

# Report on the Informal Drug Policy Dialogue

December 10-12, 2021, Kingstown, St. Vincent and the Grenadines

## Executive Summary:

The Caribbean region's Informal Drug Policy Dialogue that was held in Kingstown, St. Vincent and the Grenadines (SVG), in December 2021, at the initiative of Transnational Institute (TNI) in close collaboration with the Medicinal Cannabis Authority (MCA) of SVG highlighted several challenges to the establishment of a legal medical cannabis industry currently being faced by countries in the region. These issues include international banking restrictions; access to laboratory, research and testing facilities; complying with EU GACP and GMP to meet the standards for exports, the Seed-to-Sale System; securing access for patients and getting doctors to prescribe; the structure of the licensing system; guarantees for the Rastafari community for ceremonial ganja usage, and most importantly, how to envisage traditional cultivators inclusion in the regulatory framework and practice being developed. Around the table seven (7) countries were represented from the region: Barbados, Grenada, St. Kitts and Nevis, Antigua and Barbuda, Jamaica, St Lucia and of course St Vincent and the Grenadines.

All present blessed the opportunity to discuss these issues at a (physical) round table, and fully agreed closer coordination and collaboration of governments and institutions in the region is fundamental to avoid future scenarios in which Canadian or US grown cannabis would be a merchandise to be sold in the region. This cooperation may be obvious but esteemed far from easy, in the words of one participant: "We Caribbeans behave as one people outside the region, but here we are fierce competitors". The scenario that each and every small island state will reinvent the wheel on how to best profit from this emerging medical cannabis industry is already taking shape. Bearing the CARICOM Cannabis Commissions' report in mind, the group agreed some collective action or agreed policies should follow from this meeting.

Comparative advantages the region possesses for this business to prosper- such as climate, soil and a long tradition of cultivation- are some of the important ingredients that unite the region creating a joint niche market for (medical) ganja.

Global developments show non-medical uses of cannabis, in UN treaty terminology, is increasingly accepted and regulated. In the United States and in Europe developments are at a high pace, with federal US level legislation is on its way and the new German government announcing full cannabis regulation. Some Latin American countries are in the midst of designing regulatory frameworks for cannabis, such as Mexico. The legal obstacles that are part of the UN treaty provisions are outmoded and unworkable so their existence should not prevent, and is not preventing, countries from legalizing cannabis for adult use. Sanctions for non-compliance have not been imposed by the UN and only the U.S. has done so in the past, but since several U.S. states have now regulated their cannabis markets, this threat has disappeared. Countries need to develop a strategy to deal with non-compliance, so what options exist? It is deemed improbable or even impossible to await a more lenient rescheduling or descheduling of cannabis through the UN mechanisms, as witnessed after the WHO recommendations. Amending the treaties is possible in theory but in practice can be easily blocked by opposing countries. The polarized positions will block any UN treaty reform regarding cannabis anytime soon. Two options remain for countries: to renounce the treaty and re-access it

with a reservation, as has been done by Bolivia regarding the coca leaf. The other option is the *inter se* modification agreement: a treaty provisions modification of two or more members. This option would allow countries to trade cannabis with other countries involved. A Caribbean cannabis trade agreement, including an *inter se* modification that changes treaty obligations among the group, could facilitate intra-regional trade, for medical and religious purposes, and prepare the ground for other future trade.

Transnational Institute (TNI) shared recommendations that came out of previous workshops, held in the Caribbean region, Colombia and Morocco, which resulted in the establishment of a Caribbean Fair Trade Cannabis Working Group comprised of growers' networks, researchers, and practitioners

(1) Approaches that rely purely on a free-market, export-oriented strategy is unlikely to yield broad-based, sustainable benefits;

(2) An inclusive and sustainable cannabis business model must integrate issues of equity, human rights, public health, patient access, fair trade and environmental resilience; and

(3) A strategic compact between 'coalitions of the willing' involving a broader community of practice.

The idea surfaced to develop a proper regional (ITAL) standard, quality brand for the CARICOM medicinal cannabis industry, focusing more on the development of a regional market, instead of investing all efforts into complying with the EU standards, particularly far-fetched for most of the traditional cannabis cultivators.

One recommendation that had the consensus of all participants was the urgent need for a regional harmonized approach to take control over development of the Caribbean cannabis industry, inclusive of traditional cultivators. Another recommendation aimed at tackling the banking issue was for Caribbean countries to consider using their national(ized) banks, to perform banking services for their cannabis industry. The participants also recommended a collaborative approach to entering the international cannabis market space, as this regional approach would make the region stronger in this emerging market. It was also recommended that the region need to learn from the best practices of each other in relation to the cannabis industry. In relation to ensuring that traditional cannabis cultivators remain a key stakeholder in the cannabis industry it was recommended that the cooperative structure encouraged and supported as this structure is a way of achieving economies of scale. Finally, it was recommended that the current group present at the workshop become a Task-force for moving forward the cannabis industry in the region and move the industry forward together, because it had representation from all stakeholders across the industry in the region.

## THE DIALOGUE

Focusing on the Caribbean region, this Informal Drug Policy Dialogue, was held in Kingstown, St. Vincent and the Grenadines (SVG), from 10-12 December 2021, at the initiative of Transnational Institute (TNI) in close collaboration with the Medicinal Cannabis Authority (MCA) of SVG.

The meeting held in St. Vincent and the Grenadines was intended to raise greater regional collaboration and harmonisation on the developments in the medicinal cannabis industry. It raised several important issues and challenges for the developing cannabis industry in the region. This report aims to reflect and capture the discussion of the five sessions held during the dialogue. The meeting was held under Chatham House rules, as such all interventions in this report are made anonymous.

At the launch of the 2018 report of the CARICOM Regional Commission on Marijuana, the Commission expressed their hope that “the report would be an important developmental tool centered on human rights and democratic ideals consonant with the Sustainable Development Goals (SDGs) that CARICOM has embraced enthusiastically and that it will bring meaningful change to Caribbean peoples”. The meeting held in SVG served to remind participants of the findings and conclusion of the Commission’s report, and encourage bolder steps to be taken by CARICOM states, as recommended in the report.

**On the first day**, the hosting governmental agency, the Medical Cannabis Authority (MCA) of SVG opened the discussion by sharing their strategic plans for the industry in SVG, referring to policies, processes and procedures. The MCA noted that the developing cannabis industry faces a number of challenges, many of which still need to be addressed, some of which are being slowly resolved by their administration. These issues include international banking restrictions; access to laboratory, research and testing facilities; the Seed-to-Sale System; getting patient access right and getting doctors to prescribe; the structure of the licensing system; GAP (Good Agricultural Practices) and GMP (Good Manufacturing Practices) to meet the standards for export; and last but not least, how to ensure that traditional cultivators are included in the regulatory framework being developed. However, the resolution of these issues has proven to be more difficult than expected.

Notwithstanding the above mentioned challenges, St. Vincent and the Grenadines possess a number of assets that are beneficial, for example the composition of the soil on the island, traditional cultivators that are willing to collaborate, as well as research and development capabilities. The goal of MCA is to make SVG export ready for the cannabis industry, and in order to reach that it is imperative to have all government agencies and sectors working together. Expectations need to be downsized, since setting up this industry is not easy. While bigger players (such as the U.S.) move towards more lenient models of cannabis regulation, there is a risk for the region of becoming cannabis importers. At the (sub)regional Caribbean level, an *inter se* agreement<sup>1</sup> would be desirable.

In UN terminology non-medical use of cannabis is banned. It’s the UN Treaties that set the framework, and the Caribbean region is hardly involved in the decision making processes at that level, while many countries are questioning its utility and increasingly defy these Treaties by regulating the cannabis market nationally. One participant asked what governments around the table are doing to influence the Treaties, and how local traditional farmers can transition to become legal actors in the growing cannabis market. Would it be possible to develop a proper regional

1 See for a -brief- description on inter se: <https://www.tni.org/en/article/the-elegant-way-to-end-global-cannabis-prohibition-inter-se-modification>

standard, an ITAL Standard, to replace the strict pharmaceutical one, currently in place and supported by the UN Treaties?

A representative of traditional cultivators raised the issue that the “UN Conventions govern, while at the same time restrict us”. The point was raised that for years many of the traditional cultivators in the Caribbean have been accused of being the main smuggling agents of drugs and guns in the region, facilitating crime. However, the representative stated that most traditional cultivators detest the criminal activities associated with the illicit trading of cannabis, such as the use of guns and killings. But, as a representative of the traditional cultivating community, the participant made the point that cultivating cannabis in the illicit space was considered an opportunity for traditional cultivators to sustain their families and communities. They were now happy for this new opportunity to participate in a legitimate and legal environment in the medical cannabis industry. The traditional cultivators’ representative from SVG argued that since the passage of the medical laws and amnesty in the country there has been some progress as well as some setbacks. The main causes of the setback were firstly the COVID-19 pandemic and secondly, the eruption of the La Soufrière volcano. These affected the results of the amnesty given to the traditional cultivators. Nevertheless, the traditional cultivators are willing to continue supporting the medicinal cannabis industry, but their only concern is that they are not left out of the new industry, and that they become an important partner in its development as they are the ones that have started the industry, suffered the persecution and were incarcerated for growing the plant. The representative requested that as reforms continue in relation to the decriminalization of cannabis across the region, consideration should be given to reduce the penal sentences of those who were previously convicted for cannabis and are now incarcerated.

#### **Discussion:**

A participant stressed that national cannabis regulations should not become a barrier to trade, and the Caribbean governments around the table have the ability to design regulations to fulfill a legitimate objective. This objective would be to provide a space for the traditional growers to enter the industry and to protect their intellectual property so that they can benefit from this industry. The participant also noted that “we have moved from a point of saying that cannabis is a dangerous substance, to saying that the plant have certain benefits”. However, in Caribbean societies, cannabis still has a certain social status and stigma attached to it, and for this to change there has to be an effort at the political level to shift these negative perceptions which will not happen in the short-term. “We also have the responsibility to protect those persons who do not wish to or cannot consent to the use of cannabis”, and this too has to be an objective of the regulations.

A representative from Barbados highlighted that the conservative nature of that country means that changes are being made on an incremental basis, moving slowly. The challenge they are having is to find a common perspective and as such they have been engaged in consistent dialogue with multiple stakeholders. The main issue for Barbados is to ensure a self-sustaining cannabis industry. There is a need to develop a Caribbean perspective or approach, according to this participant.

Also, the point was raised that local Caribbean cannabis varieties are under threat and need to be protected: the influx of foreign seeds challenges both local species, grown outdoors, and local knowledge. This was supported by a representative from Jamaica, who acknowledged that indigenous races are overtaken by hybrids. Therefore, a regional seed bank would be needed to protect the land races from the region.

**The second morning session** dealt with policy reforms in other countries in the region given the CARICOM Commissions' recommendations and their apparent relevance for many countries in the region. Jamaica was the first country to reform its cannabis laws and has implemented a number of the CARICOM report recommendations. From 2015 onwards a series of changes took place, creating a new industry in Jamaica, with relative impact and success. Jamaica has exported small quantities to Australia, Israel and Germany, mainly for research purposes. However, several issues remain challenging, such as the fact that cannabis is still not classified as an agricultural crop; nor has good legislation for the protection of seeds and strains been established. The issue of access to land is still one of the challenges for the inclusion of traditional farmers into the industry. Jamaica's reforms have considered the needs of the Rastafarian community, allowing for ceremonial uses specifically, and aiming at curing past injustice and discrimination towards the Rasta community. The issue of international banking remains a huge problem to be resolved. A special unit was launched to establish best practice and industry standards by the Jamaican government and, by the end of January 2022, import and export regulations will be in place.

In Antigua & Barbuda a new policy that aims to decriminalize cannabis use is being implemented. For this, higher thresholds for possession of cannabis have been set. Also the expungement of criminal records for cannabis convictions is underway. Antigua & Barbuda also sees the emerging cannabis industry as an opportunity for small farmers to make economic gains. The authorities have given 15 licenses for legal cannabis production and are looking at export opportunities.

St. Kitts & Nevis passed a Medicinal Cannabis Act in 2020 that allows for 5 plants per household. It also foresees the expungement of criminal records for those convicted previously. It has established a Medicinal Cannabis Authority to develop the industry but is still struggling to get recognition for the plants' medicinal properties. International banking is a big problem and concern in this country as well. The representative stated that the CARICOM report needs to be taken seriously with the implementation of its recommendations pushed by the region's members as a bloc before the Caribbean countries are left out by mass production in countries outside of the region.

Barbados stated that while the country has regulated by law, medicinal and sacramental uses of cannabis, there is no intention to allow for recreational uses. It has created a Cannabis Licensing Authority that managed eight (8) different types of licenses, none of which have been issued yet, but sixty (60) applications are pending. The dispensation of medicinal cannabis is planned to be put in the hands of pharmacists. Barbados has set the rule that 30% of all cannabis businesses need to be registered in the hands of a person with Barbadian/ CARICOM nationality. All edibles, supplements and smokeables are to follow a prescription model.

### **Discussion:**

According to one participant, the reason the CARICOM report has stalled is due to the manner decisions are taken in the region by CARICOM leaders. There is a dire need to harmonize our frameworks and we should envisage a role for medicinal cannabis fraternity. This last point was supported by the next speaker who stressed that in the region there is a similar take on cannabis as a traditional medicine. A critical question was raised with regards to what exactly is meant by medical or medicinal cannabis and if the region has a proper definition of this concept?

Another participant argued that if the region is able to harmonize on a standardized registration process, it will avoid being a regulatory burden. This effort could maybe be aided by establishing a regional ganja development Taskforce, involving all stakeholders, and giving special considerations for farmers. The Regional Taskforce could also advocate for a broad regional framing for the

cannabis industry in the Caribbean. Another speaker stated he disagrees with the notion of the CARICOM report being stalled - it simply lacks a follow-up mechanism.

**In the third session** the global landscape on changing attitudes and policies on cannabis and drug policy in general were the topic of the debate. Three video presentations were shown: one explained the shift of the Mexican government towards comprehensive drug policy, based on the principles of public health and human rights, and its recent advances towards regulating the national cannabis market. Its current framework of action points out the need for social inclusion, proportionality of drug crime sentences and respect for human rights. The Mexican government is expected to soon approve the new federal law that will regulate the adult use of cannabis in line with the ruling of the Supreme Court regarding this issue. The law itself was elaborated with the participation of civil society and academia, considered crucial. The law favours small communities of cannabis producers with a restorative justice approach.

A second presentation focused on giving an overview of current developments in Europe regarding cannabis and discussing some of the legal obstacles that have slowed down reforms. The EU is at a defining moment now that several of its member states (MS) are considering legal regulation of their cannabis markets in defiance of EU law and the UN treaty restrictions. Legal obstacles have long put a break on national cannabis policy developments in the EU, with especially the Netherlands in a legal twilight zone for decades with its coffee shop system. More recently, Malta and Luxembourg felt forced to tone down their reform in the face of legal hurdles. Both have now opted for the decriminalization of possession and cultivation for personal use in order to avoid breaching their international obligations and to prevent possible repercussions. But now that Germany has entered the scene that could well be a game changer in the EU context. The biggest legal obstacle at the EU level is the Framework Decision of 2004 that agrees to harmonize sentencing levels for drug trafficking crimes and obliges MS to punish illegal cannabis cultivation. EU law is based on the UN treaties. The German coalition agreement states “we will introduce controlled distribution of cannabis to adults for consumption purposes in licensed stores, to control quality and prevent the transfer of contaminated substances and ensure the protection of minors, and we will evaluate the law for social impact after four years”. Germany’s example is expected to be followed by other MS of the EU. As a block the EU will not reach an agreement in the foreseeable future on this matter, but having large MS reforms, a discussion can no longer be avoided. Germany already approved medical cannabis in 2017 and there are 135.000 people registered as patients receiving cannabis treatment. In the first 6 months of 2021 Germany imported 10 tonnes of cannabis flower for this purpose.

One of the biggest hurdles for countries to access the EU market is the approval of Good Manufacturing Practices (GMP) standards, and for cultivation compliance with Good Agricultural Practices (GAP). The legal obstacles that are part of the UN treaty provisions are outmoded and unworkable so their existence should not prevent, and is not preventing, countries from legalizing cannabis for adult use. Sanctions for non-compliance have not been imposed by the UN and only the U.S. has done so in the past, but since several U.S. states have now regulated their cannabis markets, this threat has disappeared. Countries need to develop a strategy to deal with non-compliance, so what options exist? It is deemed improbable or even impossible to await a more lenient rescheduling or de-scheduling of cannabis through the UN mechanisms, as witnessed after the WHO recommendations. Amending the treaties is possible in theory but in practice can be easily blocked by opposing countries. The polarized positions will block any UN treaty reform regarding cannabis anytime soon. Two options remain for countries: to renounce the treaty and re-access it with a reservation, as has been done by Bolivia regarding the coca leaf. The other option is the *inter se* modification agreement: a treaty provisions modification of two or more members. This option

would allow countries to trade cannabis with other countries involved. Now is the time for Caribbean countries to devise a strategy to move together towards a legally regulated cannabis market and join forces with other like-minded countries. A Caribbean cannabis trade agreement, including an *inter se* modification that changes treaty obligations among the group, could facilitate intra-regional trade, for medical and religious purposes, and prepare the ground for other future trade.

The last presentation dealt with the ongoing process and almost daily changing horizon in the US around adult use cannabis reforms, at state but potentially also at Federal level. The video presentation is added to this report for further reference, since describing its content here would extend the report too much. Important to mention here is that changes within the U.S. mean that the threat that the U.S. can sanction other countries that regulate cannabis is less.

### **Discussion**

Several participants agreed regional coordination on this matter is weak, and someone remarked “we Caribbeans are good at presenting ourselves to the outside world as one, but in reality we compete, we do not work together”. A possible painful future scenario, where tourists come to visit the region buying U.S. produced and marketed ganja, is not as unimaginable as one would think. For the newly emerging medicinal ganja industry no regional strategy is being developed. Many around the table agreed this would only happen if their governments prioritize policy development in this area. Instead of emphasizing differences, the regional strategy should be directed at finding common ground on developing this industry as a region.

It was also noted that the region, with a high number of member states actively involved in the debate, could potentially tip the balance in the global debate to get traditional ceremonial rights of the Rastafarian community recognized - a unique Caribbean feature.

Another participant mentioned that this meeting provides a good example, being organized by a foreign NGO, it shows how little is undertaken by our governments to develop a joint strategy. We should use this opportunity to take coordinated steps in that direction.

In light of current developments on the global medicinal cannabis market, in which a limited number of large companies from high income countries set the scene and the precedent for the future of the industry, **in the last session of the day**, the group discussed options and ideas for regional fair trade and sustainable development for traditional cannabis producers.

A participating authority from St. Vincent shared his views.

A participating authority from Jamaica shared his views.

The third introduction came from a participant from TNI sharing insights on TNI’s research on how communities of cannabis farmers can benefit from the growing number of licit market spaces based on TNI’s work in organising workshops with cannabis farmers in the Caribbean region, Colombia, Morocco as well as number of policy dialogues and academic research partnerships. In the Caribbean region, this has resulted in the creation of a fair trade cannabis working group comprised of growers’ networks, researchers, and practitioners. This working group produced a position paper with a number of recommendations for promoting a fair trade cannabis model centred around small-scale and traditional farmers in the region. A number of key arguments from these workshops and research was shared with participants:

First, an approach that relies purely on a free-market, export-oriented strategy is unlikely to yield broad-based, sustainable benefits. We have to learn the lessons from previous commodity booms and boosts around e.g. sugar and banana plantations and forms of extractive development where little of the wealth generated is retained and shared. It also opens up the market to the risk of corporate capture through the Green Rush and the emergence of a Big Cannabis (similar to Big Ag and Big Pharma) complex that is monopolised by a few major players. We have seen this happen as a number of prime/early movers in the medical cannabis industry from a select few countries in the Global North (especially Canada) have monopolised the global medical cannabis industry. They can afford the high capital outlays, are able to navigate the complex and cumbersome bureaucracy, can deploy strategic assets such as patented medical technologies, and are often politically connected. This has meant that the even as legal reforms continue apace and more countries move towards a regulated market, the cannabis industry has not necessarily opened up to cannabis farmers in a meaningful way. Sometimes this is by design. For example, when the government of Lesotho began the process of issuing licenses for cannabis farming in 2017, the cost of a production license was about US \$13,000 (excluding the costs to manufacture, test, and export). The per-capita income meanwhile at the time stood at \$ 2,925. Even in the case of California for example, where cannabis has been regulated for both medical and adult use and where passage of Proposition 64 explicitly called for the cannabis industry to be built around smaller and medium sized enterprises, smaller cannabis businesses have struggled to gain a foothold. A 2018 study of the cannabis market by the California Growers Association estimated that only 0.78 per cent of the existing 68,150 small growers in the state had been able to obtain a license.

**Second, an inclusive and sustainable cannabis business model must integrate issues of equity, human rights, public health, patient access, fair trade and environmental resilience.** This model must centre, in traditional producing countries, on those who depend on cannabis, however, precariously, for their livelihood. This approach can be described as an alternative development with cannabis model, whereby what is alternated is not the crop in a crop-substitution approach, but rather the market for cannabis from illicit to licit. For the licit cannabis market however to deliver for traditional and small farmers and serve as a pathway for economic development necessitates a proactive and forward thinking set of interventions. It will not happen automatically. It requires an **enabling state** that fashions appropriate legal frameworks to lessen the barriers to entry to some while perhaps raising them for others. There are a number of public policy tools available to do so (see table). It also requires a diversified marketing strategy. This is something the CARICOM report was also very strong on. Instead of putting all the eggs in the basket of an export-led growth model, countries should pursue a strategy in which as many markets as possible are targeted: foreign as well as domestic; industrial, medicinal, scientific; and - where allowed - also social, religious, cultural and adult uses. This helps to balance against the contingency and instability of the global cannabis market i.e. to counteract the rush of speculative capital leading to the inflating and subsequent bursting of various cannabis bubbles and the inevitability of sky high expectations not being met when faced with the reality on the ground (due to, inter alia, unfamiliarity with production conditions, difficulty in obtaining export licenses, preference of countries in the Global North for an import-substitution model). It would also allow countries in the Caribbean to be able to participate in the global cannabis market from a position of strength by building up a domestic/regional base that can allow for capacity building, knowledge sharing and the development of a regional centres of excellence around cannabis research, the protection of local genetic resources, and upgrading to more value-added activities. This helps to foster resilience as market and legal frameworks change, with the ability to tap into different market channels as opportunities arise and perhaps others are foreclosed.

Table. Public policies tools to shape the cannabis market

Policy tool	Description
Quotas	Requirement that a certain percentage of cannabis is sourced from small farmers e.g. in Colombia, Law 1787 of July 2016, which opened up the medical cannabis market, stipulates that companies must obtain at least 10% of their cannabis from small growers.
Production ceilings	Regulations on the maximum size of grow sites to curtail corporate consolidation and takeover e.g. in California, cultivation sites are not to exceed one acre until 2023
Restrictions on foreign ownership and investment	Caps regarding majority ownership by foreign persons and companies in licensed operations e.g. in Jamaica, domestic companies/producers must retain a minimum of 51% ownership. A complete moratorium on foreign investment can also be considered as part of a transition period to allow a domestic base to be developed before opening up the market to foreign entry and competition as has been done in Thailand.
Minimum pricing	Producers guaranteed a minimum price for delivery of cannabis so that growers can be assured of a specified income
Licensing regulations	Affirmative licensing laws which prioritise small and traditional growers and frontline communities e.g. Jamaica has introduced a tiered licensing system for applications with different area of land, licensing fees for small farmers are significantly less than for large farms, and mechanism exists to allow small farmers to postpone payment until after harvest. In the US, San Francisco, Los Angeles, Oakland and Sacramento are pioneering social equity programmes that prioritise licenses for people with low incomes who have lived in an area ravaged by the drug war.
Development fund	Fees collected from the issuing of licenses and/or other revenue collected by the state from the marketing and export of cannabis to be re-invested in cannabis-growing communities and regions e.g. in St. Vincent and the Grenadines foreign companies are required within the first of year of licensing to pay a 250,000 XCD food-security fee which is channelled into alternative livelihood projects.
Cooperative laws	Making use of cooperative laws and amending them where necessary to allow cannabis growers to register themselves as collective bodies, taking advantage of the benefits (in terms of the pooling resources and risks) that this can confer e.g. Article 7 of Morocco's new proposed cannabis bill (Bill 13-21) setting out the eligibility criteria for licenced cannabis production, stipulates that they would need to belong to a cooperative.
Public cannabis research and development	Setting up public cannabis seed banks, research stations and centres of excellence to collect information and further scientific knowledge on seeds, landraces, growing conditions, and medical benefits and uses. Focus should be on safeguarding indigenous strains and native seeds. This knowledge should be made accessible to cannabis growers rather than leaving this in private hands which can result in growers having to pay for access or even being excluded completely due to patented technologies.

Note: This table is taken from the report by TNI (2021) 'A Sustainable Future for Cannabis Farmers. Alternative Development Opportunities in the Legal Cannabis Market', available at: <https://www.tni.org/en/publication/a-sustainable-future-for-cannabis-farmers>

**Above, all, it requires a strategic compact between 'coalitions of the willing' involving a broader community of practice (policymakers, growers, investors but also health practitioners, patient groups, scientists, those active in the field of criminal justice reform and sustainable rural development).** In the Caribbean region, this spirit of cooperation can be fostered by leveraging the significant comparative advantage the region has within the cannabis space, harnessing unique ecological, cultural and historical factors. This includes: excellent climatic conditions for growing (volcanic soils, sun, rain); a strong brand and cultural power (Rastafari, music) that can translate into

the selling and marketing of cannabis products (especially for the tourist market); history of traditional use which includes also critically, the development of traditional and herbal medicines that can form a strong basis for the nutraceutical market for cannabis products instead of relying only on a Western, pharmaceutical model for cannabis-based medicines where compliance standards are much more complicated and where, at least until now, no export channels of any significant size have emerged; regional cooperation structures such as CARICOM and OECS.

All this means that the Caribbean region, despite being comprised of mostly small island states, can use these assets to develop a strong domestic base that allows for the development of a regional market for cannabis in addition to the export of medical cannabis to the Global North. This would serve as a model to emulate and, by being a regional frontrunner, could even serve to influence drug policy at international level.

### Discussion

In the short time left for discussion, many points raised were confirmed by members of the group including the need for technical training centres and the development of master growers; reaching agreement on fair trade standards; leveraging the advantages the region has to define ways to compete in the global market; and facilitating regional cooperation on generic resources.

### **DAY 2 - Recommendations**

The morning session started with a presentation of MCA regarding the advance of the SVG medicinal cannabis regulations, its progress and setbacks.

All present stressed the need for a regional approach to tackling the development of the Caribbean Cannabis Industry, with a special role for the traditional cultivators.

One of the participants from SVG stated that moving forward, there needs to be a concerted effort among Caribbean nations to approach the International Narcotics Control Board to advocate for the full acceptance of the evidence that cannabis has many medical benefits. Secondly, there needs to be an effort to deal with the strict registration of the “competent authority” to deal with the issue of cannabis regulation and the very bureaucratic nature of the UN Conventions. The fact that the UN Conventions only recognize the use of cannabis for medicinal and research purposes has made it very difficult for countries such as SVG and other Caribbean states to recognize the use of cannabis for religious purposes, which resulted in SVG and the Rastafarian communities agreeing not to include religious use in the SVG ganja laws.

The SVG representative also highlighted that in order to overcome the banking challenges facing the cannabis industry, Caribbean countries needed to consider using their national banks, as in the case of SVG with the acquisition of the Bank of SVG which performs banking services for their cannabis industry. The representative stated that the SVG national bank was able to establish a corresponding banking relationship with a particular bank in Canada that was willing to engage with the SVG bank. However, the Canadian bank wanted to ensure that the local cannabis legislations were robust in preventing money-laundering. The Medical Cannabis Authority (MCA) of SVG was able to provide information and documentation reassuring the Canadian bank that the cannabis industry will not be used for criminal activities. This Canadian bank has set up a special desk to deal with these transactions from SVG Bank. In the case of the Bank of SVG, there is special attention given to the traditional cultivators in relation to setting up a bank account with the national bank in SVG.

Another participant from SVG made the point that in moving forward we must work together on the international market. The reason is that history has demonstrated that, as individual small island states, we have not been able to be very successful in crop production and marketing. The representative also noted that this was compounded by the small size of our individual populations. Therefore, in order to move forward successfully, the CARICOM member states must be willing to build synergies, and this requires an overarching political will in CARICOM to create a modern medicinal wellness industry for the region. However, there still seems to be a thinking that if each country does it alone there will be a great “pot of gold” that awaits. This approach and thinking will only lead to great failure. The representative also noted that while at the higher policy level this is the thinking, the traditional cultivators in the industry are more concerned with ensuring a sustainable livelihood for themselves and their families. In order to achieve this, there needs to be a sharing of the already established resources and facilities such as the laboratory in SVG. The argument is made that having a consolidated platform in CARICOM will prevent the member states from falling prey to investors who are just looking to exploit the members in the various countries. The SVG representative argued that there is a role for each member state that will allow all to benefit.

The moderator suggested that the team conduct a SWOT (strength/weakness/opportunity/threat) analysis of the region in relation to where they envision the cannabis industry going in the next five (5) years.

One of the representative from Jamaica made the point that going forward, CARICOM countries need to learn from the best practices of each other in relation to the cannabis industry. The argument is made that if we can learn from each other, we can benefit from the experiences and share expertise across the region. This can be done through consistent dialogue and harmonization of some regulatory practices. There must also be a union of the various medical cannabis authorities in the region. The other point is that there should be a collective lobby towards groups such as the medical community to address their reticence in prescribing cannabis. The Jamaican representative also highlighted that more attention should be paid by CARICOM members to the CARICOM Report on Cannabis, and there should be an effort to get this report back on the CARICOM agenda.

One of the representatives from Barbados made the point that even though the Caribbean region is small in size, its influence around the world is very significant. This opens up a huge possibility for the cannabis industry in the region. The representative also suggested that the Credit Union Banks may be a possible option for persons in the medicinal cannabis industry since international banking institutions were not willing to support the Caribbean cannabis industry.

The representative from St. Lucia pointed out that the cooperative structure is an important option for traditional cultivators and groups to participate in the cannabis industry. The cooperative sector is also a way of achieving economies of scale.

One of the representatives from Jamaica highlighted that there should be regional standards for the CARICOM medicinal cannabis industry. This can be done through the development of a Caribbean Cannabis Taskforce. Secondly, the cannabis industry in the Caribbean should be placed in the context of sustainable development and present an alternative model for the international community that focuses on traditional communities and cultivators. Thirdly, there needs to be a roadmap setting out examples of ways to develop different structures. There can be technical assistance provided from within the region based on the experience of each country.

One of the participants outlined some of the weaknesses of CARICOM, which included the lack of CARICOM unity on a number of important issues, and the consistent competition between Caribbean countries to see who can be on top. The representative highlighted that there are additional weaknesses such as the lack of education about the cannabis industry and a false believe that there will be instant wealth from the industry. Another challenge is the legal and regulatory barriers because of the international regulation. A third challenge is the region's susceptibility to natural disasters. There is also a limited medicinal cannabis market because of the size of the islands, and this is coupled with uncertain international demands. However, the participant highlighted that there are some strengths to the Caribbean. These include the location (*not clear in what sense ed.*) and the good quality of cannabis that has developed overtime. Other strengths include the low cost of labour and an environment that is supportive of foreign direct investment. Therefore, the Caribbean as a region can benefit from the cannabis industry by having a vibrant medical cannabis tourism; it can also benefit the agricultural sector by encouraging farmers to grow other crops alongside cannabis. There can also be other benefits to governments as it relates to revenue from licenses and sales taxes from the cannabis industry. It can also benefit the countries in the region by securing social justice for persons who were previously convicted of cannabis, and provide them with jobs in the industry, especially for small and displaced farmers. The cannabis industry in the region would also be an opportunity to provide the Rastafarian communities, who have used the plant for decades in their spiritual practices, to openly do so without the worry of being persecuted.

The representative from St. Lucia also recommended that the region needs to identify active measures and spaces for developing standards for the cannabis industry in the region that will comply with international standards. This means that there needs to be a collective effort to use existing spaces and facilities to develop international standards for cannabis. The objective of this is that from a standards perspective, the international environment would be comfortable with the industry that is developed within the region for cannabis. Additionally, there also needs to be regional policies around e.g. declaring cannabis to be an agricultural product so that standards such as good agricultural practices (GAP) and phytosanitary certification can be applied to the industry.

The representative from Grenada also recommended that association of persons who are working on quality and standards development in the emerging cannabis industry. These associations should be regionally based so that there can be maintenance of these standards over time.

The representatives from SVG recommended the formation of cooperatives and cooperative financial structures to deal with financing in the cannabis industry in the region. There was also the recommendation for the formation of partnerships with local landowners to get access to land for small traditional cannabis cultivators. There was also the recommendation for development assistance from international organizations such as Transnational Institute (TNI) to facilitate the upskilling of small traditional farmers to participate in the growing international cannabis industry.

The representative from Barbados recommended that the current group present at the workshop become the main Task-force for moving forward the cannabis industry in the region and move the industry forward together.