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**Question:**

Peru, located in the Andes mountain region of South America, is the second leading coca growing country (after Colombia) and the world's leading producer of cocaine.<sup>1</sup> It also has a significant indigenous population that defends its right to cultivate the coca plant for traditional uses. In my thesis I will examine the question of how Peru has maintained seemingly contradictory policies to cooperate with international drug interdiction on the one hand, and permit coca production for traditional uses, on the other. To answer this, it will be necessary to examine a number of different aspects which make up the larger question. What are traditional uses of coca, and what are the interests in protecting them today? What is the history of drug interdiction policy, and why and how does it conflict with the interest of traditional uses of coca? What are the current US international policies relevant to coca in Peru? What role do international actors (most notable the United States and the United Nations) play in Peruvian coca policy? How do the other actors involved, such as anti-drug and coca growers' organizations affect the policy, on either side of the issue?

**Background:**

In order to understand the inconsistency in Peruvian policy, it is necessary to have a brief explanation of the positions on the coca plant which are behind the two policies. The history of

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<sup>1</sup> US Department of State Bureau for International Narcotics and Law Enforcement Affairs. "International Narcotics Control Strategy Report, Volume 1." March 2012. <<http://www.state.gov/documents/organization/187109.pdf>>.

the coca plant is closely tied to the history of the indigenous people of the Andes. It was used by the indigenous inhabitants of the rugged Andes Mountains for various social and religious practices, not unlike the use of alcohol in some western societies. The coca leaf also possesses physical properties that made it very practical for the people who lived high in the mountains. The stimulant properties of the leaf allowed those who consumed it to rely less on food while still being able to work, and use of the coca leaf provides relief from altitude related symptoms, both of which are great assets in a high-altitude environment. Regulation of coca in Peru extends back before the Spanish conquest, when cultural and legal norms dictated by whom what type of coca usage was permitted. The chewing of the coca leaf was the most common usage by the normal indigenous people, a practice which continues to this day.<sup>2</sup> The coca plant was extremely significant culturally at the time, as a religious symbol and in marking social hierarchies, and has now become a cultural symbol for the marginalized indigenous groups of the Andes Mountains; the right of indigenous peoples to grow coca is closely linked to their human rights as indigenous populations. Although the traditional uses of coca have been controversial since the Spanish conquest, with European colonizers either wanting to ban it, because of its unique and – to the Spanish – unfamiliar, properties, which were seen as harmful to the indigenous population; or make use of it – either for medicinal purposes, to get rich from controlling the cultivation of coca, or to use it in order to control the indigenous population because of its perceived hold over these people – it is the cultural connection associated with the coca plant which makes the issue of coca prohibition so significant, because banning coca not only bans the plant necessary for

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<sup>2</sup> Joseph Gagliano, *Coca Prohibition in Peru: The Historical Debates*, (Tucson: University of Arizona Press, 1994), pp. 6-11, 52-71.

making cocaine, but also can be seen as interfering in the cultural heritage of the indigenous people.<sup>3</sup>

While these controversies never disappeared, the conflict over the coca plant became even greater with the discovery of cocaine and the invention of Coca-Cola in the late 1800s. United States anti-drug policies had their origins in these controversies and the campaigns opposing other drugs at the same time. In the first concerted effort by the United States (1911-1913) to export anti-coca policies to the rest of the world, all the American countries except Peru agreed to US stipulations. The US maintained strict policies against drugs, including cocaine and the plant from which it was derived. These policies only tightened after WWII, and the 1961 United Nations Single Convention on Narcotic Drugs sealed coca's fate when it included the plant among those to be prohibited as plants used to produce drugs.<sup>4</sup>

In the 1980s the US established interdiction policies which included supporting the eradication of illicit coca crops in South America. The US Drug Enforcement Agency (DEA) became involved in numerous efforts in South America to combat cocaine production and availability at every level, including the cultivation of the coca plant. These programs included the promotion of aerial spraying and other means of destroying coca crops, in addition to training foreign law enforcement agents to fight drug production and drug-plant cultivation, including coca.<sup>5</sup> In 1986 the United States government began the certification program for drug producing countries, in which the US government makes an annual report on the nations considered to be

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<sup>3</sup> Joseph Gagliano, *Coca Prohibition in Peru: The Historical Debates*, (Tucson: University of Arizona Press, 1994), pp. 16-18, 28-42, 71-74.

<sup>4</sup> Paul Gootenberg, *Andean Cocaine: The Making of a Global Drug.*, (Chapel Hill: University of North Carolina Press, 2008).

<sup>5</sup> Coletta Youngers, Eileen Rosin. *Drugs and Democracy in Latin America: The Impact of U.S. Policy*. Lynne Rienner Publishers, 2005.

“major drug transit or major illicit drug producing countries” and marks their status as compliant or non-compliant with US expectations for drug interdiction policies, a system which continues to this day.<sup>6</sup> Failure to comply results not only in the suspension of economic assistance from the United States, but also in the opposition by the US of aid to the non-compliant country from other sources as well.

The current mixed policy on coca in Peru began with the Fujimori regime (1990-2000) when Peruvian president Alberto Fujimori, soon after being elected in 1990, announced the “Doctrina Fujimori” which rejected the hard-handed coca eradication policies of the 1980s funded by the United States in favor of alternative development projects and crop substitution funded by the United Nations International Drug Control Program. This left the military, which had previously been used for drug-control purposes, free to battle the *Sendero Luminoso* guerrilla movement, and gained Fujimori’s administration support in vulnerable areas of the country. Although the United States opposed this policy shift, Fujimori was at the same time implementing changes that aligned with the Washington consensus, thereby retaining US support, and in order not to further destabilize the country, which was already racked by war, the US government did not strongly oppose Fujimori’s policies. After the *autogolpe* in 1992, and to an even greater extent a few years later when reports of human rights abuses by the Fujimori regime itself began to spread, Fujimori began losing US support. As a result, he changed completely the policy on coca, in 1994 signing an agreement with the US to receive funds and equipment to carry out US-backed policies, and in 1996 beginning US funded coca eradication and creating a US-organized agency *Contradrogas* to oversee the eradication efforts. From that

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<sup>6</sup> US Department of State, "Narcotics Legislation and the "Majors" List."  
<http://www.state.gov/j/inl/rls/rpt/c11766.htm>.

point on the Fujimori regime cooperated closely with US anti-coca policies.<sup>7</sup> This cooperation ushered in the current drug interdiction policies in Peru.

The Fujimori era agency *Contradrogas* has now been replaced by the Comisión Nacional para el Desarrollo y Vida sin Drogas (DEVIDA), which is responsible for alternative development in Peru, working alongside USAID, as well as eradication efforts together with DIRANDRO, the Dirección Ejecutiva Antidrogas (anti-drug arm) of the Peruvian National Police.<sup>8</sup> DEVIDA also works in conjunction with the United Nations Office on Drugs and Crime to develop estimates of coca cultivation in Peru.

### **Research design/Methodology:**

This will be a comparative policy analysis of the administrations of Alejandro Toledo (2001-2006), Alan García (2006-2011), and Ollanta Humala (2011-present), on the subject of coca cultivation and cocaine interdiction policies, and how those policies have coexisted under these administrations. I will start with the mentioned policies during the presidency of Alberto Fujimori (1990-2000). This will present the starting point for the modern relationship between interdiction and traditional use policies. Then, in order to make the comparisons between the policies, I will answer the following questions regarding policies on traditional uses, and interdiction policies (domestic and international), for the three administrations which are the subject of my research. What are the policies regarding the traditional use of coca in Peru – from cultivation to the sale of coca products? What are the policies on drug interdiction, and how do these relate to the coca plant? How does Peru interact with international interdiction efforts,

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<sup>7</sup> Julio Cotler, *Drogas y política en el Perú: la conexión norteamericana*, (Lima, Perú: Instituto de Estudios Peruanos, 1999), 198-260.

<sup>8</sup> Cabieses, Hugo. "Peru's Cocalers on the March." *NACLA Report on the Americas* 38, no. 1 (7 2004): 10.

especially eradication efforts targeting the coca plant? For each of these questions, I will analyze how these policies have changed over time with the successive presidencies of Toledo, García, and Humala, and how these changes in policy have affected the relationship between the conflicting positions represented in the Peruvian strategy on coca. Finally, I will bring all these elements together in a comprehensive analysis in order to provide a characterization of the different administrations as to their stances on traditional use, as well as their positions on international and domestic interdiction policies.

#### Traditional Use Policies in Peru:

In order to answer the first question, regarding how the policies on traditional uses of coca have changed during the different administrations, I will use information from Peru's national coca company, Empresa Nacional de la Coca (ENACO), which is directly responsible for legal coca cultivation and production and sale of legal coca products within Peru, to determine the official status of legal coca growing in the country during each administration. I will also use information about coca cultivation and the making and sale of coca-based products for traditional purposes directly from the laws of Peru to determine what the official legal position behind the policies is, and look for any changes in these laws that would signal a change in policy. I will also look for statements from government officials in each administration involved in the making of coca or cocaine policy, which could be taken as indications of practice, if not official policy. I will also look into the organizations that promote the legalization of coca for traditional purposes, and their possible ties to the government of Peru, and the effect of these organizations and their connections on these policies. This degree of connection will be especially important to consider when it comes to any differences between the three administrations on the subject of traditional use policies. I will look for information on all of

these issues for all three administrations in order to compare and contrast their views on the issue of the cultivation and use of the coca plant for traditional purposes.

### Drug Interdiction in Peru

The second question I will cover by using laws from Peru, and a variety of reports from Peruvian agencies, to determine Peru's policies and programs related to coca and drug interdiction. This will include the laws which govern drug policy as well as coca cultivation and eradication policies. These will be important because any amendments to these laws about drugs or the coca plant which occurred during the time period I am studying could be definite signs of changes in coca policy, especially as they relate to changes from one administration to the next. I will also use reports such as the Estrategia Nacional de Lucha Contra las Drogas (national strategy for war on drugs) from DEVIDA, which is responsible for the alternative development programs in Peru, from the different administrations in order to establish each one's stance on this issue. I will seek information from the DIRANDRO for information on coca eradication in Peru, as well as use the Monitoreos de Coca, a cooperative effort between DEVIDA and UNODC, for statistics on coca cultivation and eradication and an indication of Peru's commitment to its stated policies of cooperation with international interdiction efforts. These policy documents and reports are produced periodically, so I will look at different editions over the years throughout the administrations covered by my study in order to track any changes in coca policy during the different presidential administrations, as they are reflected in those documents. Once again the focus of my investigation will be to compare and/or contrast the drug interdiction policies under the administrations of Toledo, García, and Humala.

### International Interdiction Efforts:

In order to answer the third question, regarding the cooperation between Peru and international interdiction efforts, I will first set a baseline for understanding international interdiction. I will begin with the UN norms for drug producing countries and what is expected of countries in the area of drug regulation and control of plants considered by the UN to be drug-producing plants. In order to do this, I will use the UN Single Convention on Narcotic Drugs (1961, amended 1972) and the UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), and documents from the United Nations Office on Drugs and Crime (UNODC) that pertain to Peru. These conventions set the UN standards for which substances are considered drugs and which plants are considered drug-production plants, among which the coca plant is listed in both conventions. Important for my study are the conventions' expectations for how countries will deal with the illicit cultivation of these plants within their borders, including the mention of alternative development strategies as a way to combat this illicit cultivation in the 1988 convention.

Next I will examine the US policies which pertain to the war on drugs, especially as it relates to Peru, using the State Department International Narcotics Control Strategy Reports for Peru from 2000 to 2012, which provide a fairly comprehensive indication of the US government view on Peru's coca policies, as well information on US sponsored cooperative efforts between the countries. I will also use the annual Presidential reports designating "major drug transit or major illicit drug producing countries" over the same time period. This will provide information on the United States international anti-drug policies, the expectations the US has for other countries, and Peru's involvement within that framework. This serves essentially the same purpose as the Narcotics Certification Process the US used from the mid-1980s until the year



2001 for determining international compliance with US anti-drug policies. In addition, I will use the USAID Country Development Cooperation Strategy for information regarding the cooperative effort in reducing coca cultivation in Peru through alternative development strategies funded by USAID. The United States policies are very important to the issue of the conflict in coca policy in Peru, because although the UN may set the standards for coca policy and support interdiction, it is the US that effectively enforces these standards with its “certification” system which coerces other nations into following the lead of the US when it comes to drug policies.

### Overall Comparative Analysis

In order to draw conclusions about the the national and international policy dynamics as they have played out in the various administrations since Fujimori, I will analyze the policies as I have laid them out in each section – the policies on traditional use and domestic drug interdiction in Peru during the administrations of Toledo, García, and Humala – and compare and contrast those policies with the international drug policies of the same times, which will allow characterization of the various administrations as more supportive of international anti-coca policy or of traditional coca policies. This will allow a comprehensive analysis of the issue central to my research project -- how the various aspects have played into the complexities of a policy allowing use of coca for traditional purposes while at the same time accommodating international anti-coca standards.

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