

Coca and Cocaine: Looking Ahead

Coca leaves: A Transnational Timeline and Key Elements of Current International Anti-Narcotics Legislation from the Perspectives of Bolivia¹ and France

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In memory of Alain Labrousse (1937-2016), one of Europe's most important writers on the political geography of drugs, and a friend of Bolivia.

ABSTRACT

Recent months have seen a number of worrying developments concerning drugs in Europe. One case in point is that of cocaine and coca plants. Seizures of “coke” measured in metric tons are now commonplace. Another point to remember is that the cocaine on sale in the streets of Europe is less and less cut with other substances. On top of this, there is also fierce competition among dealers in an ultra-saturated European cocaine market.

So why does international legislation continue to confuse a plant (coca) with one of its derivatives? For a more accurate idea of the role of international regulations and the issues involved, further clarity is required.

Keywords: Coca, Transnational, Key Elements, International Anti-Narcotics Legislation, Perspectives, Bolivia, France

Coca y cocaína: mirando hacia el futuro

RESUMEN

En los últimos meses se han producido una serie de acontecimientos preocupantes en relación con las drogas en Europa. Un ejemplo

1 For convenience, the term “Bolivia” is used throughout this article rather than “the Plurinational State of Bolivia.”

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es el de la cocaína y las plantas de coca. Las incautaciones de “coke”, medidas en toneladas métricas, ahora son comunes. Otro punto a recordar es que la cocaína que se vende en las calles de Europa se corta cada vez menos con otras sustancias. Además de esto, también hay una feroz competencia entre los distribuidores en un mercado de cocaína europeo ultra saturado.

Entonces, ¿por qué la legislación internacional sigue confundiendo una planta (coca) con uno de sus derivados? Para obtener una idea más precisa del papel de las regulaciones internacionales y los problemas involucrados, se requiere mayor claridad.

Palabras clave: coca, transnacional, elementos clave, legislación internacional antinarcóticos, perspectivas, Bolivia, Francia

古柯和可卡因：展望前景

摘要

近几个月欧洲就毒品话题出现了一系列令人担忧的进展。其中一例则是可卡因和古柯植物。如今成吨的可卡因被截获，这已是寻常事。另外，欧洲街道上贩卖的可卡因已经越来越少地掺杂其他物质。不仅如此，欧洲超饱和的可卡因市场上，交易商之间存在激烈竞争。那么，为何国际法对古柯植物及其衍生物还存在混淆？为更准确了解国际法和所涉议题产生的作用，还需进一步研究。

关键词：古柯，跨国，关键要素，国际禁毒法，观念，玻利维亚，法国

Foreword

Recent months have seen a number of worrying developments concerning drugs in Europe. One case in point is that of cocaine and coca plants. Seizures of “coke” measured in metric tons are now commonplace. The figures are striking: in March 2017 no less than 2.4 metric tons of cocaine was intercepted in La Coruña, Spain. The following month, it was the turn of Belgian police, who

recovered 1.4 metric tons. In May another 2.4 metric tons were seized, once again in Spain. June saw French police and gendarmes capture 1.5 metric tons in the southwestern Landes region. In July, German customs officers intercepted 3.8 tons of 90% pure product.

At the same time, in Le Havre, officers confiscated 1.3 metric tons of cocaine. The arrival of summer did not slacken the pace. In August, in a Lithuanian port on the Baltic, more than half a metric ton of cocaine was discovered. In short, in the space of six months in 2017, more than 13 metric tons of cocaine were neutralized across just five European countries. The total retail market value of the material seized was 850 million euros, and this was just the tip of the iceberg ...

Another point to remember is that the cocaine on sale in the streets of Europe is less and less cut with other substances. It is not uncommon to find cocaine powder of nearly 40% purity, and what is more, the price is dropping to somewhere in the region of 50-55 euros per gram. On top of this, there is also fierce competition among dealers in an ultra-saturated European cocaine market. The holding warehouses in Spain are full. Traffickers adapt to the circumstances, even if it means making huge price reductions in order to shift their product. If the hugely optimistic 2017 UNODC (United Nations Office on Drugs and Crime) annual report is to be believed, even with a large pinch of salt, there are 17 million regular consumers of cocaine in the world.³ And what are we to make of recent illicit attempts to grow coca plants outside the three principal producer countries, Columbia, Peru, and Bolivia?

Drug traffickers in Ecuador have been trying to set up large-scale coca-growing projects in the country regularly for at least twenty years, most notably in the provinces of Sucumbíos, Pichincha, Pastaza, and Esmeraldas. At the same time, in May 2017, a coca plantation was discovered in the municipality of Esquipulas del Norte in Olancho Department, Honduras. Other Latin American countries have experienced the same phenomenon. In 2013, Panama hit the front pages over illegal coca crops found in Chucurtí, close to Puerto Obaldia on the Caribbean coast, not to mention the discovery of coca plantations in Chiapas, Mexico, in 2014.

So why does international legislation continue to confuse a plant (coca)⁴ with one of its derivatives? For a more accurate idea of the role of international regulations and the issues involved, further clarity is required. Here, we will look at the situation of France and Bolivia.

³ *World Drug Report 2017*, (United Nations Office on Drugs and Crime, 2017), 25.

⁴ According to the *European Drug Report 2017: Trends and Developments*, from the European Monitoring Centre for Drugs and Drug Addiction, in 2015, 76 kilograms of coca leaves were seized across all 28 countries of the European Union.

The French Approach to Coca

The earliest documentary evidence regarding harmful substances in France is a royal edict of August 31, 1682. Its aim was to prevent poisoning by arsenic.⁵ Next came a decree issued by the Paris police, dated July 19-22, 1791, Article 9.⁶ To this was then added the law of 21 Germinal, Year XI (April 11, 1803), paragraphs 34 and 35: “Poisonous substances must be held by pharmacists and *épiciers* [grocers/food merchants] in secure places.”⁷ Some years later came the law of July 19, 1845, concerning the sale of toxic substances. Such substances were categorized by royal the decree of October 29, 1846 in a single table containing most notably arsenic, opium, and morphine. Coca leaves are not mentioned in all these instances, despite being known in Europe since at least 1565 through the work of Nicolás Monardes.⁸

In 1909, with the encouragement of President Theodore Roosevelt, the thirteen countries brought together at the Shanghai Conference adopted a series of measures against opium trafficking. Coca leaves were not mentioned.⁹ In 1912, the Second Hague Convention on opium saw no change on the question of coca leaves. On June 4, 1913, Bolivia signed the Hague treaty despite having no connection to the opium trade; neither was the country producing any cocaine at this time, legal or otherwise. The first international controls on cocaine were, in fact, those of the *Harrison Act* (1914) in the United States, which ended the previously legal use of cocaine in the country, except for medical purposes.¹⁰ Throughout this time, coca leaves were simply forgotten. In France, the law of July 12, 1916 addressed the importation, trade, possession, and use of toxic substances such as opium, morphine, and cocaine, but made no mention of coca leaves.

Only with the new opium directive of the International Opium Convention at Geneva (1925) are coca leaves addressed as a matter of prime importance.

5 Articles 7 and 8, produced in response to a number of supposed murders by poisoning such as the Marquise de Brinvilliers affair, the La Voisin affair, the La Vigoureux case, and so forth; this also explains the existence of a *Chambre Ardente* (special tribunal) at Versailles, which sat from 1679 to 1682.

6 “Concerning places of general public intercourse, such as cafés, cabarets, shops and others, the officers of the police force may enter at any time, in order to investigate disorder and the infringement of regulations, or to verify weights and measures and the ownership of gold and silver, and the sound condition of foods and medicines.” [Translator’s note: In the absence of a published version in English, this wording is mine.]

7 The author of these articles was a Councilor of State named Antoine-François Fourcroy.

8 A doctor living by the Guadalquivir River in Seville, Spain, wrote of the botanical properties of the coca plant. His work was translated into Latin (1574), Italian (1576), English (1577) and spread knowledge of the plant across Europe.

9 In 1906, Angelo Mariani had begun to send the first “decocainized” coca leaves to the United States. He had been marketing this product in Europe since 1899.

10 In 1922, Congress prohibited all importation of coca leaves and cocaine into the United States. It was not until 1970 that the Harrison Act was replaced by the *Controlled Substances Act*.

Chapter 2, Article 3 introduces the idea of localizing and designating towns and ports (a contentious term for Bolivians today) for the export of coca leaves. However, no decision is taken to impose any restrictions on the product.¹¹ In 1931, another Geneva Convention was set up in order to limit production and control the distribution of narcotics. Along with the Bangkok Agreement on opium smoking, 1936 saw similar legislation from Geneva for the suppression of illegal trafficking of those drugs defined as dangerous. Coca leaves are again listed, but no decision is taken to apply coercive action against trade or production.

The Period after the Second World War

And so to the Lake Success Protocol (1946). This new text amended all previous agreements, adapting them in line with the new requirements of the UN, which had just replaced the League of Nations. An international Commission on Narcotic Drugs was established. After that came the document known as the Paris Protocol (1948), which addressed a number of loopholes left by the 1931 text dealing with opium. Coca was forgotten.

In France, in parallel with these developments, the laws of July 13, 1922 and December 20, 1933 reaffirmed the desire to take action against the trafficking of a number of substances. To that end, specified police officers were authorized to enter any suspect private home at any time of day or night.¹² A decree (No.48-1805, November 19, 1948) subsequently provided details of the regulations to apply to the importation, trade, possession, and use of toxic substances.

There followed two orders dated December 7, 1948, and another dated November 15, 1951. The second of these provided more detail on the contents of section 1 of the table of toxic substances. Here, coca leaves did appear on the list and they were, for the first time in France, considered to be a narcotic substance.

Bolivia and Coca at the Crossroads

In Bolivia, the Society of Landowners of the Yungas, which produces coca leaves, realized the implications of these international developments straight away and sounded the alarm. It wrote an article that appeared in the national daily, *La Razón* on February 16, 1947. This was backed up the following year by a 23-page brochure lauding the dietary benefits of coca leaves. The fourth session of the UN's Commission of Enquiry saw the publication of two information bulletins, dated August 10, 1948 and July 23, 1949, respectively.¹³ Four people consid-

11 The head of the French delegation is none other than Édouard Daladier. It is not widely known that he is also a member of the Mariani family.

12 Igor Charras, "Genèse et évolution de la législation relative aux stupéfiants sous la Troisième République," *Déviance et société* 22, n°4 (1998).

13 This process began in April 1947 with a call from Carlos Holguin, the Peruvian delegate at the UN, for an in-depth study to be carried out into coca leaves in Latin America.

ered expert in the field were appointed to lead it: Professors Marcel Alfred Granier-Doyeux and Frederic Verzar, who were joined by Messrs Howard Fonda and Jean-Philippe Razet.¹⁴

In May 1950, after a short fact-finding mission in 1949 that spent 11 days in Bolivia and 35 days in Peru, the Commission of Inquiry into coca leaves, operating under the control of the UN Economic and Social Council (ECOSOC), produced a report of its findings. In two sentences, we are told that coca is a cause of poverty in Latin America, of the malnutrition seen there, and even of the “mental deficiency” of the populations in the Andean region and therefore for the poverty of the sub-continent. It thus seems essential to acquire international legislative instruments capable of addressing the challenge.

The Commission had come to the conclusion that chewing coca leaves endangered the human organism, but were not able to class it as “a drug addiction in the medical sense.”¹⁵ Shortly after this, a committee of drug-dependency specialists repeated this “argument” and classified the consumption of coca leaves as a form of cocaine addiction. Their work was later severely criticized. Attention was drawn to the “standing” of the authors, the methodology of the investigation, and above all its moralizing discourse and occasionally racial connotations. The report’s bibliographical appendices give a clear idea. Dr Ricketts is quoted as stating that the Indian, after a number of years of coca and alcohol use is under-nourished, physically incapable, and apathetic, has no memory and lacks all interest.

His moral values also change: “He is a liar, a hypocrite and a pickpocket, and is neglectful of his own person and of his family.”¹⁶ Earlier writers such as Carlos Gutiérrez Noriega and Vicente Zapata Ortiz had opened the door to this approach in 1948, in their studies on the mental faculties of coca users, presenting it as a factor in [such] racial degeneration. But they were careful to point out that the evidence of these blights cannot be observed over a user’s full lifetime because their lives are so short, but that it might be possible if they lived longer.

In the report, which set the scene for seven decades of international relations centered on coca, Carlos Gutiérrez Noriega is quoted more than 60 times, often in

14 Marcel Alfred Granier-Doyeux, a Venezuelan pharmaceuticals specialist was head of the mission and above all a close friend of Harry Anslinger, director of the Federal Bureau of Narcotics; he was accompanied by Howard Fonda, vice-President of the American company Burroughs-Wellcome & Co.; also participating were a Hungarian, Frederic Verzar and the Frenchman, Jean-Philippe Razet. Only one of these four, it would seem, spoke Spanish. None spoke Quechua, Aymara and/or Guaraní. Razet, relatively unknown to the French public, had been in January 1923 Principal Secretary of the central laboratories of the French Ministry of Agriculture. Twenty years later, he became Inspector General of Fraud Prevention and Head of the Narcotics Bureau. In 1952, he became Inspector General and Director of Fraud Prevention at the Ministry of Agriculture. In this role, he oversaw the complete codification of all regulations regarding narcotics, including coca leaves.

15 United Nations, *Report of the Commission of Enquiry on the Coca Leaf* (Lake Success, New York: UN Economic and Social Council, 1950), 93.

16 United Nations, *Report of the Commission of Enquiry on the Coca Leaf*, 125.

glowing terms. Reading the report, it quickly becomes clear that the main intention is no more and no less than to eradicate coca leaves from South America.¹⁷ The four authors even took the time to include an accusatory paragraph aimed at Ange-François Mariani (the Corsican promoter of coca-growing in Europe), who died in 1914, and whose commercial arm, based in Neuilly-sur-Seine, was then still in operation under his grandson, Angelo Mariani (1914-1978). Above all, with the man himself no longer of this world, and his family having no possibility of a right of reply, this rather unseemly act used the imprimatur of the UN to provide the *coup de grâce* to a Corsican family business, while simultaneously producing a corresponding and contrastingly positive impact for a certain large American drinks company.

Meanwhile, in Bolivia ...

Following the revolution of April 1952, the Bolivian people gained the right to vote and instigated a number of agrarian reforms. The redistribution of land from large haciendas to small family farms became official policy in August 1953. This had the immediate effect of reducing coca cultivation. On March 30, 1961 came the Single Convention on Narcotics, produced under the aegis of the UN, representing a turning point in the global history of drug control. With this legislation, coca became illegal around the world. The plant was henceforth to be classed as a drug.¹⁸ Chewing it, growing it, selling, buying and exporting it were all prohibited, although traditional consumption in Peru and Bolivia was given a reprieve, and was only to be phased out over a 25-year period. The Coca-Cola Company, specifically, received authorization for the legal use of "decocainized" Peruvian and Bolivian leaf.

The Convention was adopted by 77 delegations and its entry into force was agreed on December 13, 1964. The Bolivian President, Víctor Paz Estenssoro (President from 1960-1964) signed it. In 1971, General Hugo Banzer Suárez, who came to power by force of arms and remained in power until 1978, reached an agreement with President Richard Nixon's National Security Adviser, Henry Kissinger, to undertake the eradication of all coca cultivation. That same year saw the signing of the UN Convention on Psychotropic Substances, devised by the International Narcotics Control Board (INCB) with the aim of achieving a worldwide ban on coca.

In June 1980 came the military coup led by Bolivian General Luís García Meza, who was in power until 1981. Financed by drug money channeled through his aide and Minister of the Interior, Luís Arce Gómez, it became known as the "Cocaine Coup." García Meza was removed from power on August 4, 1981 by a

17 Worst of all is that this damaging 1949 report remains, to this day, the UN's only point of reference in the matter.

18 Johanna Lévy, "Une petite feuille verte nommée coca," *Le Monde diplomatique*, May 2008.

putsch orchestrated by General Celso Torrelío, but this did not prevent the eventual return of democracy on October 5, 1982, when Hernán Siles Zuazo was elected to office, remaining in power until 1985. In May 1983, Cochabamba hosted the first meeting of ANAPCOCA [Bolivia's National Association of Coca Producers], attended by no fewer than 5000 delegates!

Its aim was to transform the coca leaf into a food product and develop leaf-based alcohol products.¹⁹ Then, in August 1985, came the return to power, via the ballot box, of Víctor Paz Estenssoro (Conservative). He applied the recommendations of the IMF (International Monetary Fund) and added the logical corollary measure of closing the country's major mining operations. Thousands of workers lost their jobs and had nowhere else to turn: they moved to the tropical region of Chapare to grow coca.

On July 16, 1986, President Ronald Reagan sent 160 US Rangers and six combat helicopters to Bolivia. The Rangers landed at Santa Cruz in a giant C5 Galaxy cargo plane. Local people did not feel reassured. In May 1987, eight law-abiding coca-producing Bolivian peasant farmers, who were campaigning peacefully against the proposed Law 1008²⁰ were killed by US and Bolivian anti-drug units. Almost 500 others were arrested. A month later government forces killed a further eight farmers.²¹

In 1988, the United Nations published the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, drawn up by the International Narcotics Control Board. Bolivia expressed reservations regarding the application of the measures proposed in the new legislation and then, on December 29, 1988, voted through a Bolivian Special Decree (No. 22099), Article 8 of which defines geographically three types of coca-production (traditional, surplus, and illicit).²²

Evo Morales and the Diplomacy and Politics of Coca

In April 1992, the Universal Exposition opened in Seville, Spain. Bolivia, at that time under the 1989-1993 presidency of Jaime Paz Zamora, was not permitted to present coca leaves in its pavilion. Around the same time, Evo Morales, a 33-year-old coca farmer was named General Secretary of the Chapare coca producers' federation.²³ Then he was elected to represent the region in the National Congress. Early in 1994, he was arrested and held in detention, along with David

19 Alain Labrousse, "Drogue et politique internationale: le bouc émissaire bolivien," *La revue nouvelle* 1 (1987).

20 This law was enacted July 19, 1988.

21 Mayarí Castillo Gallardo, "Movimiento cocalero en Bolivia. Violencia, discurso y hegemonía," *Gazeta de Antropología* 20 (University of Chile, 2004).

22 Fernando Rojas Farfán, *La economía de la coca* (La Paz: Université catholique bolivienne, 2002).

23 He remains today President of the six *cocalero* federations.

Herrada, accused of having organized a demonstration against the murder on August 29 in Villa Tunari of a young peasant coca-farmer.

In 1995, the World Health Organization and the United Nations Interregional Crime and Justice Research Institute (UNICRI) used the sixth Committee B meeting of the 48th World Health Assembly to put forward a study of global cocaine consumption and the therapeutic use of coca leaves, with the aim of reaching a better understanding of the health impacts of these two different products. However, at the request of the American representative, Neil A. Boyer, the report was never published. Shortly after this, part of the document, with no official standing, was in fact leaked to the press.²⁴

In 1997, Evo Morales became an elected representative in the National Congress and took political control of the MAS (Movement for Socialism) party, which in 1999 enabled the election of large numbers of municipal councilors in Chapare under that banner. These councilors opposed the "zero coca" strategy pursued by General Banzer, who had returned to power in 1997 and would remain there until 2001, producing another political failure for the central government.

In 2002, during the second presidency of Gonzalo Sánchez de Lozada (the first was 1993-1997, the second, 2002-2003), Supreme Decree 26415 was issued, prohibiting the sale of coca leaves in Bolivia. Evo Morales was dismissed from his position in the legislature for his part in preparing further demonstrations against the eradication of the plant.²⁵ This drove him to stand for election as President, where he came second, with more than 20% of the vote. Then, in 2003, through his political movement, MAS, he called for Sánchez de Lozada's resignation.²⁶ (Sánchez de Lozada ended up fleeing to Miami on October 17 that year.)

The people of Bolivia and the coca growers physically rejected the policy of total eradication of coca growing, which was known as "option zero." Morales had become a defining figure on the chessboard of Bolivian politics and signed an agreement with President-elect Carlos Mesa, who would hold power from 2003 to 2005,²⁷ which aimed to slow down the destruction of coca plants prior to the upcoming election.

In December 2005, Evo Morales was elected President of Bolivia for the first time, with 54% of the first-round vote. Then, in April 2006, Morales' Bolivia joined ALBA (Bolivarian Alliance for the Peoples of Our America²⁸). In July, a constituent

24 [Article] 4.13, contribution of traditional medicine to public health: coca leaves. Document EB120/36.

25 Éric Dior, "Evo Morales le Bové bolivien," *Marianne*, July 15, 2009.

26 "A La Paz, le peuple contre le président," *Le Figaro*, October 18, 2003.

27 He was in turn replaced by Édouard Rodríguez Veltré, President of the Supreme Court, who was President from June 2005 until January 2006.

28 In Spanish, the language of Simón Bolívar, "alba" means "dawn"; it is also the acronym of the Alianza Bolivariana para los Pueblos de Nuestra América (Bolivarian Alliance for the Peoples of

assembly was set up. In September 2006, President Morales gave a speech at the UN general assembly during which he brandished a coca leaf and declared that "It is not possible that a coca leaf is legal for Coca-Cola, but illegal [...] in our country [...]."²⁹ In March 2008, the INCB urged the Bolivian government to prohibit the growing of coca. In November 2008, Morales responded by expelling the American ambassador and the DEA from the country.

In January 2009, coca was inscribed into the country's new Constitution (Article 384), which was approved by 67% of the electoral body. In March 2009, the Bolivian government sent a communication to the UN Secretary-General, Ban Ki Moon, suggesting the Single Convention of 1961 be amended by removing two sections of Article 49 (1c and 2e), which prohibited the chewing of coca leaves. The United States and fourteen other countries opposed the proposal. In July 2011, Bolivia decided to leave the 1961 Single Convention, effective as of January 2012.

Bolivia rejoined the Single Convention on January 10, 2013 with the agreement of two thirds of members (169 countries out of 183³⁰), and managed to protect the Bolivian custom of holding a pinch of coca leaves in the mouth, a practice known as *el acullico*.³¹ The fifteen countries that opposed their readmission were the United States, the United Kingdom, Sweden, Italy, Canada, Germany, France, Russia, the Netherlands, Israel, Finland, Portugal, Ireland, Japan, and Mexico. The result brought the following comment from Morales: "Not only have we legalized [coca-]chewing, but also [coca-]growing, it is a double victory!" He added that it was "a great sign of acknowledgment on the part of the international community of our identity and our coca leaf. Since 1961 and the first Convention on Narcotics, the coca leaf has been internationally punished, demonized, and criminalized. Coca producers have been accused of being drug-traffickers, and those who consume it, as drug-takers, when there are universities in the United States and Europe that have demonstrated that coca leaves are good for health!"

The European Union ambassador to Bolivia, Timothy Torlot, gave his view in La Paz in 2013. Commenting on the possible resumption of exports of this time-honored crop, the coca leaf, he pointed out the need to first "remove all the alkaloids" that are used in the production of cocaine. Torlot repeated his message at a further meeting with the press in La Paz: "this whole conversation about the export of coca leaf is very interesting, but it is illegal under the [Vienna] Convention [...] The 1961 Convention prohibits the export of coca leaf except in very

Our America), an organ created by a treaty of December 14, 2004 by Presidents Hugo Chávez and Fidel Castro, and described as a trade deal of free peoples, set up in opposition to NAFTA.

29 <https://www.servindi.org/actualidad/4724>

30 J.-J.G, *Le vin tonique Mariani repart à la conquête du monde*, *Corse-Matin*, 2 janvier 2017.

31 It should be noted that in Peru, this practice is also allowed by the authorities. In Colombia, the constitution only permits Amerindian minorities to consume the coca leaf, similar to the Kogi and Arhuaco peoples of the Sierra Nevada de Santa-Marta in the north of this Republic. Finally, in Argentina, law 23737, enacted in 1989, authorized the legal consumption of coca leaves in three provinces of the north: Salta, Jujuy, and Tucumán.

specific circumstances: the extraction of all of the alkaloids, which is a rather complicated process."³²

Toward the end of 2014, Evo Morales was elected President for the third time, with 61% of the vote.

In February 2016, however, came the rejection by referendum (with less than 49% support) of proposed changes to the Constitution designed to allow Morales to stand for election once more in 2019. In November 2016, the Bolivian Minister of Foreign Affairs, David Choquehuanca, and his Ecuadorian counterpart, Guillaume Long, signed a trade agreement allowing the import and export of legal coca leaves between the two countries. Soon after this, Long, a member of the government of Rafael Correa, was awarded the highest Bolivian honor possible, the Order of the Condor of the Andes, in gratitude for his contribution in the matter.

In December 2016, in a meeting held at the time of the launch, in Ajaccio, of Vin Mariani made from Bolivian coca,³³ Bolivia's Deputy Minister for Social Defense and Controlled Substances, Felipe Cáceres, spoke to us of his hopes for the commencement of coca leaf exports in the near future. By land, by air, and in the medium term by sea ...

In January 2017, Evo Morales declared that he would be exporting coca leaves to Venezuela and was considering the same move with Horacio Cartes' Paraguay, not forgetting, of course that the same could apply to Europe through the offices of Christophe Mariani, the man who reinvented Vin Mariani made from Bolivian coca.³⁴ Then, March 8, 2017, new coca legislation was passed in Bolivia, replacing the previous regulations known as Law 1008, which indiscriminately criminalized ordinary small-scale coca farmers. Jorge Quiroga, President of Bolivia from 2001-2002, commented that this latest of a long string of laws would "bring international shame and do enormous damage to our image, to our citizens, with the stigma and the drug-trafficking and criminality that it will encourage in Bolivia."³⁵ According to him, "Reports from institutions like the European Union and the United Nations indicate that 90% of the coca from Chapare goes to the drug-traffickers, and this is what they want to legalize."³⁶

In France, the regulations still in force since December 31, 1970 and March 5, 2007 penalize the use of any narcotic substance. Their use is treated as a crime.

32 Bolivian daily, *La Razón*, November 15, 2013.

33 J.-J.G, "Le vin tonique Mariani repart à la conquête du monde," *Corse-Matin*, January 2, 2017.

34 Stéphane Reynaud, "Le grand retour du vin Mariani," *Le Figaro*, February 28, 2017; Ghjilormu Padovani, "Le vin corse Mariani en passe de conquérir ... la Bolivie," *Corse-Matin*, March 14, 2017.

35 Marcelo Tedesqui, "Ley de coca tiene 2.795 ha más de lo que dice estudio," *El Deber*, February 25, 2017. Available at: <https://www.pressreader.com/bolivia/el-deber/20170225/281595240306616> (accessed July 27, 2018).

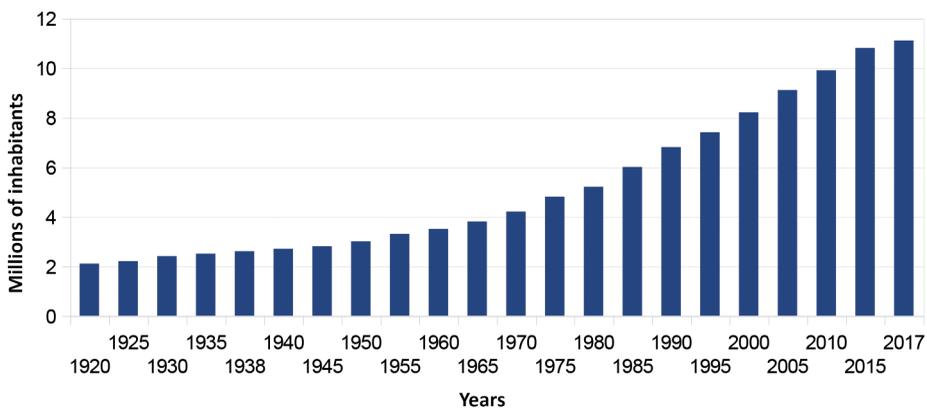
36 AFP, "Bolivia presentará su nueva legislación antidroga ante la ONU," *El Nacional*, March 6, 2013. Available at: http://www.el-nacional.com/noticias/latinoamerica/bolivia-presentara-nueva-legislacion-antidroga-ante-onu_84015 (accessed July 27, 2018).

Those who contravene this legislation face prison terms of up to one year and a fine of €3,750. Furthermore, the sale of such substances can earn a 5-year custodial sentence and their production, 20 years. Significantly, coca leaves are thus classed as narcotics, and several French consular services in Latin America have regularly pointed out that “according to the Order of February 22, 1990, establishing the list of substances classed as narcotics ([French government bulletin] *Journal Officiel*, June 7, 1990), the importation into France and the European Union of coca leaves or of any derived product or any product containing that substance, is strictly prohibited.”

And like many countries around the world, France approved and ratified the three United Nations Conventions (1961, 1971, and 1988), which provide a framework for the various regulations applicable to narcotic substances, along with those substances classed as psychotropic. But scientific research and ongoing scholarly investigation into coca leaves has now moved ahead of current international law—can it seriously be argued, for example, that 45 grams of coca leaves are the same thing as 45 grams of cocaine?

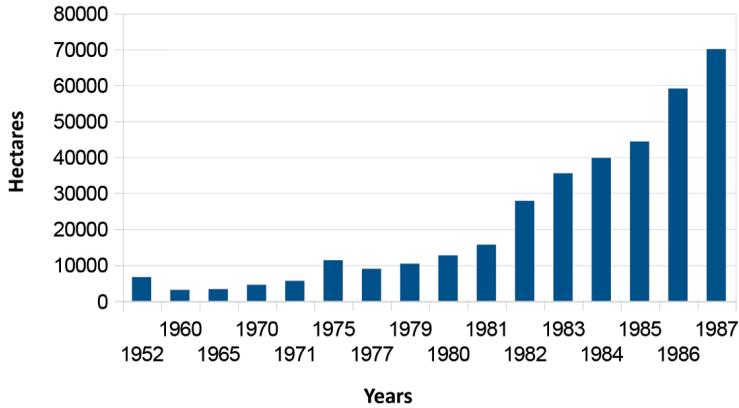
So what is to be done about this? As the twenty-first century begins, what position will the international community adopt toward coca leaves, a product that can be decocainized specifically for export and that is so very useful. It seems to us that in this third millennium, these are questions that need to be asked.

Population change in millions of inhabitants (Bolivia)



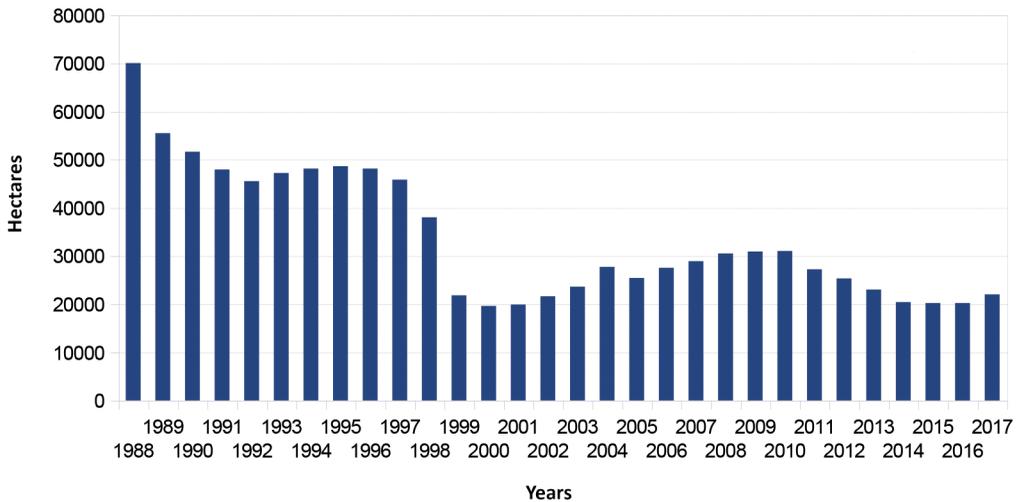
Sources: Census data and others.

Changes in area used for growing coca, in hectares, 1952-1987 (Bolivia)



Sources: A synthesis of several studies from the Department of State, the UN Office on Drugs and Crime (UNODC), the Bolivian Ministry of Agriculture, and from Alain Labrousse, “Bolivie: Économie politique de la coca-cocaïne,” *Problèmes d’Amérique latine*, no. 87 (1988).

Changes in area used for growing coca, in hectares, 1988-2017 (Bolivia)



Sources: Synthesis of several studies from the Department of State, the UNODC, the Bolivian Ministry of Agriculture, and from the following three sources: Fernando Rojas Farfán, “Documento de Trabajo No. 06/02,” in *La economía de la coca*, (La Paz: Universidad Católica Boliviana, 2002); Frédéric Faux, *Coca, une enquête dans les Andes*, (Paris: Éditions Actes Sud, 2015); *La Razón*, November 28, 2016.