coca leaves – a practice carried out for centuries by indigenous inhabitants of the Andean region – should be outlawed by the Bolivian and Peruvian governments.

The 1961 Single Convention on Narcotic Drugs classified coca as a narcotic – along with cocaine – and called for the elimination of the practice of coca chewing within 25 years. According to the procedures laid out in the convention, substances are classified into four groups, with differing levels of control. The most dangerous drugs are included in Schedule I; coca was erroneously placed on that list largely on the basis of a 1950 UN study that is now widely understood to have been “inspired by colonial and racist sentiments rather than science.”² When Bolivia and Peru ratified the 1961 convention, they did so with reservations, distinguishing between the traditional and beneficial legal use of the coca leaf and the illicit use of cocaine. A subsequent 1988 anti-drug convention clarifies that “the measures adopted shall respect fundamental human rights and shall take due account of traditional licit use, where there is historic evidence of such use.”³ The 25-year target date to abolish coca leaf chewing has come and gone, and coca chewing among indigenous cultures has gained international acceptance. Even ardent supporters of forced coca eradication efforts acknowledge the legitimacy of coca production for traditional uses. Indeed, the U.S. Embassy in La Paz has served coca tea to visitors and Bolivian military personnel often chew coca to provide stamina to uproot coca plants in the country's Chapare region.

However, in its 2007 annual report, released in March 2008, the INCB calls for a return to the 1961 convention, claiming that traditional coca use in countries such as Bolivia and Peru is in breach of treaty obligations: “Each party to the Convention should establish as a criminal offense, when committed intentionally, the possession and purchase of coca leaf for personal consumption.”⁴ Adding insult to injury, the INCB calls on the Bolivian government “to formulate and implement education programs aimed at eliminating coca leaf chewing, as well as other non-medicinal uses of coca leaf... Such education programs should be evaluated taking into account the extent and trends of coca leaf chewing, as well as the role that it plays in the progression of drug dependence.”⁵ There is simply no scientific evidence to support the INCB's claim that coca leaf use plays a role in the progression of drug dependence of any sort.

The INCB report is directly at odds with the findings of a major study of the coca leaf carried out by the UN's World Health Organization (WHO) and the UN Interregional Crime and Justice Research Institute (UNICRI) between 1991 and 1995, in which 45 international experts collected data from 19 countries on five continents. It was the most extensive, objective investigation of the coca leaf carried out to date. As noted by the Transnational Institute, “The WHO/UNICRI Cocaine Initiative underscored that the traditional use of coca appears to have no negative health effects and that it serves positive therapeutic, sacred and social functions among indigenous peoples in the Andean region, as well as among some groups in Brazil.”⁶ The study recommended that the “WHO should investigate the therapeutic benefits of the coca leaf and whether these effects could be transferred from traditional contexts to other countries and

cultures.”⁷ But the U.S. government objected strongly to the findings and recommendations and threatened to reduce its financial contributions to the WHO, and succeeded in blocking the peer review and preventing the study’s official publication.

The Bolivian Government’s Response

The INCB report provoked outrage across Bolivia, even among foes of the Morales administration and the *Movimiento al Socialismo* (MAS). Indigenous organizations declared a national day of coca chewing and President Morales sent a letter to UN Secretary-General Ban Ki-moon expressing a “generalized climate of indignation for this enormous lack of respect.” In his letter, Morales reiterated the importance of the coca leaf in Bolivian culture and the nutritional, medicinal and other positive uses of licit coca consumption, and pointed to the incongruity between the recent UN Declaration on the Rights of Indigenous Peoples and the INCB demand to abolish coca chewing.⁸

At the annual meeting of the UN Commission on Narcotic Drugs (CND)⁹ in March 2008 in Vienna, Austria, the Bolivian Vice-Minister of Foreign Relations, Hugo Fernández, defended his government’s “coca yes, cocaine no” policy, pointing out that the country has traditionally upheld the coca leaf as a sacred part of its culture, while recognizing that it is used in the production of cocaine. He emphasized that “all of the inhabitants of my country and, above all, representatives of indigenous communities feel under attack and extremely offended by the unscrupulous and prejudiced expressions used by the INCB in its last report...”¹⁰ Fernández concluded his presentation with the announcement that his government would formally request the “declassification” of coca in international conventions; in other words, its removal from Schedule I of the 1961 Convention.

Traditional Uses of the Coca Leaf

Andean peoples have consumed the coca leaf for centuries. Substantial anthropological and scientific evidence points to the coca leaf’s significant role in indigenous cultures and its beneficial attributes.

- Coca is an integral part of traditional and religious ceremonies such as weddings.
- Chewing coca leaves and drinking coca tea help alleviate the symptoms of high altitudes, cold and hunger. It is a mild stimulant that allows for long days of work in mines, fields, etc.
- The coca leaf has nutritional value. According to a 1974 study at Harvard University, the coca leaf contains significant amounts of protein, calcium, iron and vitamins.
- A range of scientific studies have documented these potential benefits, while finding no adverse consequences from chewing coca leaves.¹

In addition to use among indigenous groups, most Bolivians consume coca tea, and coca chewing is becoming increasingly popular again in urban areas, including in northern Argentina. Within Bolivia, Santa Cruz is now the leading coca consuming department.¹

Peruvian government representatives at the March 2008 CND meeting also defended traditional uses of coca, condemning the INCB’s rejection of what they called “an integral part of the customs and traditions of Peru.” Peru also called on the INCB to engage in “more profound dialogue with governments.” Among the other governments at the CND, the Italian delegation was

the most vociferous in objecting to the INCB's call to criminalize coca. The Italian Minister of Social Solidarity, Paolo Ferrero, noted that coca is "entrenched in the tradition and in the culture of some Andean countries," and called for a clear distinction "between coca leaves and cocaine."¹¹

U.S. Government Supports Call for Criminalizing Coca

In what may constitute a shift in policy, the U.S. government delegation at the CND fully backed the INCB's call for Bolivia and Peru to "abolish or prohibit ... coca leaf chewing and the manufacture of *mate de coca* (coca tea)." During consideration of the INCB report by the CND plenary, the U.S. delegate stated that the U.S. government supports the "call for all states to comply with the obligations of the 1961 convention" and that "the provisions of the 1988 convention even with reservations do not absolve states of the obligation to comply with the treaty... Coca leaf is a narcotic drug ... [and] coca should be limited as is the case with any other narcotic drug."¹²

The explicit U.S. support for the INCB position on coca at the CND could be interpreted as a significant shift in U.S. policy. To date, U.S. officials have accepted – though perhaps reluctantly – that coca leaf chewing and coca tea drinking are part of the fabric of daily life for millions of people in the Andes, and that the coca leaf itself has historical, religious and cultural significance. The show of U.S. support for the INCB stance on coca – while consistent with strong U.S. backing for the international drug conventions¹³ – evidently contradicts a long-standing U.S. position recognizing the legitimacy of traditional uses of coca. The U.S. government should now formally clarify its position on this matter. Does the U.S. indeed endorse the INCB call for Bolivia and Peru to outlaw and eliminate traditional uses of coca? Or does the U.S. continue to recognize the legitimacy and legality of traditional coca uses?

In contrast to the INCB stance (and the apparent U.S. backing), the European Parliament (EP) recently approved a report which supports licit uses of coca. Among other initiatives, the report calls "on the [European] Commission and on the Member States to explore ways of cooperating with EU-civil society organizations involved in promoting substances derived from coca leaves for lawful use purely as a means of contributing effectively (by absorbing raw materials) to international action against drugs trafficking, ensuring at the same time the safe use of such substances."¹⁴ In the view of the EP, promoting the licit use of the coca leaf could help limit the diversion of coca to the illicit market.

The Procedure for Declassifying Coca

The United States is not the only country that would oppose the removal of coca from Schedule I of the 1961 Convention; indeed, there are formidable obstacles to any changes in the conventions. Nonetheless, the contradictions, inconsistencies and inaccuracies in the UN anti-drug treaties ought to be addressed. Presently, the CND is carrying out an evaluation of the progress made over the last ten years in meeting the lofty objectives set at the 1998 UN General Assembly Special Session (UNGASS) on the international response to illicit drug production and consumption. This review period is an appropriate moment for the Bolivian government to put in motion its formal request to remove the coca leaf from Schedule I.

The 1961 Convention stipulates a five-step procedure for doing so, which begins with a formal notification to the UN Secretary General, followed by an extensive review by the WHO. The member states in the CND then decide whether to accept or reject the WHO

recommendation.¹⁵ The WHO Expert Committee is meeting in the spring of 2008 and will meet again in two years. Hence, the Bolivian government's solicitation could not be reviewed until that time, which means that the matter could not be taken up until the CND meeting in March 2011. This time lag, however, may be beneficial for the Bolivian and other governments to educate others about the coca leaf and the need to correct this historical mistake.

Conclusion and Recommendations

The INCB's March 2008 call for Bolivia and Peru to outlaw traditional uses of coca was predictably met by outrage in those countries, where there is no chance that the INCB's position will be embraced. The UN is carrying out an evaluation of the progress made over the last ten years in illicit drug consumption and production. This review period is an appropriate moment for the U.S. government, other UN Member States, and the UN drug control bodies to reassess drug control strategies and work towards more humane and ultimately more effective alternatives. To be sure, correcting the erroneous classification of coca as a narcotic drug faces formidable obstacles. But instead of assuming the extreme and untenable position on the coca leaf put forward by the INCB, the U.S. government and the UN drug control system should recognize and begin to address the inconsistencies and contradictions regarding the coca leaf in the international drug control conventions.

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ENDNOTES

¹ The INCB is a quasi-independent UN body tasked with monitoring implementation of the drug control treaties and regulating controlled substances for medicinal purposes.

² The Transnational Institute, *Abolishing Coca Leaf Consumption? The INCB needs to perform a reality check*, 5 March 2008 press statement and The Transnational Institute, Debate Paper No. 13, *Coca yes, Cocaine, no?*, May 2006, p. 6. The latter is an excellent source for information on coca's international status.

³ United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, Article 14, paragraph 2.

⁴ INCB 2007 Report, paragraph 219, p. 38.

⁵ *Ibid.*, paragraphs 480 and 481, p. 74.

⁶ *Coca yes, Cocaine, no?*, p. 7.

⁷ *Ibid.*, p. 8.

⁸ Letter from President Evo Morales to UN Secretary General D. Ban Ki-moon, 8 March 2008.

⁹ The CND is composed of 53 UN member states and serves as the central policy-making body of the UN drug control system. For a complete reporting on the results of the March 2008 CND meeting, see International Drug Policy Consortium Briefing Paper 8, *The 2008 Commission on Narcotic Drugs: Report of Proceedings*, April 2008.

¹⁰ *Intervención del Emb. Hugo Fernández, Vice Ministro de Relaciones Exteriores y Cultos de la República de Bolivia*, Quincuagésimo Periodo de la Comisión de Estupefacientes de las Naciones Unidas, Vienna, March 10, 2008. Author's translation.

¹¹ Quoted in International Drug Policy Consortium Briefing Paper 8, *The 2008 Commission on Narcotic Drugs: Report of Proceedings*, April 2008, p. 12.

¹² U.S. delegate in the CND plenary meeting, Vienna, 12 March 2008; no written transcript available; quote recorded by Coletta Youngers, observer at the CND meeting.

¹³ For example, the U.S. State Department's 2008 International Narcotics Control Strategy Report (INCSR) notes with reference to the international anti-drug conventions that "Bolivia is lacking many of the laws and enforcement mechanisms needed to fully implement these agreements." 29 February 2008.

<http://www.state.gov/p/inl/rls/nrcrpt/2008/vol1/html/100776.htm>

¹⁴ TNI Weblog, *European Parliament in favour of licit use of coca leaf*," 28 April 2008.

¹⁵ The five step process includes: 1) A formal notification is sent to the UN Secretary General, accompanied by the scientific and other evidence to be weighed in evaluating the request; 2) The notification and supporting information is circulated to the CND member countries, the World Health Organization (WHO) and signatories to the convention; 3) A formal review of the material is carried out by the WHO Expert Committee on Drug Dependence, which issues a recommendation to the CND; 4) The CND decides whether to accept or reject the WHO Expert Committee's recommendation. While decisions at the CND are generally adopted by consensus, if that consensus is not reached, a member state can request a majority vote; and 5) The CND's decision can be appealed to the Economic and Social Council (ECOSOC) at the request of any signatory to the 1961 convention. ECOSOC's ruling is final.