

SPEECH BY AMB. HUGO FERNANDEZ, VICE MINISTER FOR FOREIGN AFFAIRS AND
RELIGION OF THE REPUBLIC OF BOLIVIA

FIFTY-FIRST PERIOD OF THE UN COMMISSION ON NARCOTIC DRUGS

Vienna, 10th March 2008

AMBASSADOR EUGENIO MARIA CURA, PLEASE ALLOW ME TO EXPRESS TO YOU MY DELEGATION'S CONGRATULATIONS ON YOUR ELECTION AS PRESIDENT OF THIS 51st SESSION OF THE COMMISSION ON NARCOTIC DRUGS, AND FOR YOUR CHAIRING OF THE DISTINGUISHED MEMBERS OF THE PLATFORM.

ANTONIO MARIA COSTA, EXECUTIVE DIRECTOR OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME,

HONOURABLE MINISTERS, VICEMINISTERS AND HIGHER AUTHORITIES ATTENDING THIS SESSION,

AMBASSADORS,

LADIES AND GENTLEMEN,

As the distinguished representatives here present are already aware, Bolivia has been the target of erroneous policies to repress the cultivation of coca leaf and combat drug trafficking. These policies have, in the recent past, been applied for over 20 years, disregarding the constitutional rules in force and in violation of the fundamental Human Rights of the coca producers, as recognised in the UN Charter. Despite this, Bolivia has never ignored its international obligations and has punctually attended this Forum in order to inform on what has been done in the country to meet those obligations in the fight against drug trafficking.

Furthermore, for the past two years there has been an additional motive for attending this annual event, because it was considered necessary to explain to the international community the changes that have been introduced into the country's anti drugs policy by our current President, his excellency Evo Morales Ayma – himself a coca leaf producer and leader of the largest organisations of coca leaf producers – who assumed leadership of my country by the free and sovereign vote of 53.7% of the inhabitants, in elections held on 18th December 2005.

In this appearance before this Annual Forum, and on all other occasions that my country has deemed it necessary, or the international community has requested it, Bolivia has made an effort to explain the particular situation that characterises the country, which can be summarised as the following: on the one hand, the cultivation of coca leaf is considered a sacred, integral and inalienable part of our culture; on the other hand, we recognise that coca leaf is diverted from its traditional use, and used as raw material in the production of cocaine.

Without wishing to draw out my speech by reciting the many historic and scientific arguments that support Bolivia in asserting and maintaining this clear distinction between coca leaf and cocaine – a distinction that forms a part of the daily life and behaviour at absolutely all levels of its population – allow me to present to you, distinguished representatives, a pair of stone sculptures that are but one of the many pieces of evidence that 3,000 years ago, the men that then populated my country did not only consider the coca leaf to be sacred, but they chewed it in the same way that their descendants do today. In the left cheek of these sculptures one can see clearly the bolus of coca leaf.

Nevertheless, and despite the respect and consideration with which we endeavour to explain these particular circumstances to the international community, all the inhabitants of my country, and above all the representatives of the indigenous communities were aggrieved and extremely offended by the unscrupulous and prejudicial expressions used by the International Narcotics Control Board in its last Annual Report, when referring to the coca leaf in particular and more generally to the ancestral practice of chewing the leaf and its other cultural, medicinal and ritual uses.

Mr. President

The generalised climate of indignation in my country at this enormous disrespect is such that His Excellency the President of the Republic, Evo Morales Ayma has deemed it necessary to send to his Excellency, the Secretary General of the United Nations, Mr. Ban Ki Moon, the letter that I will go on to read and which, distinguished representatives, he has entrusted me to bring to your attention:

[Reading of the Letter to the Secretary General]

La Paz, 8th March 2008

To: His Excellency, D. Ban Ki-Moon
UN General Secretary
New York, USA

Dear Secretary General,

I am writing to you in order to express my profound concern and my government's discontent at the statements contained in the Report corresponding to 2007 management, presented yesterday in Vienna, Austria, by the International Narcotics Control Board (INCB), in which they urge my country to adopt measures to abolish or prohibit the use of coca leaf in its traditional, ancestral and medicinal forms, ignoring the observations already presented by Bolivia on the subject.

If I may, I would like to bring to your attention the following criteria, which are contrary to the concepts expressed in the aforementioned report:

1. The report makes only partial mention of the International Conventions in force on the subject, ignoring the developments made in International Law concerning traditional uses of coca leaf. For example, the **United Nations Convention Against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances**, approved in 1988, recognises the historic aspect of coca leaf when it states in article 14: "The measures adopted should respect fundamental human rights and should duly take into account licit traditional uses, where there is historic evidence, and also protect the environment."

Respect for the traditional and cultural uses of coca leaf has been recognised in a number of international instruments, such as the recently approved **UN Declaration on the Rights of Indigenous Peoples** which indicates in article 11 that:

"Indigenous people have the right to practice and revitalise their traditions and cultural customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their culture, such as archaeological and historic sites, utensils, designs, **ceremonies**, technologies..." Article 24 states that "...they have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge, traditional

cultural expressions and the manifestations of their science... including human and genetic resources, seeds, medicines...”

It must also be noted that on ratifying the 1988 UN Convention Against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Bolivia made the following Reservation:

“That coca leaf is not in itself a narcotic or psychotropic substance;
That its use and consumption do not cause physical or psychic alterations greater than those resulting from the consumption of other freely and universally used plants and products;
That coca leaf has wide medicinal applications as supported by the practice of traditional medicine defended by the World Health Organisation and confirmed by science;
That it can be used for industrial purposes;
That coca leaf is generally used and consumed in Bolivia, which means that if it were to accept the orders mentioned above, a large part of the Bolivian population would have to be considered criminal and punished as such, which would make the rules inapplicable in practice;
That it should be noted that coca leaf becomes a drug when it is transformed in chemical processes that use equipment and materials that do not come from Bolivia;
That the Republic of Bolivia will take all the pertinent legal measures to control cultivation, use, consumption and illicit acquisition, in order to prevent coca leaf being diverted into the manufacture of narcotics.”

A set of international instruments also exists, such as the Human Rights Conventions, the ILO Convention 169 and the UNESCO declaration in favour of the Kallawaya people's cosmovision as immaterial heritage; these support the Bolivian policy in defence of the ancestral use of coca leaf.

2. The arguments expressed in the Board's report not only reflect ignorance of the values and properties of the sacred coca leaf, they also denote a colonialist and segregationist attitude lacking in scientific basis on the part of the INCB. Bolivian cultural practice and legal system recognise the ancestral nature of the lawful use of coca leaf.

Within this framework, with the support of the European Union, the “Integral Study of the Coca Leaf” is going ahead. This will include a series of qualitative and quantitative studies into the consumption, commercialisation and production of coca leaf. This is a worthy demonstration of the international community's recognition of the ancestral uses taking place in Bolivia.

3. The report has the impudence to recommend eradicating the consumption of coca leaf and discourage the practice of chewing the leaf. In Bolivia it is understood that eradicating this ancestral practice would be like eliminating our culture. This would aggrieve the millions of Bolivians who have maintained this valuable tradition throughout history.

Consequently, and considering that it is the will of the Bolivian Government to promote the traditional uses and medicinal and nutritional properties of the coca leaf, we have turned to international bodies, in order to scientifically clarify any doubts that may still remain. In this we count on the commitment of technical support from the World Health Organisation (WHO) as part of a programme entitled “The contribution of traditional medicine to public health: the coca leaf” having formulated 13 research protocols on a variety of applications: osteoporosis, altitude sickness, obesity, analgesics gastro-intestinal problems, physical invigoration and others.

4. In terms of the mission of the International Narcotics Control Board (INCB), undertaken between the 10th and the 12th of September 2007, the report does not record the magnitude, depth and detail of the information, objectives, principles and fundamentals described by national authorities with respect to the vision of the new Bolivian policy on the issue and makes even less reference to the achievements made.

The report does not recognise, though many international actors did, the many efforts deployed across the country in the fight against the trafficking of narcotics. Bolivia reaffirms its commitment to the fight against drugs trafficking, but at the same time ratifies its will to re-evaluate the traditional uses and benefits of the sacred coca leaf, based on social consensus for the rationalisation of production, the elemental and fundamental respect for human rights and sustainable and integral development.

As you know, measures to control production and regulate commercialisation of coca leaf are currently being applied within a framework of national sovereignty and dignity and of social consensus and peace.

As an example of the greater efficiency of the police forces, in 2007 there were 10,800 operations, 4,076 factories were destroyed, and 4,268 people apprehended. These operations allowed the seizure of 17.83 MT of cocaine and 423 MT of marijuana.

In terms of the rationalisation and eradication of surplus coca crops, according to a policy of consensus and respect for human rights, a total of 6,268 HAS. were reduced.

Mr. Secretary General, a reading of the paragraphs of the report that mention Bolivia, one notes a biased and one-sided vision of the problem based on cultural prejudices and legal stereotypes. The coca leaf means life for Bolivia and is part of the culture of living well. Since ancestral times it has formed part of our daily life, as demonstrated in cultural practices, traditional medicine and national habits. Because of this, any attempt to prohibit it would be a direct affront to the Bolivian people.

Bolivia does not accept unilateral certifications nor impositions from foreign governments. I therefore express in the name of my government, my full and strong rejection of the report presented by the International Narcotics Control Board (INCB) as it lacks the basis to make the recommendations included in it.

I would also like to request that you, Mr. Secretary General, make a representation in the name of the government and people of Bolivia, on the report presented by the International Narcotics Control Board (INCB) in the most ample spirit of respect for the millions of Bolivians who, while we reject the illicit trafficking of drugs, reaffirm our right to let our cultural values prevail through the traditional consumption of the sacred coca leaf.

With this aim, I reiterate to you my assurance of my most distinguished regards.

Evo Morales Ayma
Constitutional President of Bolivia.

Distinguished representatives,

For all the reasons expressed by His Excellency the President of my country in the letter I have just read, the delegation I head, in the name of the government and people of Bolivia, would like to

respectfully express the following to the delegations participating in the this 51st Period of Sessions of the Commission on Narcotic Drugs:

1. Our energetic protest at the lack of consideration and respect expressed by the International Narcotics Control Board (INCB) in relation to the coca leaf, the practice of chewing it and the other traditional uses that have 3,000 years of history and are fully legally recognised in Bolivia.
2. Our firm rejection of the International Narcotics Control Board (INCB)'s attempt to impose ignorance of the Reservation that Bolivia presented on the 10th July 1990, when they ratified the 1988 UN Convention, in a letter to the then UN General Secretary, his Excellency Dr. Javier Pérez de Cuellar.
3. Our serious questioning of the way in which the International Narcotics Control Board (INCB) is attempting to ignore or bypass all other obligations and international agreements which the states are also committed to observing, and which are related or linked to the global drugs problem.

Finally, bringing together what is established in the different conventions in order to introduce changes in the sphere of application of control, Bolivia would like to announce to the distinguished delegates here present that it has decided to make use of the right it has to present a formal application to the Secretary General for the declassification of coca leaf so that it ceases to form part of List I.

At the same time, we are calling on the international community, on the States that have close knowledge of the Bolivian reality and the international scientific community to dedicate themselves to collaborating to achieve this aim.

Finally, Bolivia is sure that the day will come in which the International Narcotics Control Board (INCB) will recognise its error, in the same way as we are pleased to see that the Vatican has recently announced it will do with Galileo Galilei and his contribution to science and knowledge.

Causachun Coca. Viva la Coca. Long Life to Coca Leaf.

Thank you very much.