

COCA POLICY IN 21ST-CENTURY PERU: AN EXERCISE IN CONTRADICTION

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INTRODUCTION

Globally, the coca plant is mostly seen as the raw material for producing cocaine. Cocaine addiction is a major social issue in western industrialized countries, particularly the United States, which since the 1970s has waged a war on drugs both domestically and internationally. Addiction to drugs is considered a social vice which is detrimental to the society, harming not just drug users but the entire community exposed to the effects of the drugs. In the last four decades, cocaine has become one of the most widely consumed drugs, both as powder and as crack, which has prompted much of the effort of the war on drugs to focus on cocaine. The war on drugs combines efforts designed to prevent drug consumption, trafficking and production, including measures targeting the coca plant in order to reduce the availability of cocaine. The US funds and assists programs to destroy coca crops throughout the Andean region, essentially treating coca as if it were the direct equivalent of unprocessed cocaine.

This view of the coca plant as ‘raw cocaine’ contrasts with the domestic view in the Andean countries, where the plant is seen as an important part of the culture of the indigenous people. In the highland regions, non-cocaine, or “traditional uses” of the plant are a daily part of life. A recent movement toward greater inclusion of the indigenous population in politics in these countries, including the election of presidents from indigenous backgrounds, has led to greater consideration of this perspective in policy-making. With an indigenous population comprising 45% of the total population of Peru, Peruvian governments have to consider the issues which affect the indigenous people, including some allowance for traditional use of coca.¹ However, in

¹ Minority Rights Group International. *World Directory of Minorities and Indigenous Peoples – Peru: Overview*. (2007). <http://www.refworld.org/docid/4954ce0b2.html>

order to have good relations with the US, it is necessary for Peru to have programs in place to combat coca cultivation, in cooperation with the efforts of the war on drugs which are based on the western perspective of the coca plant. The country of Peru provides the best case to study the intersection of these two incompatible imperatives for making coca policy, because both traditional use and production for cocaine matter greatly in the country.

Traditional coca products are widely available in Peru. As a traveler to the country, one only needs to ask where one can purchase coca leaf tea and someone will point out a source. When I stayed in a hostel in Cuzco and inquired of the manager where I could find “mate de coca,” she told me she would make me some. I went with her to the kitchen where she boiled water, and poured it over a handful of coca leaves which she had taken from a cloth sack and put in a mug. Coca leaf is also sold in teabags at tourist markets and stores. When I walked through tourist markets in Peru, the shopkeepers were sure to suggest “mate de coca” or “té de coca” and sometimes even candy made from coca. More than a tourist attraction, the coca leaf is in widespread use by a significant percentage of the people in the highland region. Many farmers and other workers in rural areas chew the leaves of the coca plant, as part of a long standing tradition with roots in indigenous practices from before the Spanish conquest. The coca leaf has many such uses for the indigenous people of Peru, for whom coca remains an integral part of the culture.

In the late twentieth and early twenty-first century, however, the coca leaf has become more and more exclusively associated with cocaine. Peru is currently ranked number one in the world for cultivation of the coca plant, and the vast majority of Peru’s coca production goes into manufacturing cocaine. Trailing only Colombia, Peru is currently the world’s second leading producer of cocaine. Cocaine has been exported from Peru since the late 1800s, at first legally,

before measures were put in place outlawing cocaine trade in the 1930s and 1940s. The cocaine trade returned in the 1960s and has played an increasingly important, though illegal, role in Peru in the coca growing regions ever since then. Under US drug laws and the UN drug conventions, countries where the coca plant is grown are required to take measures to eliminate the cultivation of coca, as part of the same regulations which prohibit other aspects of cocaine production and trafficking.

Because of international interdiction standards, Peru has a policy to eradicate coca crops. Such programs, while intended to impede cocaine production, also interfere with the traditional, non-cocaine uses for the plant. It is important to note that the coca plant is targeted by eradication policies under Peruvian law but traditional uses of the coca plant are not forbidden. The coexistence of cocaine manufacture and traditional uses thus causes a dilemma for the Peruvian government. On the one hand, the government seeks to fulfill its mandate and honor the culture practices of its citizens of indigenous descent. In order to accommodate this segment of the population and not violate their rights as indigenous people, the Peruvian government has to tolerate traditional uses of the coca plant as part of the indigenous culture. On the other hand, the government tries to follow international standards and to stay in compliance with US interdiction standards, not least in order to remain eligible for international aid. This requires the government to have policies which actively target coca plants for destruction, regardless of their destination.

This thesis asks *how the three most recent presidential administrations in Peru have tried to reconcile apparently contradictory policy objectives, allowing traditional coca use while at the same time complying with international drug interdiction standards*. To answer this question, it analyzes Peruvian policy documents and statements from officials in the administrations,

including the presidents themselves.² These documents allow me to reconstruct each administration's policies on interdiction and traditional use. This policy has to be synthesized from various sources in order to understand the issue as whole, because there is no official policy which actually lays out a method for handling the entire coca issue. Instead, each administration has a variety of policies which each deal with different aspects of the coca issue. They are created independently of each other, with the goal of handling matters pertaining to one of the two sides of the coca issue. Interdiction policy differs from traditional use policy in that while interdiction policies are clearly delineated measures to be taken to reduce coca cultivation, traditional use policy is better described as implied non-action, which allows traditional use to continue. Nevertheless, the policies co-exist, and though discussed and implemented separately, together they form a policy which addresses each side's concerns in the matter. For this reason, rather than studying either interdiction policy or traditional use, this thesis examines the balancing act performed by Peruvian governments between a thorough anti-coca interdiction policy and a policy that does not interfere with coca cultivation in order to allow for traditional uses.

Most academic studies of coca policy do not address the conflict between interdiction and traditional use policies encountered by Andean governments. They tend to approach the question either from the perspective of the drug trade or from an indigenous rights angle, thus privileging the logic of interdiction or the right to traditional use from the outset. Much of the research on interdiction policy is concentrated on Colombia, which has been the focal point of the US-supported 'war on drugs.' That scholarship generally discusses either the effectiveness of

² The main source for this analysis is the (Spanish language) Peruvian *Estrategia Nacional de la Lucha Contra las Drogas* (National Strategy for the Fight Against Drugs)

different interdiction measures or the usefulness of interdiction in general.³ Studies of the former issue usually assume that interdiction measures are necessary, but seek to determine which are the most effective in meeting their goals, one of which is reducing coca cultivation. The others tend to focus on the connection between drugs and crime, the side-effects of criminalization and interdiction, and the consequences of the war on drugs. What these studies do not generally cover is the effect of interdiction, and eradication in particular, on the people who grow coca.

The impact on coca growers and traditional consumers is addressed in studies focused on traditional uses, which tend not to acknowledge the arguments for interdiction. Most of the research on the topic of traditional use focuses on Bolivia and its coca policies and is not easily transferable to the analysis of the stricter Peruvian policies. It generally either studies the connection between traditional use policies and other aspects of indigenous rights, or, conversely, treats the movement toward greater inclusion of traditional uses in Bolivia as solely a resistance against US policy.⁴ There is little attempt to study both the interdiction and traditional use issues together and understand the consequences for the countries affected by the combination of pressures which face Andean governments. My thesis studies the coca policy in Peru which results from this situation, providing an example of the conflict between these two spheres of influence and suggesting that some change is in order in the way that these issues are handled.

³ There are many sources on these topics. Examples: Ibanez, Marcela, and Peter Martinsson. 2013. "Curbing coca cultivation in Colombia — A framed field experiment." *Journal Of Public Economics* 105, 1-10.; Sebastian, Jaén, and Dyer Isaac. n.d. "Research methods: A system dynamics approach to the study of Colombian coca cultivation and the counter-intuitive consequence of law enforcement." *International Journal Of Drug Policy* 25, 226-234.

⁴ Many sources exist on this subject as well. Examples: Grisaffi, Thomas. 2010. "We Are Originarios ... 'We Just Aren't from Here': Coca leaf and Identity Politics in the Chapare, Bolivia." *Bulletin Of Latin American Research* 29, no. 4: 425-439.; Pfeiffer, Sven. 2013. "Rights of Indigenous Peoples and the International Drug Control Regime: The Case of Traditional Coca Leaf Chewing." *Goettingen Journal Of International Law* 5, no. 1: 287-324.; James L. Zackrisson. 2012. "When States Pursue a Narcotic Agenda." *Defense & Foreign Affairs* 40 no. 3:4.

For Peru, developing a policy that could satisfy both the international interdiction regimes and the domestic indigenous population committed to traditional coca uses first became a challenge in the early 1990s under President Alberto Fujimori, when the U. S. expanded its international war on drugs. Fujimori's administration quickly adopted strict interdiction policies which did not make allowance for traditional uses. After the fall of Fujimori in 2001, his successors made an effort to adopt a coca policy more accommodating to traditional use. This thesis examines how these administrations (Alejandro Toledo 2001-2006, Alan Garcia 2006-2011, and Ollanta Humala 2011-present) have tried to craft coca policies that square the circle: maintaining compliance with international interdiction standards while respecting the right to traditional uses of the coca plant. In order to do this, the thesis separately analyzes the interdiction and traditional use policies of each administration, to determine the dedication of each to interdiction, and its tolerance toward traditional uses. It then brings the investigation full circle, analyzing how the administrations handle the coexistence of the policies, in order to draw conclusions on the resulting contradiction.

THESIS STRUCTURE

The first chapter introduces the history and circumstances which have led to the development of the current coca policy pattern in Peru. It first examines the long history of coca use in the Andes, covering its use by the indigenous people before the Spanish conquest, the reaction of the Spanish colonizers to these traditional uses, and the commercialization of the coca plant. This provides the basis for understanding the continued importance of traditional uses to Peru. The chapter then proceeds to the modern history of coca, beginning with the discovery of cocaine in the late 1800s and the drug's initial popularity followed by censure when the harmful

effects of the drug became apparent. Next, it explains how this led to the first US prohibition of cocaine in the early 1900s. This prohibition was expanded when the US used its influence to have the League of Nations extend this ban to coca producing countries, establishing the first international coca prohibition. Based on this history, it then discusses the resurgence of cocaine in the late 20th century and the coinciding evolution of coca prohibition into the modern interdiction movement through the passage of the UN Single Convention on Narcotic Drugs in 1961. This sets the stage for the examination of current international standards for coca interdiction and Peruvian laws governing interdiction and traditional uses of the coca plant, upon which the policy analyzed in the thesis is based. Finally, the chapter establishes the immediate historical setting by discussing interdiction policy in Peru in the years leading up to the administrations which are the subject of this thesis.

The second chapter analyzes the government's interdiction policies, beginning with the Toledo presidency. The primary source of information for each administration is the respective *Estrategia Nacional de la Lucha Contra las Drogas*. The chapter analyzes the content of these strategy documents in order to determine the stance of each administration on interdiction. The *Estrategias* provide direct insight into the stance of the administration because they are the primary guidelines for Peruvian anti-drug programs. This is further developed with coca crop eradication data, as well as statements from each administration on the subject. Combined, these sources allow a thorough analysis of the coca policy and illustrate the level of dedication of each administration to interdiction. The goal of the chapter is to determine the position of each administration on the subject of interdiction and classify each as pro- or anti-interdiction with gradations.

The third chapter analyzes the policies of each administration on traditional uses. It

clarifies the generally passive nature of traditional use policy: rather than implementing active policies to manage the issue, traditional use is handled by skirting around issue. This is an implicit acknowledgement of the contradictory nature of Peruvian policy. In order to avoid an open conflict in their policies, rather than *acting for* traditional use, the administrations only imply *non-action against* coca traditional use. The examination of the traditional use policies is based partly on an analysis the *Estrategias* and partly on statements from the administrations. The way the traditional use is discussed in the *Estrategias* and official statements indicates how the administration views it. Statements which speak positively about traditional use indicate a favorable stance toward it, and vice versa. Using this information, the third chapter analyzes each administration's position on traditional use of the coca plant, in order to classify each administration as pro- or anti- traditional use.

The fourth chapter takes the positions of each administration on interdiction and traditional use presented in the previous chapters and examines them comparatively, in the context of each administration's broader priorities, in order to answer the overarching thesis question. By discussing both interdiction and traditional use policies for each administration, it is possible to characterize the overall policy approach and determine the level of contradiction it represents. The relative favorability of each administration to interdiction is examined side by side with the relative favorability toward traditional use. Based on this analysis, the chapter offers a conclusion that places each administration's policy in a simple two-dimensional matrix with the interdiction stance as one axis and the traditional use stance on the other. This illustrates the contradictory way in which the respective administrations have managed to maintain international-standards compliant interdiction policies side-by-side with policies allowing traditional use. Furthermore, the existence of these contradictions demonstrates the necessity of

some adjustments in the international/US perspective on coca and resulting approach to cocaine interdiction, in order to reduce the obstacles faced by the Peruvian government in fulfilling its mandate to protect the rights of its indigenous citizens.

CHAPTER ONE: Historical Context

HISTORY OF THE COCA PLANT

The history of traditional uses for the coca plant goes back thousands of years before the Spanish conquest of the South American continent, when the indigenous people of the Andean Mountains cultivated the plant and used its leaves for a variety of purposes. In the high altitude of the Andes Mountains, agricultural production is more limited than at lower altitudes, because of the harsh terrain and climate. The extremely hardy and resilient coca plant, however, thrives in the mountain region and was thus valued by the indigenous people. What it lacks in nutritive value it makes up with chemicals that suppress hunger and alleviate altitude sickness. These stimulant properties were important to the people in a region with poor resources because coca allowed them to function and be productive even at high altitudes with limited access to food. So central was the coca plant for their traditional way of life that the coca leaf became part of every aspect of it.

The plant was an important part of some indigenous religious traditions, in which the leaf was considered sacred and chewed by priests, as well as presented as an offering along with human sacrifices during religious ceremonies. It was also part of the tradition of fortune-telling, in which shamans would conduct ceremonies with the leaves and thus affect future events.⁵ In addition, the coca leaf was used for medical purposes, both in shamans' healing rites, and in practical applications utilizing the chemicals in the leaf for their medicinal value.⁶ The most

⁵ Joseph Gagliano, *Coca Prohibition in Peru: The Historical Debates*, (Tucson: University of Arizona Press, 1994), 20, 21.

⁶ Lester Grinspoon, and James Bakalar, *Cocaine: A Drug and its Social Evolution*, (New York: Basic Books, Inc.,

prevalent traditional use of the coca plant was the chewing of the coca leaf; this was the primary way in which the people utilized the plant for its practical purposes, chewing the leaves as they worked in order to stave off hunger and provide endurance in much the same way as some people today use caffeinated energy drinks.⁷ One illustration of the importance of this practice throughout the history of the indigenous cultures in the regions is the fact that today it is considered a human right in the new Bolivian constitution, although this view is not recognized in Peru.⁸

At the time of the Spanish conquest of the Andes in the early 1500s, use of the coca plant was deeply ingrained in the indigenous society. The Spanish conquerors were initially unimpressed with the coca plant, but during their explorations soon realized that it had unusual properties and great significance to the indigenous people. When they became aware of the religious connections of the coca plant, some of the conquering Spanish authorities opposed it because they believed that it would interfere in the Spanish mission to Catholicize the indigenous people, and they prohibited its use for religious purposes. Some of the opposition went so far as to support destruction of the plants. Because of its significance in indigenous religious traditions, the conquerors believed that its absence would help persuade people to drop their religious beliefs and convert to Catholicism. There were others among the colonial rulers who saw additional issues with the indigenous peoples' use of the coca plant. They believed that the stimulant properties of the plant were unnatural and harmful, and caused the people to starve themselves.⁹

Publishers, 1976), 14.

⁷ Gagliano 1994, 8-23.

⁸ CONALTID, Estado Plurinacional de Bolivia, "Estrategia de Lucha Contra el Narcotrafico y Reduccion de Cultivos Excedentarios de Coca 2011-2015." 2011.

⁹ Gagliano 1994, 47-49, 55.

Eventually however, some Spanish rulers accepted the practice as the way of life for the indigenous people, when they recognized that it could be beneficial to their interests. The Spanish used the indigenous people as a source of forced labor, and realized that they could be more productive with less food if they were allowed access to the coca leaf. Other colonial leaders opposed the use of forced labor and for this reason they were opposed to the production of the coca plant because they believed it facilitated inhumane practices.¹⁰ Nevertheless, the use of an indigenous labor force continued, and so did the use of the coca plant among the indigenous people. The Spanish began to promote limited use of the plant among the workers as long as it was used for practical purposes, but religious uses of the plant were discouraged as inconsistent with Catholicism, and for this reason the regulations on the plant fluctuated over the 200 or so years after the Spanish conquest before it was finally fully accepted in the 1700s. This acceptance of the use of the coca plant among the indigenous people continued much the same after Peru gained independence in the early 1800s. It was around this time that European people in the Andes region also began using the coca plant for its practical purposes, and as a result the outside world was exposed to the controversial plant.

HISTORY OF COCAINE

With the discovery of the cocaine alkaloid in the late 1800s, the coca plant came to international attention. In the 1870s cocaine became a common topic in medical journals, and in 1884 it was proposed as a cure for opium addiction. This was followed shortly by the invention of Coca-Cola – which was made originally with an extract from the coca leaf containing cocaine

¹⁰ Gagliano 1994, 59-63, 72-73, 88-95, 97-98.

– and the subsequent popularity of cocaine containing products.¹¹ Peru quickly learned to exploit the prevalence of coca products in the outside world, transforming its economy to export large quantities of the coca leaf, as well as advertising its alleged benefits internationally. Coca production expanded greatly in order to meet the international demand for coca and cocaine containing products.¹² By the 1890s, along with Coca-Cola, various other products containing coca extracts were available. At this time Peru began to export processed cocaine in addition to the coca leaf; the cocaine then found its way to the pharmaceutical companies in the United States and in Europe, and appeared in numerous less reliable products, marketed as a cure-all. In these products, early on, cocaine was not differentiated from other coca extracts or coca products, due to the novelty of the usage of either and lack of any kind of regulation of the use and sale of products containing cocaine or coca. The early lack of distinction between cocaine and other coca extracts brought the coca plant itself under fire from the same measures which would later fight cocaine.

Cocaine quickly became quite highly regarded as a “cure” for opium addiction. Soon, however, it came to be closely associated with opium because often, rather than curing the addiction to opium, its use only resulted in people addicted to both opium and cocaine. This was what prompted the initial rejection of cocaine.¹³ Cocaine use, and presumably addiction, unrelated to opium began to rise, especially among the lower classes, bringing fears that a new vice was invading the society. Laws were made prohibiting cocaine, and pharmaceutical products containing both cocaine and other coca extracts came under regulation.¹⁴ The close

¹¹ Grinspoon & Bakalar 1976, 26-31.

¹² Paul Gootenberg, *Andean Cocaine: The Making of a Global Drug*, (Chapel Hill: University of North Carolina Press, 2008), 45-49, 52-53, 58-62.

¹³ Grinspoon & Bakalar 1976, 26-31.

¹⁴ Gootenberg 2008, 189, 192-194.

association of cocaine and opium led to cocaine being targeted in the early 1900s in the same movements which targeted opium. Around the same time as alcohol prohibition in the US, cocaine was banned from unregulated usage and was declared a prescription drug. Importing cocaine, and coca leaves as well, was forbidden in the early 1920s under the same “anti-narcotics” laws put in place to prohibit opium.¹⁵ The anti-drug program went further than alcohol prohibition, which had largely been limited to within the US, when in the years following WWI, the US attempted to influence the League of Nations to spread drug prohibition internationally.¹⁶

In the 1930s, plans were developed for eradication of coca plants, but these plans did not receive support from the League of Nations, which was more concerned with opium than cocaine. Neither were they supported by the coca growing countries whose cooperation would have been necessary for such programs to be carried out.¹⁷ While these efforts were unsuccessful, with Peru being one of the major sources of opposition due to its interest in coca and cocaine, they did bring about changes in drug policy which set the stage for the eventual development of international anti-drug standards. By the 1930s, Coca-Cola was made with “decocainized” coca extract, and there were numerous laws on the books regarding the import and export of coca- and cocaine-related products into and from the United States. The Coca-Cola Company was able to maintain usage of coca extract in its drinks, which helped create a distinction between cocaine and other uses for the coca plant, though this distinction was not reflected in anti-cocaine policies which targeted the coca plant simply because the drug is produced from it. Also at this time, cocaine was no longer widely used in medicines or readily available, and consumption dropped

¹⁵ Grinspoon & Bakalar 1976, 41-42.

¹⁶ Gootenberg 2008, 212.

¹⁷ Gootenberg 2008, 209, 211-212.

in the 1930s.¹⁸ Peru adopted anti-drug measures in 1949, outlawing cocaine production and restricted cultivation of the coca plant.¹⁹ The efforts of the US to promote drug prohibition internationally eventually culminated in the development of United Nations policies regarding drugs.

INTERNATIONAL STANDARDS

International anti-drug policies were developed by two United Nations conventions, the UN Convention Single Convention on Narcotic Drugs (1961) and the UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988). These two conventions classify which substances are considered drugs and which plants are considered drug producing plants, as well as set up the standards concerning control of these substances and plants. The coca plant is classified by the 1961 convention as a drug producing plant, because of its use in manufacturing cocaine.²⁰ Parties to the convention, in order to comply with its standards, are required to adopt measures to destroy all wild and illegally controlled coca plants. They are also required to strictly control all legal cultivation, which is allowed for a limited set of purposes, and ensure that it is not used for the production of illegal drugs. Certain uses, including the use of coca leaves as a “flavoring agent,” is permitted under the 1961 convention, provided that all production is regulated, a designated government agency is responsible for the harvest of the coca crop, and that such “flavoring agents” do not contain the cocaine alkaloid.²¹ The 1988 convention added that “appropriate measures” should be taken “to prevent illicit cultivation of and to eradicate plants” but specifies that “due account of traditional licit uses” should be taken

¹⁸ Grinspoon & Bakalar 1976, 47-48.

¹⁹ Gootenberg 2008, 196-207.

²⁰ United Nations Single Convention on Narcotic Drugs (1961), 12-16.

²¹ UN Convention 1961, 14.

“when there is historic evidence of such use.” It does not, however, explicitly repeal any of the earlier regulations regarding the coca plant.²²

American success in putting in place international standards for drug prohibition, which included restrictions on the plants from which the drugs are produced, came just as the cultural upheaval of the 1960s began. The use of drugs, including cocaine, which had been suppressed since the early part of the century, became more popular once again.²³ Unlike in the late 1800s and early 1900s, however, cocaine was now illegal both in the US and in the producing countries, making it necessary for the drug to be produced and imported illegally in order to meet the rising demand. This led to the formation of cocaine producing and smuggling networks in the 1960s and 70s which evolved into the Colombian cartels of the 1980s and 90s and are the predecessors of today’s infamous drug cartels. Coca production, which had decreased significantly after the prohibition of cocaine in the early 1900s, exploded. In order to combat this well-organized drug market, the US implemented aggressive drug interdiction campaigns; beginning in the 1970s under President Nixon, the “war on drugs” became one of the defining characteristics of US foreign policy in Latin American by the 1990s.

US international drug policy, as defined by the Foreign Relations Authorization Act (FRAA) and the Foreign Assistance Act (FAA), very closely follows the ideals set out for drug policy in the UN conventions. It identifies “major drug transit or major illicit drug producing countries,” and each year the “International Narcotics Control Strategy Report” is issued by the State Department which designates the specific countries which pertain to this group.²⁴ The certification process begun in the 1980s, by which each country so designated was or was not

²² United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), 14.

²³ Grinspoon & Bakalar 1976, 49-53.

²⁴ United States Foreign Assistance Act (1961)

certified by the President, based on its drug policy, is based on these reports. Currently, this is accomplished by an annual report from the president which consists of a list of all countries considered “major drug transit or major illicit drug producing countries,” along with a brief explanation of any additions or subtractions from this list, compared to the one from the previous year. This report also designates the countries which have *failed* to adequately comply, along with the reasoning behind this designation. Countries that fail to comply with US standards by not meeting “the goals and objectives of the United Nations Convention Against Illicit Traffic of Narcotic Drugs and Psychotropic Substances” or not “[cooperating] fully with the United States or [taking] adequate steps on its own” to meet those objectives cannot be certified.²⁵ If a country on the list is not certified, it is ineligible to receive most economic aid from the US. Peru has been on the list of “major drug transit or major illicit drug producing countries” every year between 2001 and 2013, but has never during that time been listed as non-compliant, confirming that it has fulfilled US expectations in regards to anti-drug policies.

WAR ON COCAINE – AND COCA

In order to maintain its position as a certified country, Peru is required to take measures to prevent the production of cocaine, including reducing the cultivation of the coca plant from which it is manufactured. There are two main methods which are used to reduce coca cultivation. These are coca eradication, which involves destruction of coca plants, and alternative development, which consists of supplying economic incentives for coca growers to reduce cultivation. Both are supported by the UN and the US government as effective methods for reducing coca production, and the US funds both programs in Peru. Eradication was first used

²⁵ UN Convention 1988.; US Department of State: Diplomacy in Action, "Narcotics Legislation and the "Majors" List." Accessed March 21, 2014. <http://www.state.gov/j/inl/rls/rpt/c11766.htm>.

against poppy plants (used for making opium), and marijuana in the 1970s. It was adopted against coca plants in the 1980s, and became a primary aspect of US-supported anti-drug programs.²⁶ Alternative development encompasses a wide range of programs which are intended to reduce coca cultivation by providing alternative crops and infrastructure and technology which facilitate their profitability. In Peru in the 1980s, drug interdiction was carried out by the military and focused on eradication of coca crops. There were limited attempts to use start alternative development programs, but eradication was the primary goal and eradication projects often disregarded human rights, making them extremely unpopular among the people whose crops were being targeted.²⁷

Modern coca policy in Peru began in the early 1990s under President Alberto Fujimori (1990-2001). He exchanged the strict eradication based policies, which had been carried out by the military, for alternative development programs. This had two purposes which were specific to the situation in Peru at the time, which was torn by violence perpetrated by the *Sendero Luminoso* (Shining Path) guerillas. The Maoist guerrilla group, which had existed since the 1960s, began a revolutionary campaign and terrorized Peru throughout the 1980s, and Fujimori was elected on a platform of bringing an end to the violence in Peru. The switch to alternative development allowed the military to break from drug control and be dedicated to targeting the guerrillas. In addition, alternative development programs garnered more support from the coca farmers, who were mostly located in vulnerable areas of the country where the *Sendero Luminoso* had great influence.²⁸ Also at this time Fujimori's government made it clear that coca

²⁶ David Bewley-Taylor, *The United States and International Drug Control, 1909-1997*, (London: Pinter, 1999), 200-201.

²⁷ Julio Cotler, *Drogas y Politica en el Peru: La Conexion Norteamericana*, (Lima: Instituto de Estudios Peruanos, 1999), 145-155.

²⁸ Cotler 1999, 198-209.

farmers themselves were not considered a part of criminal drug trafficking, and considered ways to incorporate them into the legal market. These policies were much friendlier to the coca farmers than the policies of the late 1980s, and sought to include the coca farmers rather than alienate them by making the targets of military operations intended to destroy their coca crops.²⁹ This changed after the *autogolpe* (self-coup) in 1992 in which Fujimori closed the congress and seized power for himself, and after reports of human rights abuses by his regime spread. Realizing that his government was losing the support of the US, in 1994 Fujimori switched to a strict eradication policy developed in close association with the US, creating the CONTRADROGAS (anti-drug) agency which was organized by the US and cooperated closely with US eradication goals.³⁰

Eradication in Peru is currently carried out by hand by uprooting and destroying coca plants. A number of agencies are involved in this process, including the *Comisión Nacional para el Desarrollo y Vida sin Drogas* (National Commission for Development and Life without Drugs -- DEVIDA), the *Proyecto Especial de Control y Reducción de Cultivos Ilegales en el Alto Huallaga* (Special Project for Control and Reduction of Illegal Crops in the Upper Huallaga Valley – CORAH), and the *Dirección Antidrogas* (DIRANDRO) of the national police. Eradication programs are carried out in cooperation with the US Drug Enforcement Agency; however, use of chemical means of crop destruction, such as aerial spraying of herbicide which is often endorsed by the DEA in Colombia, is prohibited by law in Peru.

Alternative development based programs represent a more comprehensive anti-coca measure than simple eradication programs, because in addition to giving incentives for coca

²⁹ Hugo Cabieses, 2004. "Peru's Cocaleros on the March," *NACLA Report on the Americas*, 38, no. 1: 10-13.

³⁰ Cotler 1999, 234-239.

eradication, they also provide substitutes for coca cultivation. These programs promote the growing of alternative crops such as coffee or cocoa, which it is said can provide an alternative source of income to the growers who once relied on the illegal production of the coca plant for their livelihood. In addition, the creation of infrastructure, the funding of education, and the supplying of social services are all used as incentives to encourage coca growers to stop illegal cultivation. Currently, USAID funds an alternative development program in Peru, which focuses on reducing coca production through providing alternatives.³¹

LEGAL COCA

Under the UN Single Convention, drug producing plants were not completely banned; they were allowed to be cultivated in limited quantities for the purpose of producing drugs for medical purposes, provided that all production was closely monitored and controlled by the government.³² Under the 1988 convention, there was the suggestion that this extended to “traditional uses” of the plants.³³ For this reason, all legal coca cultivation in Peru is governed by the *Empresa Nacional de la Coca* (National Coca Company – ENACO), in compliance with the 1961 UN convention specifying that all legal cultivation of drug producing plants must be managed by the government. ENACO is given the authority to control coca cultivation by the 1978 *Ley de Represión del Tráfico Ilícito de Drogas* (Law of Repression of Illegal Drug Trafficking) which deals with every aspect of drugs in Peru, including the coca plant and its derivatives, both legal and illegal. This law requires the eradication of all coca plants that are not authorized by ENACO, and gives the company the exclusive right and responsibility to meet the

³¹ USAID/Peru, “USAID/Peru Country Development Cooperation Strategy,” (Lima, Peru: USAID/Peru), 2012.

³² UN Convention 1961, 10-12.

³³ UN Convention 1988, 14.

demand for legal coca products in Peru. All coca products from ENACO are processed to remove the cocaine; thus coca leaves as they are used for chewing by the indigenous people, are not available from ENACO. In part due to this fact and also due to the ineffectiveness of the company, only one third of the 7% of all coca which is used for traditional uses is actually legally produced and sold through ENACO, making ENACO responsible for only a little over 2% of all coca produced in Peru.³⁴

³⁴ Empresa Nacional de la Coca, "Informacion Institucional." 2011. Accessed March 21, 2014. <http://www.enaco.com.pe/empresa/institucional.php>

CHAPTER TWO: Interdiction Policy

All three of the most recent Peruvian presidential administrations have maintained drug interdiction policies which target the coca plant, in compliance with international standards, but their policies have not been identical. The position on interdiction of each of the presidential administrations under investigation can be gleaned from an analysis of their written anti-drug policies and their statements and actions on the issue. The main source for my analysis is the “*Estrategia Nacional de la Lucha Contra las Drogas*” (National Strategy for the War on Drugs). There is one for each administration: 2002-2007 (Alejandro Toledo), 2007-2011 (Alan Garcia), and 2012-2016 (Ollanta Humala). That analysis will be supplemented by the use of data from the annual DEVIDA/UNODC reports on coca cultivation in Peru, “*Monitoreos de Cultivos de Coca*.” (Monitoring of Coca Crops). Moreover, I have consulted news reports on the statements and measures enacted by the presidents and the responsible administration officials to provide further insight into their interdiction policies. Overall, this provides a comprehensive look at each administration’s stance on interdiction, specifically as it relates to coca eradication.

STRATEGY REPORTS ANALYSIS

STRUCTURE OF THE ESTRATEGIA NACIONAL DE LA LUCHA CONTRA LAS DROGAS

To understand the analysis of the drug policy based on the *Estrategia*, we need to have a basic understanding of its structure and function. The *Estrategias* all follow the same basic structure, although they vary in length; the *Estrategias* from Toledo’s and Humala’s administrations are each more than 60 pages, while the one from Garcia’s is only 25 pages. They open with an introduction to the state of affairs regarding all aspects of the drug problem in Peru,

from drug abuse in the schools to the illicit cultivation of the coca plant, as well as past measures to combat these problems. Then the documents present the respective administration's approach to drug interdiction, including plans to reduce illegal coca cultivation, which is the most important aspect for the purpose of my study. This second part of each document is divided into sections on eradication and alternative development programs which lay out goals for interdiction. These objectives vary by administration, reflecting the areas of emphasis of the administration. An example for an objective, from the 2002-2007 *Estrategia*, is to "eradicate progressively and continually coca cultivated for illegal purposes, in strict compliance with the law and respecting human rights, in order to reduce the area of coca production to that which is necessary for legal consumption. . ."³⁵ *Estrategias* of different administrations vary in the number of sections, the number of objectives in each section, and the number of "specific strategies" for each objective. In addition, the *Estrategia* from Garcia's administration differs from Toledo's and Humala's because the latter two have a section at the end that contains specific goals which the objectives and strategies are intended to work towards.

Two main strategies discussed for use in reducing illegal coca cultivation are direct eradication of coca plants, and alternative development programs. Eradication is destruction of coca crops, commonly carried out by government agents using force. This is the strictest coca interdiction policy in that it seeks only to eliminate coca crops, often without regard to the consequences, and without providing a substitute to the people who were benefitting from growing the coca plants. Alternative development, on the other hand, includes a range of programs which represent a broader approach to reducing coca cultivation. Some of these programs offer government sponsored infrastructure development, such as better roads and

³⁵ DEVIDA, *Estrategia Nacional De la Lucha Contra las Drogas 2002-2007*, (Lima: DEVIDA, 2002).

communication, in coca cultivation areas in exchange for farmers voluntarily destroying their own crops. Others provide alternative crops for farmers to grow after their coca plants have been destroyed. All of these programs seek to provide some type of alternative, as an encouragement for farmers to switch from coca cultivation to become part of the legal economy.³⁶ Eradication plans can be coupled with alternative development plans in different ways. Some put the emphasis on the destruction of illegal coca plants, while others place emphasis on providing alternatives. This emphasis is the main point of differentiation between the strategies taken by the three administrations, and which determines how strongly each favors eradication as the means to reducing coca cultivation.

METHODS FOR ANALYSIS OF *ESTRATEGIAS*

This part of the chapter analyzes the *Estrategias*, to determine the respective administration's stance on the issue of coca eradication. This stance becomes evident in the overall strategy towards the reduction of coca cultivation: an emphasis on eradication indicates a pro-eradication stance, while an emphasis on alternative development indicates reservations about eradication. For this reason my analysis focuses on the content of the plan, assessing how eradication and alternative development are combined in order to reduce coca cultivation. As part of my analysis, I first classified each objective and the specific strategies in the plans as promoting either eradication or alternative development. For example, the objective quoted above, to "eradicate progressively and continually coca cultivated for illegal purposes,"³⁷ gets categorized as pro-eradication. I also classified which aspect of eradication or alternative development, respectively, was being emphasized: organizational questions, funding, the

³⁶ United Nations Office on Drugs and Crime, "UNODC Alternative Development Projects in Peru." Last modified 2014. Accessed March 21, 2014. <http://www.unodc.org/unodc/en/alternative-development/peru-projects.html>.

³⁷ *Estrategia* 2002, 59.

environmental impact, other aspects, or the limitations of the program. An example of a limitation to eradication is also found in the objective above, when it is made clear that the eradication is to be “in strict compliance with the law and respecting human rights.”³⁸ This is important, because, if, rather than focusing on operational aspects of the program, the *Estrategia* focuses on the limitations, then that would indicate a lower emphasis on eradication. On the other hand, no coverage of limitations and greater detail on the management of the program would indicate greater emphasis on eradication. In addition, I took note of any indication that either one or the other component of the program is subordinated to the other. If all the strategies to carry out an eradication program referred to the use of alternative development as the means to bring about the goal, this would suggest a subordination of the eradication program to the alternative development program. I also assess the level of specificity included in the plan, measured by detail put into describing the goals of the programs, as further indication of emphasis on one program or the other. By classifying the different strategies and objectives in this manner and analyzing the weight given to each topic, based on detail of discussion and information provided, I made an inference on the overall emphasis of each *Estrategia*. This emphasis provides evidence of the position of each administration on the issue of interdiction.

ANALYSIS: 2002-2007 ESTRATEGIA

The anti-drug strategy document from Toledo’s administration has two sections – one on eradication and the other on alternative development – each one beginning with an introductory paragraph or general objective to establish the basic goal for the respective program. After the basic goals, the document includes a list of more specific objectives on which the plan elaborates

³⁸ *Estrategia* 2002, p. 59.

at a later stage with specific strategies.

The first general objective is to “eradicate progressively and continually coca cultivated for illegal purposes, in strict compliance with the law and respecting human rights, in order to reduce the area of coca production to what is necessary for legal consumption and at the same time to eradicate all opium poppies and marijuana cultivated in the national territory.”³⁹ Two of the six specific objectives listed under this cover the administration of eradication programs and publicity and participation aspects, including a strategy to “intensify the security and support for the execution of eradication programs.”⁴⁰ These objectives imply that the administration is serious about carrying out eradication. The mention of the fact that security is needed for the program suggests forced eradication because there would be little need for security for voluntary eradication programs, though this is not explicitly stated. Another objective indicating attention to the issue of eradication is to “improve the legislation regarding control of illegal cultivation” – although there is no specification as to exactly what aspect of this legislation needs improvement. Two of the remaining objectives cover methods for coca eradication. One strategy under one of these objectives is to eradicate coca “cultivated in protected forests, natural reserves, and other areas protected by law . . . abandoned coca crops, and crops not authorized by ENACO” and to eradicate “all coca crops authorized by ENACO but which are not being used for legal purposes,” all of which makes it clear that eradication is indeed a crucial aspect of the coca reduction plan under Toledo’s administration. However, another strategy under the same objective further clarifies that this eradication is to take place as part of “programs for gradual reduction of coca crops, together with alternative development projects, with the aim of integrating coca farmers into the legal economy.” This strategy imposes a limitation on the

³⁹ *Estrategia 2002*, 59.

⁴⁰ *Estrategia 2002*, 60

eradication program, and implies that the program is to utilize voluntary, rather than forced, eradication. After this discussion of Peru's eradication programs, the last objective presents detailed strategies for international cooperation on interdiction, covering all aspects of anti-drug programs, including strengthening "the abilities of state institutions to project an image of commitment and efficiency in eradicating drug producing crops."⁴¹ Such strategies indicate a willingness and intention to openly comply with international interdiction standards. The eradication program presented in this section shows willingness to utilize eradication policies as long as they fall within the parameters of respecting human rights and providing alternatives to those whose coca has been eradicated. The administration is committed to following international norms on interdiction, but nevertheless recognizes limitations to the program. For this reason, based on the eradication section of the document, I classify the policy as moderately pro-eradication.

The general objective covering alternative development is "to develop a legal, sustainable economy to overcome poverty in alternative development regions, preserving the environment and recovering ecosystems destroyed by illegal cultivation."⁴² The ten specific objectives for alternative development are primarily economic or environmental in nature, with reduction of coca cultivation never being specifically mentioned in this section as a goal of the program. The first two cover organization, calling for better coordination between government agencies and cooperation with international partners. Five of the specific objectives cover environmental aspects of the program, promoting the use of alternative development to combat destruction of the environment caused by the excessive growing of coca, and detailing the importance of alternative development for avoiding environmental problems that eradication itself presents.

⁴¹ *Estrategia* 2002, 60-61.

⁴² *Estrategia* 2002, 54.

The other specific objectives recommend the creation of economic development programs to replace the illegal economy in the alternative development regions. The reason cited for pursuing alternative development is not specifically to eliminate cultivation of the coca plant, and replacement of the coca based drug economy is given only as much weight as the environmental problems caused by over-cultivation of the coca plant. These facts suggest that the key to the program is providing alternatives to coca cultivation in order to encourage a switch to other crops, which would in turn lead to a decrease in coca cultivation, and thereby a reduction in the illegal drug economy, rather than focusing on eradication itself, or even on giving direct incentives for destroying coca crops.⁴³

In the 2002-2007 *Estrategia*, the alternative development program is presented first, independent of eradication. The only place this section mentions eradication is when it discusses the prevention and repair of the environmental damage it can cause. After the presentation of alternative development plans, eradication strategies are introduced, with one of the key components of the eradication plan being alternative development. This presents eradication as dependent on alternative development, whereas the alternative development program is configured as independent of the eradication program. This suggests a greater emphasis on alternative development to encourage eradication, rather than using programs to carry out eradication by force. The main reasons cited for having an eradication policy is the fact that the 1978 law mandates “[eradicating] all coca crops intended for illicit purposes”⁴⁴ and cooperating with international norms.

In short, the 2002-2007 *Estrategia* demonstrates great emphasis on alternative development programs and less dedication to eradication, although it is unclear whether forced

⁴³ *Estrategia* 2002, 55-60.

⁴⁴ *Estrategia* 2002. p. 59

eradication is to be used as part of this strategy. As a result, the plan reveals a stance on eradication that, although supportive, has significant reservations that could prevent the eradication objectives from being reached. This means the plan does not put the highest emphasis on the eradication, but uses it as part of a larger alternative development plan to transform coca growing areas. Based on the reading of the *Estrategia*, Toledo's administration can be classified as marginally pro-interdiction.

ANALYSIS: 2007-2011 ESTRATEGIA

The Garcia government's *Estrategia* for 2007-2011 has only one section which covers all aspects of coca reduction, including eradication and alternative development programs, as well as interdiction measures against cocaine trafficking. Eradication is listed under the same heading as anti-cocaine trafficking measures, suggesting a connection between the two, while the alternative development program has its own heading, suggesting that it is separate from the others. The strategy introduces the plans for interdiction and alternative development programs with strategic objectives presenting the intention of the respective program. The objective for interdiction is "to reduce significantly the production, commercialization, and illegal traffic of drugs, as well as the crime connected to them,"⁴⁵ which likewise implies a direct link between coca cultivation and cocaine-trafficking related crime; the objective for alternative development is "to improve the economic, social, political, and environmental conditions so they are favorable to the development of a legal economy."

The interdiction plan is made up of five general objectives, three of which deal with coca cultivation and two of which concern other aspects of the drug trade. These are accompanied by

⁴⁵ DEVIDA, *Estrategia Nacional De la Lucha Contra las Drogas 2007-2011*, (Lima: DEVIDA, 2007), 20.

a general strategy to carry out these objectives, which is “to stop and continuously reduce the illegal cultivation of coca, and the production, commercialization, and traffic of illegal drugs, as well as money laundering and connected crime.”⁴⁶ Listed under this general strategy are nine specific interdiction strategies, four of which cover aspects of the drug trade other than coca cultivation. By covering other drug trafficking issues in a strategy on reducing coca cultivation, the *Estrategia* establishes a clear connection between coca cultivation and other aspects of drug trafficking. These strategies are included with specific strategies covering different aspects of coca eradication including “preventing the expansion of coca cultivation into new areas and eradicate[ing] the coca crops used for illegal purposes, leaving only that which is necessary for legal consumption. . . Create annual plans for reducing illegal cultivation, and ensure the development of post-eradication plans. Encourage the connection between the eradication program and that of alternative development, in order to ensure that coca farmers are incorporated into the legal economy.”⁴⁷ These strategies give detailed information on the creation of eradication programs, which suggests high emphasis to be placed on these programs, as well as suggests the subordinate nature of alternative development to the eradication program.

The wording of the eradication and alternative development strategies suggests that eradication of illegal coca crops is the primary objective, while providing alternative income sources is clearly a secondary goal. In addition, the connection made between illegal coca crops and other criminal activity suggests a strong bond between other interdiction policies and eradication, implying that any policy intended to decrease illegal drug related activity would necessarily include coca eradication, even if the eradication were not coupled with alternative development. The goal of alternative development is not primarily to provide means of

⁴⁶ *Estrategia* 2007, 23.

⁴⁷ *Estrategia* 2007, 24.

sustenance for the coca farmers whose crops are being destroyed, but it is rather a preventative measure to reduce future coca cultivation. This indicates a very high priority being placed on eradication, with the interdiction policy considered more important than people it affects.

The alternative development program, outlined after the section on interdiction, has four specific objectives. The first three discuss alternative development specifically as part of a strategy to reduce coca cultivation, economic benefits of alternative development, and organization of the program, respectively. The fourth specific objective is to use the alternative development program to address the environmental problems created by excessive coca cultivation. Four of the five specific strategies listed under these objectives come together to work towards the first three objectives. They cover the economic aspects of creating infrastructure and organizations needed to make it possible for alternative development projects to be profitable, leading to a switch from coca cultivation to alternative projects and thereby and reduction in illegal coca and associated criminal activity. Only the fifth strategy mentions the environmental issue. The emphasis in the strategies on carrying out the first three objectives suggests that the primary reason for the existence of the alternative development program is to work with the eradication programs to reduce coca cultivation. This implies that the alternative development program, subordinate to the eradication program, is one of the means by which to fulfill the goal to eradicate coca and prevent new cultivation, rather than an independent program in and of itself.⁴⁸

At the end, the *Estrategia* provides a list of specific goals, two of which deal with coca eradication and alternative development; the goal for eradication is to “reduce by 40% the area

⁴⁸ *Estrategia* 2007, 25-26.

cultivated with coca crops.”⁴⁹ The goal for alternative development is more vague, calling for a “40% increase in alternative development benefits” in coca growing areas, but there is no specification of exactly what type of benefit this refers to.⁵⁰ The existence of specific goals indicates dedication to the concepts of eradication and alternative development because they are a way to measure the success of the program, showing the exact intent of the program and giving incentive to actually work towards the goal in order to succeed. The specification of a goal to reduce coca production by a certain amount or percentage shows a higher level of commitment than would a plan that outlines strategies but does not provide a way to ensure that these strategies are achieving their intended purpose. Likewise with alternative development, the presentation of a goal shows some commitment to that strategy, but because a lack of detail makes it more difficult to determine whether that goal is being met, this goal is less indicative of commitment than is the more specific goal for eradication.

In summary, the fact that the focus of the strategy is on eradication and its use in reducing criminal behavior, rather than on alternative development, shows a commitment to strongly eradication-based policies. Eradication is given priority over alternative development; to the Garcia administration, the immediate reduction of coca cultivation is more important than providing alternatives. Another indication of the emphasis placed on coca eradication is the fact that it is presented as subordinate part of an overall strategy to reduce crime associated with cocaine trafficking. This, together with the elaboration of specific goals, illustrates the strong pro-eradication position presented in the *Estrategia* by the Garcia administration.

⁴⁹ *Estrategia* 2007, 26.

⁵⁰ *Ibid.*

ANALYSIS: 2012-2016 ESTRATEGIA

The 2012-2016 strategy, designed by the incoming administration of Ollanta Humala, introduces its interdiction plan with three general objectives for drug interdiction, eradication, and alternative development, and also includes an objective specifically covering international cooperation. These objectives establish the main issues of drug interdiction and coca reduction addressed by the anti-drug strategy and the principles to be followed in carrying them out.

Under the general objective for drug interdiction the only specific objective covering coca eradication is “to reduce the coca crops intended for illicit purposes,” suggesting that coca which is not intended for the cocaine trade is not necessarily to be targeted by the coca eradication program.⁵¹ The first strategy listed to carry out this objective simply restates the objective, while the second is “to encourage the coordination of eradication efforts with alternative development, using post eradication programs to ensure the incorporation of coca farmers into the legal economy.” The other two strategies deal with the coordination of eradication and related drug interdiction efforts, both within Peru and abroad. The remaining specific objectives covering interdiction deal with aspects of the drug trade other than coca eradication, and are aimed at reducing associated crime.⁵²

The general objective for alternative development is “to establish the economic, social, political, and environmental conditions that allow the population to sever its dependence on illegal cultivation of the coca leaf and develop a legal economy that promotes sustainable

⁵¹ DEVIDA, *Estrategia Nacional De la Lucha Contra las Drogas 2012-2016*, (Lima: DEVIDA, 2012), 48.

⁵² Ibid.

economic activity and social inclusion.”⁵³ The first specific objective names the reduction of coca cultivation as one of the primary purposes of the alternative development program, suggesting that the alternative development program is subordinate to the eradication program and is intended primarily to support the work of eradication. However, the second and third objectives not only discuss economic aspects of the alternative development program, but also include social factors that would not be directly relevant to reducing or preventing coca cultivation. This indicates that the alternative development program is independent of the eradication program, with only one of its many aspects being to work with the eradication program to reduce reliance on illegal coca cultivation. This is among other benefits to the social, economic and political situations of the areas in which alternative development is pursued.⁵⁴

The 2012-2016 *Estrategia* includes a section at the end dedicated to goals for its interdiction and alternative development programs, including year-by-year plans for coca eradication and alternative development for 2012-2016. The goals specify the amount of coca to be eradicated each year, setting them progressively higher. This shows that in addition to implementing a strict eradication program, the administration has plans to continually expand it. The alternative development goals are also increasing, indicating continued dedication to those programs as well.⁵⁵ By creating a standard by which to measure the success of the programs, these specific goals suggest a high level of dedication to carrying out the policies.

The combination of eradication and alternative development presented in the 2012-2016 *Estrategia* indicates that they are two independent programs working together to reduce crime associated with drug trafficking and improve the lives of those in coca growing regions. In

⁵³ *Estrategia* 2012, 45.

⁵⁴ *Estrategia* 2012, 46-48.

⁵⁵ *Estrategia* 2012, 58-59.

addition, coca eradication is listed as one of the interdiction measures intended to reduce other crime related to drug trafficking. This indicates that eradication serves a direct purpose in combating criminal activity not directly related to coca cultivation, which suggests a higher emphasis to be placed on it. Alternative development is to be used as part of the eradication program to provide other sources of income allowing and encouraging farmers to reduce dependence on the coca plant and gain income in the legal economy. It is not solely a program tethered to the eradication efforts, however. On the contrary, alternative development is presented as independent of eradication, intended to improve political, social, and economic conditions. The section on international cooperation further suggests the independent role of alternative development when it is listed as a primary aspect of Peru's international cooperation, distinct from international anti-drug programs.⁵⁶ The specific, numerically increasing goals for both these programs suggest a high level commitment to both programs. To summarize, the 2012-2016 *Estrategia* shows the two-fold approach of the Humala administration towards reduction of illegal coca cultivation. By utilizing separate eradication and alternative development programs, it shows a strong pro eradication position while at the same time emphasizing alternative development. Humala's administration can thus be currently classified as strongly pro-eradication, but dedicated to balancing the strict coca eradication with alternative development programs which provide a substitute for those who are losing the coca crops on which they are dependent.

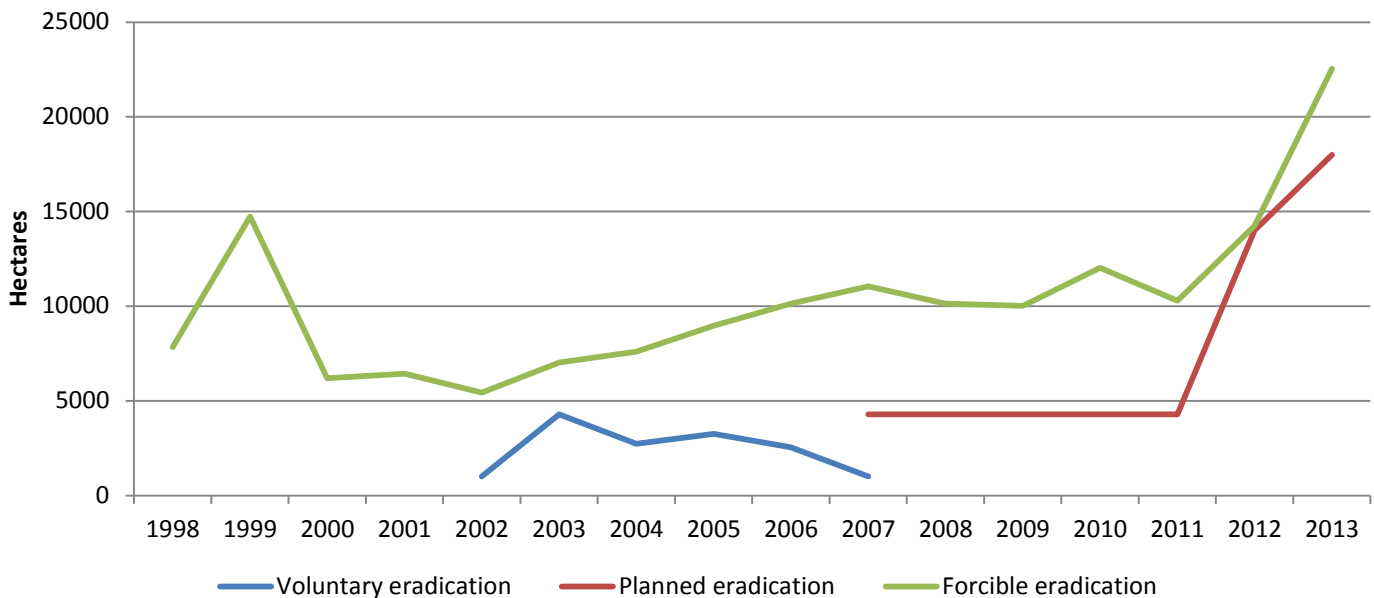
OTHER INDICATORS

The *Estrategia Nacional de la Lucha Contra las Drogas* is the primary articulation of

⁵⁶ *Estrategia* 2012, 54-55.

each administration's plan to fight drugs, but there are other sources that reflect the respective strategies. In this section, I explore other aspects of coca policy which will aid in coming to a conclusion regarding the position of each administration on the issue of interdiction. First I examine the planned and actual coca eradication during each administration, based on a graph showing the number of hectares eradicated each year. Then I discuss the positions taken by the presidents and their officials on the subject of interdiction and alternative development to provide further insight into the stance of each administration on the subject. I also compare the positions demonstrated by the *Estrategias* with those revealed by these other indicators and develop a comprehensive assessment of the stance of each administration on coca eradication.

PLANNED AND ACTUAL COCA ERADICATION 2001-2013 (figure 1)⁵⁷



⁵⁷ *Estrategia 2012*, 56.

Estrategia 2007, 26.

DEVIDA/UNODC, *Monitoreo de Cultivos de Coca 2012*, (Lima: DEVIDA/UNODC, 2013), 65.

"Peru Breaks Coca Eradication Record." *Insight Crime*, November 28, 2013.

Figure 1 shows the actual eradication for each year during the three administrations, and the planned eradication for Garcia's and Humala's administrations, for which the *Estrategias* presented specific goals for eradication. The green (top) line on the graph shows the actual total number of hectares of coca crops forcibly eradicated in Peru during a given year. The blue (lowest) line shows the number of hectares voluntarily eradicated in exchange for government benefits; this number is in addition to the forcible eradication. The red (middle, at the right end) line shows the number of hectares scheduled to be eradicated in a given year, according to the *Estrategias*.

The bottom (blue) line and the top (green) line from 2002-2007 show the eradication for each year during Toledo's administration. The *Estrategia* from Toledo's administration did not state a specific number of hectares to be eradicated each year, thus the blank space for planned eradication for these years. These years also show a significant amount of voluntary eradication, which was a crucial element of the alternative development-based coca reduction plan of Toledo's administration. This shows that the voluntary, as well as the forced, eradication programs achieved a measure of success, which is evidence of a commitment by the administration to carry out the programs even without specific numeric goals.

The flat line from 2007 to 2011 represents the average of the goal from Garcia's administration to eradicate 40% of all coca crops intended for illicit use, spread across the five years of the plan. The number (4296) represented by this line is one fifth of 40% of the total number of hectares of coca in cultivation at the time the strategy was developed. This, however, would result in a 40% reduction in coca cultivation only if there were no new cultivation during the five year period; the actual number of hectares that would have to be eradicated to fulfill the

goal is much higher, on average around 15,000 hectares a year.⁵⁸ For this reason, the graph does not accurately represent the commitment to eradication expressed in the anti-drug strategy from Garcia's administration, which, if actually carried out, would have demonstrated an enormous eradication effort. What it does show is that Garcia's administration imposed forced eradication programs to work towards this goal, even if the actual amount of coca destroyed did not come close to the 40% goal.⁵⁹

Based on the graph for the years 2012-2013, the goals for eradication in the *Estrategia* from Humala's administration are ambitious, starting with 14,000 hectares for the first year, more than had been eradicated in any single year during the previous two administrations. These goals are spelled out differently from those of Garcia's administration, since they are given as specific numerical values rather than a percentage of the total amount of coca in cultivation. This makes it easier to measure whether or not the goal was met, since determining for sure if a percentage based-goal has been met relies on knowing with relative precision the number of hectares of coca there are to be eradicated. Furthermore meeting a percentage-based goal requires a reduction in coca cultivation by a certain percent, which is difficult to ensure because coca is planted as well as eradicated. A specific numeric goal, on the other hand, is more specific and more clearly reachable. Not only have the goals set by Humala's administration been met, but in 2013 it set the record for coca eradication in Peru, topping the previous record by 4000 hectares. This success demonstrates a policy of strong commitment to eradication based programs.

Another indicator of each administration's position on interdiction is statements on the

⁵⁸ *Monitoreo* 2013, 11,65.

⁵⁹ DEVIDA/UNODC, *Monitoreo de Cultivos de Coca 2011*, (Lima: DEVIDA/UNODC, 2012), 53.

issue and actions from the presidents themselves and others in their administration. When he came to power, Toledo, in an effort to create distance from the strict policies of Fujimori's government continued the moderated coca policy of the transitional government which succeeded Fujimori. Among other actions, he reorganized the agency CONTRADROGAS, which had been created under Fujimori, and reinvented it as DEVIDA because CONTRADROGAS was linked to Fujimori's strict policies. This paved the way for the current dichotomous coca policy which simultaneously complies with international standards and takes into account the issue of the indigenous coca farmers and non-drug uses for the coca plant.⁶⁰ In addition, in a statement on the question of coca interdiction, Toledo showed a willingness to break with the hardline eradication policies of the second half of Fujimori's government and work with the coca growers themselves on eradication. This cooperative attitude – as opposed to a strict pro eradication stance – is present from the beginning of Toledo's administration when he promised to reform the 1978 law on drugs to decriminalize the growing of the coca plant. He also promised to adjust the system so the farmers themselves would have more control in a transition from involvement in the drug trade through coca cultivation destined for illicit purposes to alternative ways of making a living. Toledo espoused alternative development as the primary method of reducing involvement in the illicit drug market. He supported eradication of coca plants destined for the drug trade, but encouraged the farmers to do this themselves with the aim of switching to legal alternatives, rather than have the plants destroyed by the government. For this reason, eradication programs under Toledo often followed the same model as one in the Alto Monzón region of the country in which coca farmers were told that if they voluntarily destroyed their coca crops, DEVIDA would help to build infrastructure in the region.⁶¹

⁶⁰ Cabieses 2004.

⁶¹ "Weekly Report." *Latinnews.com*, August 19, 2003.

Nevertheless, as the graph (fig. 1) shows, only part of the coca eradicated was by voluntary eradication, showing that eradication did exist independently of alternative development. This shows that Toledo's administration at least tried to cut back on eradication – and in fact did cut back from the coca eradication at end of Fujimori's government – and tried to incorporate more cooperation in an alternative development model where eradication was part of a larger picture to benefit the farmers, rather than a goal in itself. This cut in forced eradication shows that Toledo's administration was significantly less pro eradication than Fujimori's at the end of his tenure. However, the fact that other methods were still utilized to work toward the desired goals of coca reduction indicates that the administration did still place an emphasis on international compliance, even if it did not pursue a strict eradication policy.

Garcia openly supported forced eradication as the primary means to reduce coca cultivation for illicit uses. Although forcible coca eradication efforts were suspended for a short time in 2007, the purpose was to reorganize the eradication program, and Garcia quickly restarted it. The Garcia administration saw voluntary eradication and alternative development efforts as ineffective and inefficient, and thus focused on forced eradication to prevent the cultivation of coca for illegal uses.⁶² This position fits with the plan outlined in the 2007-2011 *Estrategia*, which identifies eradication as the principal strategy, while alternative development programs were merely intended to support it. These facts demonstrate a very strongly and openly pro eradication stance that holds up eradication as the most effective way to reduce coca cultivation.

The position of the Humala administration on coca eradication is more difficult to

⁶² GALDU: Resource Centre for the Rights of Indigenous People, "Government of Peru puts Renewed Emphasis on Forced Coca Eradication." March 4, 2007.

determine than that of Toledo or Garcia, although it is apparent from the graph (fig. 1) that eradication efforts are being pursued with dedication. When he was running for president of Peru in 2006, Humala was very openly opposed to coca eradication in any form.⁶³ He was not so blatantly opposed to eradication by the time he actually won an election and took office in 2011, but his administration took a very anti-eradication stance at the outset when eradication efforts were halted in several key coca growing regions. He made big changes, appointing as the new head of DEVIDA Ricardo Soberón, who was radically opposed to forced eradication, calling it criminal.⁶⁴ Despite these gestures, the *Estrategia* from Humala's administration has detailed coca eradication plans, and Soberón has since been fired. Exactly what this means is hard to determine, but part of this increase in eradication is likely due to the increase in alternative development programs funded by USAID⁶⁵ which corresponds with the collaborative relationship between the alternative development and eradication programs outlined in the *Estrategia*. It appears that by using alternative development as an integral part of the coca reduction strategy, Humala is attempting to remain close to his earlier anti-eradication commitment. Regardless of whether or not this is the case, it is clear that Humala's administration is revealing a strongly pro-eradication stance, despite rhetoric and early actions which might have indicated differently.

In conclusion, the administrations studied here have had distinct ways of handling the issue of coca interdiction. Toledo's administration, in reaction to the strict policies of the end of the Fujimori regime, tried to work with coca farmers, while still reducing coca cultivation. This

⁶³ *Drug War Chronicle*. April 7, 2006

⁶⁴ "Humala Shakes up Peru's Drug Policy." *Insight Crime*, August 8, 2011.

"Soberon a Cocaleros: 'Erradicacion es ilegal, inconstitucional, injusta y arbitraria'." *El Comercio*, September 12, 2011.

⁶⁵ USAID/Peru 2012.

is evidenced by the emphasis placed on alternative development and voluntary eradication in the *Estrategia*. The Garcia administration reverted to a stricter policy based above all on forced eradication, with alternative development as a supplement rather than an independent approach for carrying out coca reduction strategies.. The position of Humala's administration is less defined due to the fact that what he said when he was running for president in 2006, and what his appointed head of DEVIDA said after he took office, are not what is shown by the *Estrategia*. He claimed to be completely anti-eradication, and appointed officials who were in line with this position. The *Estrategia*, on the other hand, shows a program as committed to eradication as Garcia's but almost as reliant on alternative development as Toledo's. From this it is possible to see the different positions that each administration adopted on coca interdiction. On the one hand, Toledo's was moderately pro-interdiction but also placed a high priority on the socio-economic issues faced by the coca farmers. On the other hand, Garcia's administration was strongly pro-interdiction and put a higher priority on it than on the concerns of the people it affected. Humala's administration was originally quite anti-interdiction, at least ostensibly, but is not strongly pro-interdiction though it also puts a high emphasis on the social and economic problems faced by those affected by coca interdiction.

CHAPTER THREE: Traditional Use Policy

The coca plant today is most widely known as the source for the drug cocaine, but the plant was used by the indigenous people of the Andean region in current-day Peru long before the drug was invented. Historically, the plant was used for purposes ranging from medical to practical to religious. All these uses, including the chewing of coca leaves and the making of coca leaf tea, have come to be included under the term “traditional uses.” When cocaine was introduced to the world in the late 1800s, it was at the same time as other products made from the coca plant became available and they thus became so closely associated that at the time the drug was not differentiated from the source plant. For this reason the coca plant was the target of early attempts at cocaine prohibition in the early 1900s. Nevertheless, traditional use of the coca plant, especially in the form of chewing coca leaves, continued in Peru alongside the production of coca for cocaine, which expanded greatly in the final decades of the twentieth century. As a result of this expansion, cocaine became the target of a massive effort to reduce drug production; the coca plant itself was targeted because it is the source from which cocaine is produced. The existence of traditional uses for the plant was acknowledged by those pushing for prohibition, but they were not legally recognized, either because they were considered to be basically a milder form of the drug, or because it was presumed to be necessary to destroy all coca plants in order to prevent the manufacture of cocaine.

When drug interdiction policies were introduced, they targeted the coca plant based on the limited US connection to the plant through the drug cocaine, without taking into account the fact that the coca plant had historically been used for non-drug purposes by the indigenous

people of the region. This history of marginalizing traditional uses of the coca plant leads to a certain difficulty in discussing the Peruvian policies on traditional uses. The difficulty in analyzing traditional use policies arises from a fundamental difference between policies on interdiction and policies on traditional use. Interdiction policies cover actions taken by the government in order to reduce coca cultivation and prevent cocaine production. Traditional use policies, on the other hand, do not, for the most part, deal with actions to be taken, but rather actions which the government will refrain from. This is because, due to the atmosphere created by the international standards regarding “drug producing” plants, including coca, by default countries like Peru have some kind of policy in place to prevent coca cultivation. Therefore, traditional use policies, as I discuss them here, are the ways in which Peruvian governments have allowed traditional uses to coexist with the interdiction measures pursued. This is generally not documented as policy, like the interdiction strategies, but can be inferred from discussions on traditional uses. Therefore rather than summarizing and analyzing explicit policy statements on traditional uses, this chapter will focus on references to traditional use in the same anti-drug strategy documents used to determine interdiction policies, as well as statements from the presidents themselves on the subject to further analyze their positions. Together, these provide sufficient insight into the traditional use policies to draw a conclusion on each administration’s stance on traditional use of the coca plant.

NATURE OF TRADITIONAL USE POLICY IN PERU

How passive the Peruvian traditional use policy is becomes apparent when one compares the discussion of traditional use in the Peruvian *Estrategias Nacional de la Lucha Contra las Drogas* to the discussion in a comparable Bolivian document. The *Estrategia Nacional de la*

Lucha Contra los Drogas (National Strategy for the Fight Against Drugs) is the primary document from each administration detailing drug interdiction strategies including coca reduction measures; its Bolivian counterpart is called the *Estrategia de Lucha Contra el Narcotráfico y Reducción de Cultivos Excedentarios de Coca 2011-2015* (National Strategy to Fight Drug Trafficking and Reduce Surplus Coca Cultivation). Bolivia has a much more “active” policy on the traditional use, specifically guaranteeing the right to grow coca as a right of the indigenous people of the country in the most recent constitution. Even the older “Ley del Régimen de la Coca y Sustancias Controladas” (Law Concerning Coca and Controlled Substances) specifically excluded traditional uses from the prohibitions which governed drug-related uses. The Bolivian *Estrategia* specifically mentions “the cultural practice of chewing coca leaves” as a “fundamental right of the people in conformance with the Declaration of the Rights of Indigenous People and the Declaration of Universal Human Rights.”⁶⁶ The document goes on to discuss the specific differences between regions where coca is grown for the purpose of making cocaine, and the coca growing regions designated for traditional uses, where growing coca is explicitly legal within the amount determined to be necessary for traditional uses, and the use of the plant is relatively unregulated as long as it is used for traditional purposes rather than destined for the drug trade. Within these designated coca growing regions in Bolivia, coca cultivation and use for non-drug purposes is not directly regulated by the government. Because of these active policies supporting traditional use in Bolivia, it is considered noncompliant with US interdiction policies.

This differs from Peru, where all explicitly legal coca falls under the oversight of ENACO (Empresa Nacional de la Coca, or National Coca Company). ENACO designates where

⁶⁶ CONALTID, Estado Plurinacional de Bolivia, "Estrategia de Lucha Contra el Narcotráfico y Reducción de Cultivos Excedentarios de Coca 2011-2015." 2011. 20

coca may be grown and by whom, and all legal coca crops must be harvested by ENACO, which is responsible for producing and selling all legal coca products in the country. Because ENACO only sells coca products (mainly coca leaf tea) that have had the cocaine alkaloid removed, coca leaves for chewing are not available from ENACO. Regardless of this fact, coca leaf chewing is still widely practiced in Peru. This brings the discussion back to the passive nature of Peruvian traditional use policy. Even though coca leaf chewing is a historic cultural practice in Peru, it is not considered a fundamental right of the indigenous people, as it is in Bolivia. In fact, while not considered criminal, it is technically prohibited by law due to the fact that it does not fall under the legal coca governed by ENACO. In addition, although it is not officially permitted, coca leaf chewing is not targeted by the same anti-drug programs which are responsible for interdiction measures against coca destined for cocaine use. This puts traditional use of coca in a unique position. In order to be compliant with international standards, the Peruvian government cannot explicitly allow such unregulated traditional use, as Bolivia had done and so fallen into disfavor. On the other hand, the Peruvian government cannot conceivably attempt to reduce traditional use to only coca products from ENACO. Only one-third of all coca used for traditional purposes is actually produced through ENACO, with the rest produced informally by many of the same coca growers who sell to drug traffickers, and is either used by the growers themselves or sold on the informal market.⁶⁷ The other two thirds of coca used for traditional purposes, which is not produced through ENACO is the primary subject of the discussion in this chapter.

There are a variety of possibilities for handling the issue of surplus traditional use of coca which is not produced through ENACO. Some of these possibilities are as follows: to expand ENACO, to reduce the traditional use of coca, to ignore surplus traditional coca use, or officially

⁶⁷ Francisco Durand, *El Comercio Informal de la Coca para Uso Tradicional*, (Lima: DESCO, 2005), 7. *Estrategia* 2012, 27.

to legalize it and thus allow unregulated traditional use. Of all these options, the most “pro traditional coca” would be officially recognizing all coca used for traditional purposes as legal, regardless of oversight from ENACO. This would be followed by ignoring coca used for traditional purposes even it is not covered by ENACO. Expanding ENACO would likewise be somewhat “pro traditional coca;” even though it maintains regulation of traditional use, it would allow for it to be legally recognized. Of these options, the most “anti-traditional coca” would be to reduce all traditional use of coca to that which ENACO produces and supplies. Any measure that involves de-regulating traditional use, or even explicitly allowing use of the coca leaf that has not been processed to remove the cocaine alkaloid, would be in violation of international standards, and thus would be impossible to openly implement without having Peru subjected to international pressure. This situation is avoided through the use passive policy which consists of suggestions for how to handle traditional use without specifically documenting a course of action, allowing administrations to allow or tolerate traditional use without overtly permitting it.

ANALYSIS

Based on this spectrum of possible ways in which the issue could be handled, I will now analyze each administration’s policy on the traditional use of the coca plant, beginning with President Toledo. This analysis takes into account information from the *Estrategias* which provides an indication of the position of the administration, as well as statements from the presidents on the issue. This allows the formulation of a conclusion on the way in which each administration chooses to handle traditional use of coca, and thus its general position on a spectrum from pro- to anti- traditional use.

TOLEDO

The *Estrategia Nacional de la Lucha Contra las Drogas 2002-2007* from Toledo's administration contains a section in the introduction which discusses this aspect of coca cultivation and use in Peru. It specifically recognizes the traditional importance of the use of the coca plant for the indigenous people by stating that "In Peru, the cultivation and consumption of the coca leaf has been part of the tradition and customs of the Andean farmers."⁶⁸ It emphasizes the importance of the coca plant to the people and culture, including uses such as chewing the leaves: "Right now, the population uses the coca leaf for chewing during their jobs and chores . . . to relieve hunger, thirst, and fatigue."⁶⁹ In addition to highlighting the importance of coca leaf chewing it also recognizes some of the other cultural practices that use the coca plant and which also take place outside the boundaries of ENACO. Although there is no mention of a right to grow coca, neither is there a mention of a plan to control the uses of coca that do take place outside of ENACO, as long as they are for traditional purposes and not connected to the cocaine trade.⁷⁰ This approach would amount to ignoring the traditional use of coca outside of ENACO, which would rate as one of the most pro-traditional coca options, outside of completely legalizing or even going so far as to declare it a fundamental human right, as in Bolivia. Ignoring this use of coca when it comes to interdiction while at the same time acknowledging that it takes place makes a statement that provides strong support for the traditional use of coca without having to officially state a policy recognizing as legal unregulated traditional use of coca. This suggests a very pro-traditional coca policy that goes as far as it can while still complying with international regulations.

⁶⁸ *Estrategia 2002*, 11.

⁶⁹ *Estrategia 2002*, 12.

⁷⁰ *Estrategia 2002*, 11-12, 59.

Other statements from Toledo's administration also suggest a strongly pro-traditional use policy. President Alejandro Toledo met with coca growers in April 2003, accepting a token gift of coca leaves and promising to promote policies that would respect the rights of indigenous peoples. At this meeting, he declared that coca is "sacred" and that the coca farmers are "not drug traffickers," indicating that he, at least, held a favorable view of traditional uses for coca.⁷¹ In addition, Toledo's wife, Eliane Karp, herself an anthropologist expert in Andean culture, said in a speech that "coca has many virtues," and that it is part of the traditional "way of life and rituals" of the Andean people.⁷² These statements from the leaders of the administration suggest a position quite favorable towards traditional coca.

GARCIA

Garcia's administration demonstrates another way of handling traditional use of coca outside of ENACO. The 2007-2001 *Estrategia Nacional de la Lucha Contra las Drogas* recognizes the growing of the coca leaf as a traditional practice with historic ties to the culture of the indigenous people, stating that "the cultivation of coca is a long-held practice, part of the tradition and customs of the Andean people," but immediately ties it to the coca grown for the purpose of making cocaine by adding that "its expansion and relation to narco-trafficking began in the last three decades" and then going on to elaborate on the illicit use of coca which is suggested to currently be the norm.⁷³ All coca that is not controlled by ENACO is assumed to be destined for the drug trade, and is therefore a potential target of the interdiction programs.⁷⁴ In order to control all traditional uses of coca, one of the objectives listed in the *Estrategia* is to

⁷¹ *Drug War Chronicle*. April 25, 2003.

Cabieses 2004.

⁷² "Peruvian First Lady Defends Coca." *Drug War Chronicle*, March 11, 2005.

⁷³ *Estrategia 2007*, 10.

⁷⁴ *Estrategia 2007*, 8-10.

“make effective the system for controlling the legal coca market, with the goal of covering 100% of legal consumption of the coca leaf.”⁷⁵ This objective clarifies two main actions to be taken on the issue of traditional coca. One is to stop all coca production that is not regulated by ENACO regardless of its intended use because it is assumed to be destined for the cocaine trade. The other is to expand ENACO so it can cover all traditional use of the coca plant within the country, though because of its placement within the document this seems to be intended more as a measure to control all use of the coca plant than to guarantee the accessibility of coca for traditional use. The emphasis on control makes the policy more anti-traditional coca. While it is not completely opposed to traditional use, even in the sense of suggesting that all traditional use should be reduced to the current scope of ENACO, it does put at least as much emphasis on regulation as it does on acknowledging the existence of surplus traditional uses or trying to find a way allow for them.

During his administration, Garcia made some statements that explicitly supported the traditional use of the coca plant, and also advocated other non-drug uses for the plant. Historically, the coca leaf has been chewed to benefit from its stimulant properties, but Garcia suggested that it “can be consumed directly . . . in salad,” and declared that consuming the coca leaf in this manner “absolutely” cannot be harmful.⁷⁶ While these statements would suggest a policy quite favorable towards traditional uses for coca, similar opinions do not appear in other statements by the president. This suggests that this opinion was not necessarily characteristic of the administration as a whole, especially since it does not seem to be represented in the *Estrategia*. Nevertheless, the existence of Garcia’s statement has to be taken into account in determining the position of his administration on the issue of traditional coca. Even with this

⁷⁵ *Estrategia* 2007, 24.

⁷⁶ Vecchio, Rick. "Peru President Favors Using Coca in Salad." *Associated Press*, December 20, 2006.

statement in mind, a written policy is more representative of the administration's position than one random statement from the president. Taking into account an atmosphere in which such an assertion by Garcia was possible, it can be inferred that Garcia's administration was only moderately anti-traditional coca use.

HUMALA

The introduction to the 2012-2016 *Estrategia* from Humala's administration does not go into detail regarding the traditional uses for coca. It discusses the purpose of ENACO, however, and specifically the agency's abilities and limitations in controlling the production and sale of coca for traditional purposes. The focus is on improving ENACO, "in order to meet 100% of the legal demand," and to clarify the boundary between legal and illegal uses of the coca plant.⁷⁷ The improvement of ENACO is intended specifically to comply with international regulations regarding the coca plant, while at the same time allowing the use of coca for traditional purposes. Improvement of ENACO is one of the objectives listed as part of the comprehensive interdiction plan, suggesting a link between the production of coca for traditional purposes outside of ENACO, and the production of coca for cocaine. The plan to expand ENACO would make the policy moderately pro-traditional coca, because it focuses on expanding the current government control of coca in order to legalize all traditional uses. On the other hand, the lack of discussion of exactly what these traditional uses might be, and the presumption that coca not controlled by ENACO is part of the illegal drug trade implies a policy that takes a less favorable stance towards traditional coca; these elements suggest a moderately pro-traditional coca policy.

Many of President Humala's early statements on the issue indicated that his

⁷⁷ *Estrategia* 2012, 27.

administration would adopt a very pro-traditional use stance. While running for president of Peru, Ollanta Humala declared that the freedom to grow coca for traditional purposes was fundamental to the autonomy of the indigenous people. Furthermore, he promised expansion of legalized traditional use in the country, even supporting the complete legalization of coca cultivation, with the intention of finding a way to use all coca produced for non-drug purposes by “industrializing” the traditional use of the coca plant.⁷⁸ Reminiscent of Bolivia’s active policy on the issue, this indicated that the traditional coca policy under Humala’s administration would be extremely favorable. When he became president, these suggestions were not carried out, and such a completely pro-traditional coca policy never became part of the *Estrategia*. Even though he did not carry out an active, completely pro-traditional coca policy, his statements, together with the moderately pro-traditional coca policy stated in the *Estrategia*, suggest an administration that is actually quite pro-traditional coca.

Each of the administrations discussed has a policy on traditional coca which falls somewhere between completely supportive of traditional coca and extremely opposed to it. There is some ambiguity in determining the stance of each administration on traditional coca. While some statements seem to be extremely supportive of traditional coca and suggest that it should be accepted legally into the framework which deals with the coca plant as a whole, there is little indication of any attempt to actually make this happen. The lack of explicit plans for carrying out these suggestions results from the passive nature of traditional coca policy, and the difficulty inherent in trying to abide by international regulations while at the same time allowing for a popular traditional practice of the indigenous people to continue without excessive interference. Even the policy from Toledo’s administration, which is the most consistent and

⁷⁸ Rocio Cornaz, "La Coca: Hoja Sagrada de los Incas," *Ecolatino*, 2014.

extremely pro-traditional coca, is completely passive, only suggesting support for traditional coca without making any move toward officially allowing it. There is an implication that coca intended for traditional purposes should not be targeted by coca interdiction policies, but the implication exists only because the policy specifies that it is coca intended for cocaine which is to be destroyed. Toledo's approach is unlike that of the other two administrations, which more generally target all coca not controlled by ENACO for eradication. For this reason, they are classified as less supportive of traditional coca than Toledo, with Garcia's administration being classified as moderately anti-traditional coca and Humala's as moderately pro-traditional coca.

CHAPTER FOUR: Comparative Analysis and Conclusions

In order to answer the thesis question, how the three administrations under investigation have maintained seemingly contradictory policies, this chapter will bring together their respective interdiction and traditional use policies to analyze them as a whole. It is important to take note of the fact that international interdiction standards are inherently anti-traditional use because they require eradication of all coca, except under a very limited set of circumstances, regardless of whether the coca is actually destined for use in manufacturing cocaine. Contradictory coca policies make it possible for Peru to find a middle ground, making allowance for traditional coca even while complying with international regulations. This differs from Bolivia, where traditional uses are given high priority as a human right and eradication programs are legally used only against coca crops that are destined for narco-trafficking.⁷⁹ The other extreme would be to pursue coca eradication to the exclusion of traditional use, while Peru's policies under the three most recent administrations fall somewhere in the middle.

The first goal of this chapter is to present an all-encompassing perspective on each administration's handling of the coca issue as a whole. Specifically, I will discuss how the interdiction and traditional use policies of the respective administration coexist and complement or contradict each other. Subsequently, I will provide a comparison of the three administrations' overall approaches to the coca (and cocaine) question, highlighting differences and similarities. By examining the interdiction policy in conjunction with the traditional use policy for each

⁷⁹ CONALTID, Estado Plurinacional de Bolivia, "Estrategia de Lucha Contra el Narcotrafico y Reduccion de Cultivos Excedentarios de Coca 2011-2015." 2011, 20.

administration, the chapter will analyze the combination of policies in order to establish a level of contradiction for each administration that will be represented visually by a graph. This will allow me to answer the over-arching question of how these three administrations have maintained seemingly contradictory policies to cooperate with international drug interdiction on the one hand, and permit coca production for traditional uses, on the other. Based on this answer, I will then discuss the significance of the contradiction in these policies, and what it means for the future of the relationship between Peruvian coca policy and international interdiction standards.

TOLEDO

The coca reduction strategy from Toledo's administration focused on alternative development and voluntary eradication, which represented a rejection of the strict interdiction policies from the end of Fujimori's administration. The anti-drug strategy states that the alternative development and eradication plans are to be carried out in compliance with international standards.⁸⁰ This policy took a comprehensive approach. Rather than concentrating entirely on interdiction measures, Toledo's administration worked with the coca farmers themselves to gradually reduce coca production. The reduction of coca cultivation formed part of a broader plan to improve development in the coca growing regions while at the same time transitioning away from an economy based largely on coca revenue from selling coca for drug purposes. By participating in alternative development programs, farmers would voluntarily eradicate coca crops intended for drug trafficking, and in return they would receive help

⁸⁰ *Estrategia* 2002, 61.

switching to other crops to generate income.⁸¹ In addition to the voluntary eradication which was part of the alternative development programs, Toledo's administration also utilized forced eradication, but to a much lesser degree than it had been used before.⁸²

These reservations regarding eradication stem from the fact that eradication programs under Toledo's administration did not target coca grown for traditional purposes. Coca crops used for traditional purposes are not officially legal if they are not controlled by ENACO. However, by stating specifically that eradication is meant to target coca intended for the cocaine trade, the anti-drug strategy from Toledo's administration implies that coca for traditional use is not supposed to be targeted by eradication programs.⁸³ In fact, the strategy goes into detail regarding the importance of traditional uses to the culture of the indigenous people, and states explicitly that interdiction programs must not violate the rights of the people.⁸⁴ Toledo himself acknowledged the importance of traditional uses of the coca plant and recognized a difference between growing coca for traditional uses and growing coca for the drug trade.⁸⁵ However, the strategy does not contain suggestions for how to go about legally incorporating traditional uses.

Toledo's administration can be characterized as prioritizing eradication slightly less than traditional coca, but intent nonetheless on respecting international standards. Toledo's emphasis on traditional coca makes sense in light of the fact that he derived much of his political support from indigenous voters, many of whom live in the highlands and grow coca for traditional uses.⁸⁶ Toledo himself came from a poor indigenous background, and supported a variety of

⁸¹ Cabieses 2004.

⁸² *Estrategia* 2012, 18.

⁸³ *Estrategia* 2002, 59.

⁸⁴ *Ibid.*

⁸⁵ Cabieses 2004.

⁸⁶ Christopher Raymond, and Moises Arce, "The politicization of indigenous identities in Peru," *Party Politics*, 19, no. 4 (2011): 555-575.

social welfare policies, although he was not a radical leftist and advocated a market approach to improving the economy, in order to create jobs and improve opportunities. Another concern of his was distancing the administration from the authoritarian regime of Fujimori and targeting the corruption and abuses which had accompanied his predecessor's rule.⁸⁷ In this context, Toledo's support for traditional use can be understood both as serving his indigenous electorate and as rejecting Fujimori's strict interdiction policies. In order to allow traditional coca while at the same time complying with international interdiction standards, the administration followed a policy that gave the farmers themselves more influence by employing voluntary rather than forced eradication. Alternative development incentives for voluntary eradication were also compatible with Toledo's broader plan of improving the opportunities for the poor indigenous population. In addition, voluntary eradication targeted specifically coca intended for cocaine trafficking, while subtly ignoring the coca for traditional purposes. This allowed traditional use to continue, while interdiction efforts were officially being pursued in compliance with international standards. This effect of this approach was a combination of policies that at once was moderately pro-interdiction while at the same time being very favorable towards traditional coca.

GARCIA

Garcia's administration implemented stronger interdiction policies, with more forced eradication, than Toledo's administration had employed. Although the administration continued to utilize alternative development programs, the emphasis changed. Rather than focusing on working with the coca farmers to provide them an alternative source of income in order to bring

⁸⁷ CountryWatch. 2013. "Peru Review Political Overview." CountryWatch, Inc.

about a subsequent reduction in coca cultivation, they focused on providing an alternative after coca crops were forcibly eradicated.⁸⁸ The alternative development program under Garcia's administration was subordinate to the eradication program, existing only to make it more effective. Moreover, unlike Toledo's coca reduction programs, Garcia's strategy for combating coca cultivation combined coca eradication programs with strategies targeting other aspects of drug trafficking. This suggests a close link between illegal coca cultivation and the crime associated with the cocaine trade, indicating a more forceful policy because coca interdiction is considered an integral part of reducing crime.⁸⁹ Part of this interdiction policy included a heavy emphasis on eradication of all coca crops not controlled by ENACO.⁹⁰ They were targeted by forced eradication programs, regardless if it was intended for drug manufacture or for traditional use; all un-sanctioned crops were assumed to be destined for illegal purposes. Because the majority of traditional uses consume coca grown independently of ENACO, the importance placed on this aspect of interdiction inhibits traditional uses of the coca plant.

The position that all coca not controlled by ENACO is part of the cocaine trade was consistent with the administration's more restrictive policy on traditional uses. Even though Garcia did make statements that supported free traditional use of the coca plant, the anti-drug strategy does not reflect these views.⁹¹ Although the administration acknowledged the existence of traditional uses, the anti-drug strategy does not discuss them extensively in the context of their significance to the culture of the indigenous people, and de-emphasizes their importance.⁹² The focus is instead on the issue of how allowing unregulated production coca for traditional

⁸⁸ *Estrategia 2007*, 25.

⁸⁹ *Estrategia 2007*, 20.

⁹⁰ *Estrategia 2007*, 24.

⁹¹ Vecchio 2006.

⁹² *Estrategia 2007*, 8-10.

purposes does not comply with international standards. The administration did not completely oppose traditional uses, however, as the anti-drug strategy stated the intention of expanding ENACO in order to cover them. This shows the commitment of the administration to complying with international standards, even though they interfered with free traditional use of the coca plant.⁹³

As a whole, the Garcia administration can be characterized as prioritizing compliance with international standards more than traditional use. This is understandable considering that Garcia's base of support was largely from the coast of Peru, among the established electorate from more privileged backgrounds, rather than from the mountains among the indigenous people. Like Toledo, Garcia also came from the left side of the political spectrum, but focused mainly on his version of economic policy rather than addressing social issues pertinent to the poor indigenous people.⁹⁴ He had no ties to the Andean region and therefore had little incentive to support traditional use, but was faced with the same international pressures for interdiction as previous administrations.⁹⁵ This brought about strongly pro-interdiction policies focusing first and foremost on eradication, with alternative development programs a secondary aspect intended to increase the effectiveness of the eradication program. Although the administration was not strongly opposed to traditional use, the issue of allowing freedom for traditional use of coca was not given the same level of importance as complying with international standards. Therefore, Garcia's administration did not endorse unregulated traditional use. This emphasis resulted in a combination of policies that was strongly pro-eradication and moderately opposed to traditional coca.

⁹³ *Estrategia 2007*, 24.

⁹⁴ CountryWatch. 2013. "Peru Review, Political Overview." CountryWatch Inc.

⁹⁵ Rodollo Masias Nunez, and Federico Segura Escobar, 2006. "Elecciones Perú, 2006: Complejidades y Paradojas de una democracia aún vulnerable," *Colombia Internacional*, 64, 96-121.

HUMALA

Humala's administration presents a more interesting case than Toledo's and Garcia's. When Humala first ran for president of Peru in 2006, one of the main points of his campaign platform was the issue of traditional use and its relation to interdiction. He supported unregulated traditional use of the coca plant, much like in Bolivia, even though such a policy would not have been compliant with international standards. In addition, he was very opposed to strong interdiction measures like forcible eradication.⁹⁶ He was not so outspoken on this issue during his second, successful campaign for the presidency, but once he was president he appointed as head of DEVIDA Ricardo Soberón, who was extremely vocal in his opposition to coca eradication.⁹⁷ Despite the appointment of Soberón, Humala's administration nevertheless continued eradication programs very similar to those from Garcia's administration.⁹⁸ However, Humala's administration has put renewed emphasis on alternative development, and has completely incorporated it into the eradication program as part of a comprehensive effort to reduce coca cultivation.⁹⁹ These interdiction measures, including some of the most ambitious eradication programs ever completed in Peru, are carried out as an effort to comply with international standards. This effort is also the reason unregulated traditional use never became a reality.¹⁰⁰

The administration has not allowed much greater freedom of traditional use, despite early indications to the contrary. Traditional use is still controlled by ENACO, although the Humala administration has been less strict than Garcia's about traditional use being rigidly confined to

⁹⁶ *Drug War Chronicle*, April 7, 2006.

⁹⁷ *El Comercio* 2011.

⁹⁸ *Estrategia* 2012, 56.

⁹⁹ *Estrategia* 2012, 47-48.

¹⁰⁰ *Ibid.*

the legal coca products from ENACO.¹⁰¹ One important aspect of the traditional coca policy of Humala's administration, which sets it apart from Garcia's and Toledo's, is that Humala's proposes to greatly expand ENACO in order to legally allow for whatever traditional use occurs, while still officially controlling the use of the coca plant. Even though Garcia intended to expand ENACO, he was not nearly as emphatic in his commitment to legalize all traditional use. Although this as of yet has not occurred and the majority of traditional use continues to happen outside the law, the suggestion takes the issue of traditional use in a new direction, which could potentially allow much greater freedom for traditional use while still maintaining compliance with international standards.

Early on, the Humala administration was extremely favorable towards traditional coca, and opposed eradication almost completely. When running for president against Garcia in 2006, Humala was identified strongly with the radical leftist and anti-American policies of Hugo Chavez and Evo Morales, including the Bolivian approach to coca policy.¹⁰² Although in his successful 2011 election campaign he tried to be more inclusive by distancing himself from the radical reputation of Chavez and Morales, he maintained his strong support for the indigenous peoples' right to traditional use of the coca plant. The original strong support for traditional coca makes sense in light of the fact that his political support base is the indigenous people in the coca-growing mountain regions.¹⁰³

Currently, however, Humala's administration puts a higher priority on complying with international standards than on allowing free traditional use. This is consistent with the fact that when Humala dissociated himself from the extreme policies of Chavez, he attempted to adopt a

¹⁰¹ *Estrategia* 2012, 26-27.

¹⁰² CountryWatch. 2013. "Peru Review Political Overview." CountryWatch Inc.

¹⁰³ "Leftist Wins Peruvian Presidency," *Stratfor Analysis*, 22, 2011.

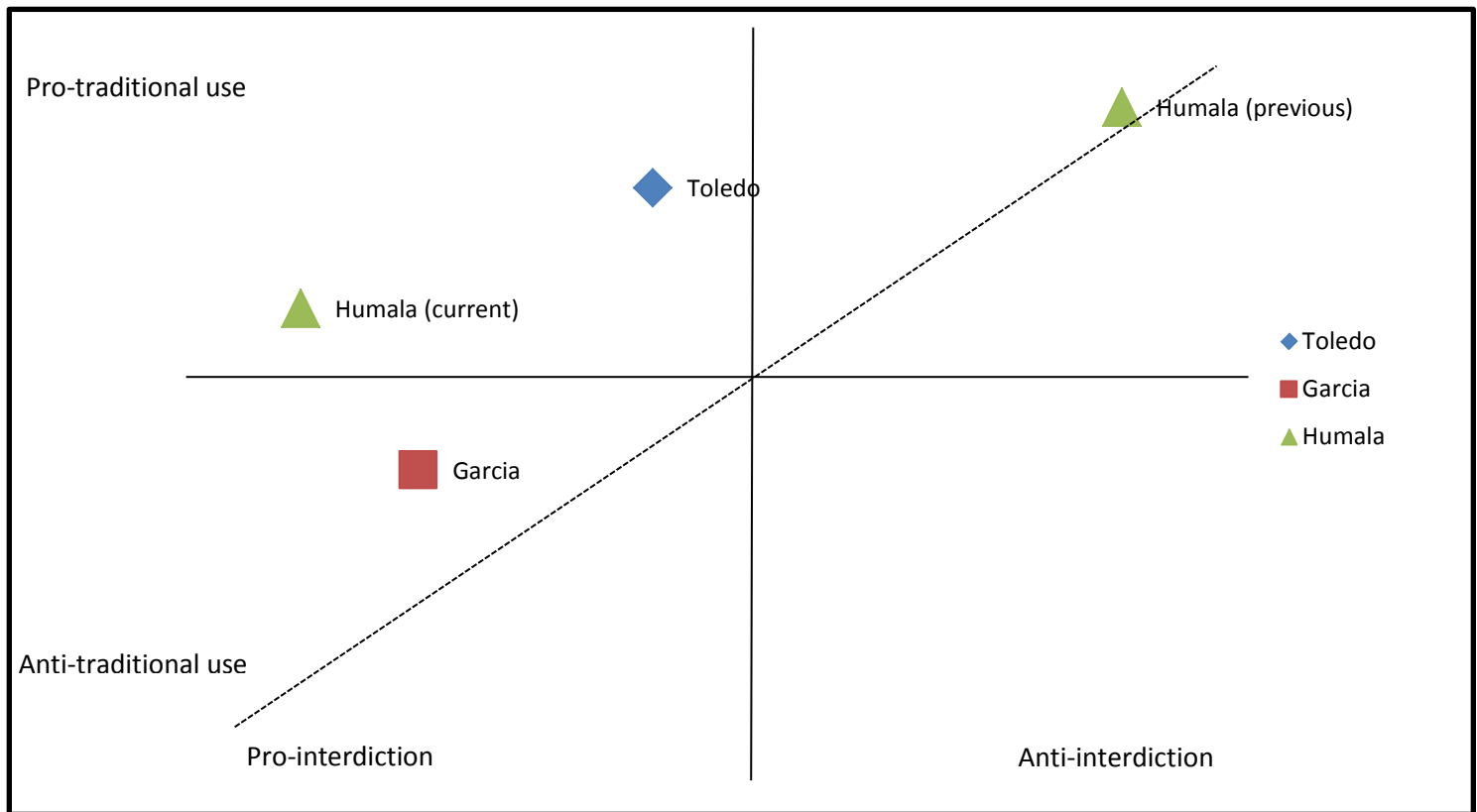
course of action that would be favorable to both sides, adding to his previous base of support those who would have been alienated by the association with Chavez.¹⁰⁴ This included attempts to alleviate the concerns the international community, especially the US, might have had regarding his suggestions for coca policy. This is the most logical explanation for Humala's major shift on the issue of coca policy. The emphasis on alternative development to carry out eradication programs is in keeping both with the administration's social policies and its commitment to international cooperation. Nevertheless, in order to maintain the indigenous support base, the administration is concerned with guaranteeing the availability of legal coca products for traditional use and interested in developing a way to permit all traditional uses while at the same time complying with international standards. The complete shift in coca policy as a result of Humala's changing political priorities makes it difficult to develop a definitive conclusion on the comprehensive policy of the Humala's administration on the issue of the coca plant, but it can be best characterized as having two distinct periods. This policy started out completely pro-traditional use and completely opposed to interdiction; however, at the present time it is strongly pro-interdiction, while still maintaining a quite favorable position towards traditional use.

¹⁰⁴ Omar Sanchez-Sibony. 2012. "The 2011 Presidential Election in Peru: A Thorny Moral and Political Dilemma." *Contemporary Politics*. Vol. 18:1, 109-126.

RELATIVE POLICY POSITIONS & RESULTING CONCLUSIONS

Figure 2 shows the position of each administration as a combination of its stance on interdiction and traditional use. The positions shown on the chart indicate the stances on interdiction and traditional use and illustrate the level of contradiction in the combined policy of each administration. The farther from the diagonal dashed line a position is, the more contradictory the policy. (fig 2)

Relative position of each administration (figure 2)



It is interesting to note that, of all the policy positions represented on the chart, the only one that would be consistent is Humala's original position, opposing interdiction completely and supporting traditional use. This policy would, not, however, have been compliant with international interdiction standards, illustrating the inevitability of contradiction in coca policy. In order to maintain compliance with international standards, the Humala administration's policy shifted completely, and is now marked by the same contradiction that is apparent in Toledo's, and to a lesser extent Garcia's, policy.

Based on the analysis of the interdiction and traditional use policies presented in this thesis, I draw the following conclusions on how these three Peruvian presidential administrations have maintained policies that make allowance for traditional use of the coca plant while still complying with international interdiction standards. Toledo's stance, as can be seen from the chart (fig. 2), was more favorable toward traditional use than either Garcia's or Humala's current stance, although at the beginning of his administration Humala was the most favorable towards traditional coca. Garcia, on the other hand, is rather unfavorable towards traditional use and strongly supports interdiction. Humala's current stance, although quite favorable towards traditional use, also supports interdiction quite heavily. Toledo's administration was not strongly supportive of interdiction, but neither did it strongly oppose it, as Humala did at the beginning. Humala's position at the beginning is the most consistent, falling on the dashed line in the chart, because it was completely opposed to interdiction and completely supportive of traditional coca. Garcia's position, which both strongly supports interdiction and moderately opposes traditional coca, is shown off the dashed line because it is slightly contradictory, though not to the degree of Toledo's or Humala's current positions. Toledo's position is very contradictory, as can be seen from its distance from the dashed line on the chart, the product of a combination of extreme favorability towards traditional coca together with moderate support for interdiction. The Humala administration's current position is the farthest from the dashed line, representing the most contradictory position of all, resulting from a very strong commitment to interdiction combined with a stance that is quite supportive of traditional use.

Each administration has some level of contradiction in its policies, whether it leans more heavily towards interdiction, or is more favorable to traditional use. This shows the influence that both the international western perspective on coca embodied in international and US interdiction

standards, and the domestic view held by the large indigenous population have over Peruvian coca policy. Compliance with US standards is important for Peru, because of the influence the US has over economic opportunities for Peru, but the political pressure from the 45% of the population from indigenous background is not easily ignored.¹⁰⁵ Because the interests of these two influential parties are not compatible, attempts made by the administrations to take both views into account result in the contradictory policies illustrated by the chart. This means that the Peruvian government cannot focus exclusively on carrying out the demands of its electorate, because it is faced with outside pressure to conform to a standard which has negligible support in Peru. Almost half of the Peruvian population is from indigenous background, and while it is impossible to categorically state that indigenous people want the right to legally grow coca for traditional purposes, these uses do come from the historic indigenous culture.¹⁰⁶ The demand for legal access to coca for traditional uses does come almost entirely from the indigenous population, as part of a broader movement in Andean countries toward a demand for greater inclusion of indigenous perspectives in the context of national policy in general.

Peru has been affected to some degree by this movement, but Bolivia has an even greater percentage (63%) of indigenous population, as well as a president of indigenous background who was himself a coca grower.¹⁰⁷ This explains Bolivia's complete divergence from the international standard when it comes to coca policy. While this has often been blamed on anti-American alignment with the radical leftist policies of former Venezuelan President Hugo Chavez, my analysis helps to show why the Bolivian approach represents a valid solution to the

¹⁰⁵ Minority Rights Group International. 2007. *World Directory of Minorities and Indigenous Peoples – Peru: Overview*. <http://www.refworld.org/docid/4954ce0b2.html>

¹⁰⁶ Ibid.

¹⁰⁷ Minority Rights Group International. 2008. *World Directory of Minorities and Indigenous Peoples – Bolivia: Overview*. <http://www.refworld.org/docid/4954ce15c.html>

dilemma faced by Andean countries.¹⁰⁸ A democratic government cannot easily ignore the opinions of such a large percentage of its constituency, even if it has a powerful conflicting external influence. For this reason, Bolivian coca policy is based on the Andean perspective on the coca plant.¹⁰⁹ Bolivia has an even stronger reason than Peru to allow and support traditional uses of the coca plant, and less reason to pursue interdiction programs to comply with international standards. Thus, instead of making an effort to serve both sides, which would result in contradictory policies like Peru's, the Bolivian government under Evo Morales has focused on serving its constituents.

Colombia, on the other hand, with its very small indigenous population, has focused on international interdiction and has become the model for US interdiction programs in the Andes with Plan Colombia.¹¹⁰ Colombian coca policies are based entirely on the international view of the coca plant, because the government is not influenced by the Andean perspective. The rights of the indigenous people to preserve their culture is recognized by the UN, but UN interdiction standards do not go beyond a general mention of indigenous rights, and there are no specifics given to make sure that the standards do not interfere with these rights. On the issue of drug interdiction, the UN puts interdiction above respect for the indigenous cultures, and the US takes the same approach.¹¹¹ A country that wants to maintain compliance with international standards, like Colombia, must adopt strict interdiction policies, which do not allow for traditional coca use.

The situation in Peru analyzed in this thesis is an example of the result of a combination

¹⁰⁸ Zackrisson, James L. "When States Pursue a Narcotic Agenda." *Defense & Foreign Affairs* 40.3 (2012): 4.

¹⁰⁹ CONALTID, Estado Plurinacional de Bolivia. *Estrategia de Lucha Contra el Narcotrafico y Reduccion de Cultivos Excedentarios de Coca 2011-2015*. CONALTID, Estado Plurinacional de Bolivia, 2011.

¹¹⁰ Minority Rights Group International. 2008. *World Directory of Minorities and Indigenous Peoples – Colombia: Overview*. <http://www.refworld.org/docid/4954ce5dc.html>; Martin Hodgson. A Report From Colombia – The Front Line in Washington's War on Drugs. *Bulletin of the Atomic Scientist* 56, no 3: 36.

¹¹¹ Pfeiffer, Sven. 2013. "Rights of Indigenous Peoples and the International Drug Control Regime: The Case of Traditional Coca Leaf Chewing." *Goettingen Journal of International Law* 5, no. 1: 287-324.

of the internal and external pressures which face these Andean countries. In this environment, a country that wants to please both sides is forced into a position in which it must maintain contradictory policies, as the analysis of the three Peruvian administrations shows. There are different ways to go about trying to reconcile these conflicting issues depending on the emphasis of each particular administration, but they all necessarily result in policies with varying levels of contradiction. It is impossible for an Andean country to maintain a coherent policy that takes into account both sides of the issue, because they are mutually exclusive. Based on this analysis, I am suggesting that international standards, both from the UN and the US, should be modified so as not to exclude the Andean perspective on the coca plant. If these standards are going to officially apply uniformly to all the Andean countries, then instead of being based entirely on the western view, which is foreign to the coca farmers most directly affected by the mandated interdiction measures, the standards need to allow for the other perspective.

It is not necessary to completely abolish international interdiction standards; even Bolivia has regulations on coca cultivation which are intended to prevent coca from being used to manufacture cocaine. However, these regulations take into account the view of the coca plant which regards it as a part of the indigenous culture and do not just assume an automatic link between coca and cocaine. While the Bolivian policy may be too lax to be the basis for revisions to the international standards, because it marginalizes the cocaine issue, an international standard which tries to give equal weight to both sides would be an improvement over the current one which barely acknowledges the existence of the domestic Andean perspective. The contradictory policy from Peru in a way represents a halfway point between strict interdiction a free allowance for traditional coca, and provides some suggestions for rethinking the international view as well. The very fact that Peru has managed to balance both sides shows that interdiction measures in

and of themselves are not completely incompatible with allowing traditional coca use. It is the international standards for interdiction that are the cause of the contradiction. Even if it is impossible for international standards to allow as much freedom for traditional use as Bolivia, they can still take into account the existence of the Andean perspective on coca. This is the importance of the contradictory Peruvian policy. It shows that a change is needed in the way in which the coca plant is perceived so that international standards can be modified so they do not conflict with the domestic concerns which Andean governments must take into account when formulating coca policy.

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