

## ***A BOTTOM UP PROPOSAL FOR A REGULATED CANNABIS MARKET***

***By Joep Oomen, European Coalition for Just and Effective Drug Policies***

Wellcome and thanks for the invitation....

Encod is convinced that a Europe with peace, prosperity, personal rights and freedoms, effective governance, policies aimed at solving problems and not at creating them, is a Europe where the drugsmarket has been regulated. .

The lack of a legal framework with regards to drugs is one of the pillars of a system that essentially denies human beings legal access to products (some of them even natural products) which are beneficial to their health, physical or mental.

Among the many disasters that prohibition of cannabis and other drugs has produced, maybe the worst is that it has destroyed this access, and instead established a market that is almost entirely driven by economic reasons, without taking into account the rights of consumers and producers.

This lack of framework is deliberately maintained so on the one hand, power structures can continue to feed themselves with money gained from desperacy, while on the other, power structures can continue to justify fargoing control and intrusion in people's private life.

Drug prohibition is serving the needs of the elite, and therefore it will not be the elite that will be able to stop it. If we want to replace this policy with a sound and healthy alternative, we need to build it ourselves, bottom up. Since more than a decade, citizens allover Europe have started to use the loopholes in the absurd drug law to create this alternative. Wellcome to the Cannabis Social Club!

Cannabis Social Clubs organise the collective cultivation of an amount of cannabis that is exclusively meant for the private consumption of their members. So the production capacity of a CSC is based on the expected level of yearly consumption of its members. Thus a closed circuit is established between producers and consumers, where certain requirements are met concerning health, safety, transparency and accountability.

They can be set up legally in any country where cultivation of personal amounts of cannabis has been decriminalised. And they can become a tool of political action in countries where this is not yet the case. More on that later.

This is what has happened in Spain:

Since 2006, when the first CSC was accepted by a local court in Bilbao, hundreds of clubs have been set up – with now tens of thousands of members. In Barcelona some clubs are even open to one day members such as tourists, which has modified the concept Social Club in a sense, so regional parliaments in Cataluña and the Basque country is underway to establish a definitive regulation . Main contact: FAC

In Belgium, in 2010 the CSC Trekt uw Plant was acquitted for the second time and started cultivating, we have now 3 clubs, TUP is biggest with almost 350 members, 12 growers, every 2 months harvest for members, we also do workshops, lobby etc.

The concrete form and ways of operating of a Cannabis Social Club depend on the legal, political and cultural standards in the country in which it is established. However, there are some basic principles and attitudes which all Cannabis Social Clubs adhere to and which distinguish them from other kinds of initiatives.

### **1. Supply follows demand, not vice versa**

The production capacity of a CSC is based on the expected level of the consumption of its members. The supply is organised in order to meet the demand of the members, not vice versa. The price is based on a calculation of technical costs – and is approved by the general assembly of members. This means that the growth of a CSC can only be slow- and steadily, the interference of large producers or others who can manipulate the market is avoided.

### **2. Non-profitability**

Cannabis Social Clubs are non-profit associations, they don't buy and sell with a profit. Even more, when growers or consumers are caught selling cannabis that is produced in the club to third parties, they are expelled. The financial benefits that may be obtained by the association and that derive from its economic activities, are used to promote the goals of the association. CSC's aim to generate legal employment and produce goods and services in a taxable way.

### **3. Transparency**

Cannabis Social Clubs are legally registered associations. Their internal organisation is democratic and participative. The decision-making body is the Annual General Assembly, to which all members are invited to attend. Each member has one vote.

On the AG, a narrative and financial report of the activities of the association in the preceding year should be presented and approved, as well as a plan for the following year.

CSC's maintain a record of their activities, which is easily consultable by members, other CSC's or authorities. This includes financial accountability, an (anonymized) registration of members and their consumption, and an (anonymized) registration of production.

### **4. Public health oriented**

Cannabis Social Clubs only use methods of cultivation that meet the standards of organic agriculture. They develop an effective policy of prevention of problematic use of cannabis and promote safe and responsible use. This includes providing members with factual information on cannabis/hemp. They elaborate research into health aspects of the cannabis that they produce and inform their members on the results of this research.

With TUP we are systematically categorising the experiences of our members with different sorts of cannabis, so we can measure their satisfaction with certain desired effects, such as activating, anti-depressive, but also analgesic, against nausea etc..

## 5. Open to dialogue with authorities

Cannabis Social Clubs are willing to engage in any kind of dialogue with authorities, and implement an active policy to invite authorities to this dialogue.

In Antwerpen we developed the proposal of an urban garden.

In the near future the economic crisis may act as a catalyst of change in the perception of the drug phenomenon and the drug policies that should be adopted in Europe.

The increased pressure on European governments to reduce public spending should lead to closer view on the efficacy of current policies, and prepare the minds of politicians and authorities to start experimenting with alternative approaches.

Legal regulation of the cannabis market will also allow for more lenient rules concerning the cultivation of hemp, which can make an enormous contribution to the economy. They could enable sustainable development on local level, creating jobs for millions of people and producing high quality goods. The EU is currently subsidizing the cultivation of hemp: that will not be necessary anymore if farmers could grow it more freely.

So for anyone here in the room who wishes to establish a CSC in Germany: don't think it is impossible! We also thought that in Belgium 5 years ago.

Organise yourself, for further guidelines, see our website for the four step approach

Contact a good lawyer, set up an association, and start growing

Once a Cannabis Social Club is functioning properly, what remains is to convince political and legal authorities to install a legal regulatory framework for clubs, concerning licenses, taxes and external control.

In most cases, politicians, legal experts, judges or policemen simply do not know how to start regulating a legal cannabis market. This can actually help the process: when there are no antecedents, the models that are proposed by the consumers themselves can become easier accepted.

To politicians who protest that this is not possible:

UN Convention makes experiments possible

EU commissioner has stated that EU has no power whatsoever

Any delay of the decision to start to legally regulate drugs only plays into the hands of those who benefit from the war on drugs: those dealing in illegal drugs and those who (are supposed to) fight against them. Everybody else is losing.

Any question, any request for support for a serious effort will be awarded, just contact us at Encod or our local members in Germany..

Viel Glück und Spass!