

[TRANSLATION]

[Letterhead on all pages: Emblem of the Plurinational State of Bolivia]

[Stamps affixed on the cover letter: Received: 29 June 2023; Log No: EOSG-2023-04620; EOSG / CENTRAL; Action: WHO; COPY: CDC / OUSGP / PU / ROL / OLA / UNODIC]

[Footer on all pages: *Casa Grande del Pueblo* / Great House of the People]

La Paz,

MPR/DESPSE-1621-CAR_SE/23

To: H.E. Antonio Guterres
Secretary General of the United Nations Organization
New York. -

Subject: **Request for a critical examination for the classification of Coca Leaf**

Brother Secretary General,

I am pleased to address you on behalf of the government of Bolivia to refer to the United Nations treaty system on international narcotics control and the inadequate and incoherent classification assigned to coca leaf owing to colonialism, which has ignored our cultures and ancestral medicine and has transgressed the scientific pharmacological procedures and studies established for the classification of narcotics -violating our legitimate rights for decades.

The Political Constitution of the Plurinational State of Bolivia (2009) establishes the obligation to protect native and ancestral coca leaf as heritage and as a renewable natural resource of our biodiversity with a key role in our Andean-Amazonian cultures given that, in its natural state, it is not and cannot be considered a narcotic drug as it has ancient traditional medicinal, nutritional and phytotherapeutic uses that do not produce dependency or any harmful effects on health. For millennia, our grandfathers and grandmothers have recognized the medicinal properties of coca leaf, which was used by our Tiawanakota, Kallawaya and Inca cultures, as well as by the Amazonian and Guaraní cultures, without restrictions or prohibitions. For our people, coca leaf is a species that means

life, culture, dignity and sovereignty, and it has a high value in Andean and Amazon medicine.

The inclusion of coca leaf as a narcotic drug in List I of the 1961 Convention, as well as the obligation to abolish its chewing, constitute a serious historical error, the review and repair of which corresponds to the World Health Organization.

The 1950 base report of the Commission of Inquiry on the Coca Leaf concluded that coca chewing "does not constitute a drug addiction, but rather a habit." However, its inclusion in List I of the Convention was subject to a colonialist decision in 1952 and 1954 by the WHO Expert Committee on Drug Dependence which stated, without any scientific evidence or analysis, that chewing the coca leaf was harmful to individuals and society. This measure continues to violate the legitimate rights of our indigenous peoples.

In 1992, the WHO Expert Committee held the view that the properties of coca leaf, its social function and the consequences of its intake on health, should be studied, implicitly recognizing that the conclusion reached in the middle of the century lacked an empirical basis. However, neither adequate examinations nor epidemiological tests were carried out on the effects of the traditional use of coca leaf on health, nor were scientific basis provided—a treatment that is also given to other plants and raw materials under the Single Convention and within the United Nations drug control treaty system. Once again, the lack of equitable treatment and the absence of legitimacy and science in its current classification were evident.

In research carried out between 1992 and 1995 within the framework of the WHO and UNICRI *Cocaine Project*, it was concluded regarding coca leaf that "the consumption of coca leaves does not seem to have negative effects on health and has positive therapeutic, sacred and social functions among Andean indigenous peoples." However, this study was not published due to a political veto by the United States preventing coca leaf from being studied from a scientific perspective. Three decades have passed since this unfortunate episode and until now the WHO has not carried out any scientific and objective evaluation of coca leaf.

We consider it appropriate to recall that a decade ago Bolivia began a necessary defense of the traditional use of coca leaves in order to be able to amend these serious and imposed colonial errors that go against current scientific findings and the inalienable rights of indigenous peoples. In order to harmonize our national legislation with international obligations, Bolivia withdrew from the Single Convention on January 1, 2012 and re-adhered to the Convention a year later with the following reservation:

"The Plurinational State of Bolivia reserves the right to allow in its territory the traditional chewing of coca leaf; the consumption and use of coca leaf in its natural state; for cultural and medicinal purposes, such as its use in infusions; as well as its cultivation, trade and possession to the extent necessary for these lawful purposes. At the same time, the Plurinational State of Bolivia will continue to take all necessary measures to control the cultivation of coca to prevent its abuse and the illicit production of narcotics that can be extracted from its leaves."

The use and consumption of the coca leaf plant does not produce psychological or physical changes greater than those that would result from the consumption of other plants and products of free and universal use. Today, millions of people in our region, including not only indigenous peoples, consume coca leaf daily without experiencing harm to their health, and none of them have had to resort to health services to treat dependence or the harmful effects of toxicity. Coca leaf is a source of knowledge and vital energy. From the South, Bolivia, Peru, Colombia and Argentina, have repeatedly questioned the condemnation of coca leaf on different occasions and in recent decades by presenting reservations to the treaty and observing provisions in our constitutions or national legislation. The sacred coca leaf has been and is a substantial part of our native cultures. Coca leaf cultivation and consumption dates back more than 8,000 years.

The right to maintain these practices is enshrined in international law, specifically in the 1966 International Covenant on Economic, Social and Cultural Rights and the 1989 Indigenous and Tribal Peoples Convention (No. 169). Hence, the 2007 United Nations Declaration on the Rights of Indigenous Peoples, among others, states that "indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, their traditional knowledge, their cultural expressions and the manifestations of their sciences, technologies and cultures, including human resources, seeds, medicines, and the knowledge of the properties of fauna and flora."

Distinguished Secretary General, the Plurinational State of Bolivia, through this notification, in accordance with Article 3 of the 1961 U.N. Single Convention on Narcotic Drugs, herewith requests to activate the process for a critical examination of the current classification of coca leaf as a narcotic in List 1 through the technical-scientific organ of the World Health Organization and its Expert Committee on Drug Dependence in order to redress this serious historical error in the control regime of plants and their derivatives. To this end, I am appending to this note an Objective Support Dossier Document to overcome the incoherence linked to the

proper categorization and classification of coca leaf within the context of the international legal framework.

The Expert Committee will have to reassess and rectify its original biased position and utter a clear and updated view in the light of the scientific evidence and procedures concerning the medicinal and nutritional properties of coca leaf and its beneficial effects on health. Likewise, the Committee must evaluate the unlikely negative effects and addictive properties of coca leaf and the coherent application of the human rights obligations to which our indigenous peoples are entitled, with special consideration to their cultural rights and the use of native medicine and identity, which are guaranteed under current international law.

Resolving the incoherence in the current classification would put an end to the violation of legitimate rights and to the criminalization of indigenous, cultural and Andean-Amazonian medicinal practices, and would allow the international community to benefit from the coca leaf in its natural state.

At the same time, it should be emphasized that the intention is in no way to devalue international oversight of coca cultivation and the use of coca leaves for the illicit production of cocaine. These oversight provisions are part of specific articles of the 1961 and 1988 conventions. They will remain fully in force and will continue to be fully honored by the Plurinational State of Bolivia.

Brother Secretary General, on behalf of the government and people of the Plurinational State of Bolivia, I wish to reiterate our firm will and commitment in the fight against the scourge of drug trafficking. We will continue to work tirelessly with all the necessary legal measures to stabilize the cultivation of coca, as we have done more than a decade ago through the successful Bolivian model.

I take this opportunity to renew to you the assurances of my highest and most distinguished consideration.

[Signed by:]

Luis Alberto Arce Catacora

**CONSTITUTIONAL PRESIDENT OF THE
PLURINATIONAL STATE OF BOLIVIA**

[TRANSLATION]

[Letterhead on this page: Plurinational State of Bolivia. Ministry of Foreign Affairs. Permanent Mission before the United Nations]

[Footer on this page: UN Secretariat Address: 801 Second Ave. 4th Floor. Suite 402. New York. NY 10017. Tel.: (212) 682 8132. Fax (212) 687 4642]

OI.US-Cs-139/2023

New York, June 26, 2023

Distinguished Chief of Staff,

I am writing to you to forward the Note addressed by His Excellency, the President of the Plurinational State of Bolivia, Luis Alberto Arce Catacora, to the Secretary General of the United Nations, Mr. Antonio Guterres, requesting to activate a critical examination for the current classification of coca leaf as a narcotic in List I through the technical-scientific organ of the World Health Organization and its Expert Committee on Drug Dependence in accordance with article 3 of the 1961 United Nations Single Convention on Narcotic Drugs.

Additionally, a "*Dossier on the Critical Examination of Coca Leaf*" is also transmitted, providing objective support to the incoherence linked to the proper typification and classification of coca leaf within the international legal context.

For this reason, I take this opportunity to reiterate to you the assurances of my highest and most distinguished consideration.

[Signed by]

Ambassador Diego Pary Rodriguez
**Permanent Representative of the Plurinational State of Bolivia
before the United Nations Organizations**

To
Earle Courtenay Rattray
Chief of staff
United Nations General Secretariat
New York. -