



THE ENCOD BULLETIN ON DRUG POLICY IN EUROPE

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CROSS-BORDER EXPERIENCES

As soon as people cross a border and get in contact with realities, norms and rules that are different from their own, they learn to develop an open mind. Thus, they learn to understand that a problem may have much more solutions than the one they have always applied, and they may change their attitudes. The same is true for countries that want to form a Union. If European authorities would speak open- and honestly about their different approaches with regards to drugs, taking into account the scientific evidence and the experiences of affected citizens, its outcome would undoubtedly be positive.

Therefore, the discussion about the so-called drug tourism to the Netherlands can become crucial for the process of developing a “European” approach to drugs. For the past 30 years, millions of Europeans have visited the Netherlands mainly because of the fact that they can openly buy small doses of cannabis in coffeeshops. Especially in the border areas with Germany and Belgium, this leads to a considerable increase in the demand for cannabis, and the small scale cultivation by home growers has been gradually replaced by large scale cultivation by criminal organisations. At the same time, Dutch criminal organisations are reported to have established both large scale cannabis plantations and sale points for hard drugs in Belgium.

In the last week of May, a series of encounters took place between Belgian, Dutch and French authorities, to speak about possible solutions for this situation. Scientific research was presented, indicating that coffeeshops effectively reduce criminality and public nuisance, and that police operations against drugs production and distribution in the Netherlands have been followed by an increase of the same phenomena in Belgium (the so-called ‘waterbed-effect’). Thus it became clear that no matter how much legal and police authorities on both sides of the border will increase their co-operation in the fight against drugs, all that will be achieved is a relocation of the market from one place to the other.

“Local policy is just about controlling the symptoms. To obtain solutions we need national and international measures” as lord mayor Lonink of the Dutch city of Terneuzen summarised the main conclusions of the encounters. But how should these international measures be elaborated? If it would be up to José Manuel Barroso, president of the European Commission, the future decisions on all justice and police matters in the EU should be taken on European level, so they could be imposed on individual countries.

Barroso will present his proposal, recovered from the European Constitution that was buried last year, at the coming EU Summit in June. If he succeeds, this would mean that a uniform European drug policy would be developed by civil servants of the European Commission in Brussels, discussed by the European Parliament and enforced by the European Court of Justice.

However, for Barroso's proposal to be approved, all 25 member states will need to give up their autonomy on their justice apparatus, and that seems very unlikely. So for the time being, the European Commission will have to limit itself to a secondary role. A perfect position from which it can organise the broad and open debate with civil society about future drug policies in Europe. In this debate, according to a letter from the Commission to ENCOD received early May, the *"diversity (of civil society actors and the views they represent in the drugs field) has to be acknowledged. Constructive dialogue is only possible when all the stakeholders are given an opportunity to express themselves."* When the Commission's Green Paper on the dialogue with civil society on drug policy will be issued in the coming month, we will see if these promising words will be confirmed by actions.

As soon as decision-makers start listening to citizens affected by drug legislation, borders can be crossed. In London, on 24 May, a hearing took place in the British Parliament concerning medicinal cannabis, and supporters for legislative changes were dominating the chorus. "People around the world have testified in their thousands about the benefits of taking cannabis to relieve chronic pain," Labour MP Paul Flynn said. "The law is an ass. Judges have called for parliament to revisit the issue." And in Spain, following the Global Marijuana Marches that brought together several tens of thousands of participants, the position of the National Federation of Associations of Cannabis Consumers (FAC) has become stronger. According to an opinion poll, 36 % of all Spaniards between 18 and 64 years would now be in favour of regulating the cannabis market. The FAC has proposed the Spanish government to ensure that cultivation for personal use (also in the form of collective plantations for the members of an association) will not be persecuted.

Meanwhile, the borders of human endurance were tested by Swiss hemp activist Bernard Rappaz, who on 22 May completed 70 days of hungerstrike against the decision to put him in jail instead of letting him prepare his courtcase at home (Rappaz has been accused of illegal trade in cannabis). That day, some ENCOD members decided to initiate an international chain of hungerstrikers to express our support to this pioneer of the Swiss hemp movement who has suffered many blows in the past years. And on 24 May, the Swiss authorities decided to put Rappaz under house arrest. He then abandoned his hungerstrike.

Also ENCOD has crossed many borders. Ten years ago, we were operating mainly as a solidarity committee for Latinamerican coca growers. Today we are the only coalition of social organisations, action groups, thinktanks, companies and individual citizens in the EU that fights for an end to the war on drugs. We may never reach this goal during our lifetime, but the perspective of having contributed to it is nice enough as it is.

By: Joep Oomen