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**Follow-up to the implementation at the national, regional and international levels of all commitments, as reflected in the Ministerial Declaration of 2019, to address and counter the world drug problem****Conference room paper submitted by the National Commission for Development and Life without Drugs, Peru, titled: “Peruvian strategy to curb illicit trafficking of cocaine, based on the social pact between State and Citizens”\*\****Summary*

The global demand for cocaine maintains its growth rate, with a negative impact on the drug supply. This reaffirms the need to strengthen drug control policies that help reduce this tendency over the forthcoming years. To that end, it is important to be flexible when proposing reforms substantiated on scientific evidence in the field of production, trafficking, and consumption. The scientific evidence allows us to demonstrate the need to improve the Peruvian drug policies to reinforce an effective and sustainable strategy against illicit drug trafficking, aligned with the respect for human rights, traditions regarding the use of coca crops, territorial security, and cultural diversity of our citizens. In that regard, within the framework of the existing National Anti-Drug Policy, Peru has defined a control strategy based on a Social Pact between State and Citizens to guarantee the exercise of full rights, but also duties towards coca crops used for illegal purposes and illicit drug trafficking. This strategy not only reinforces Peru’s commitment to overcoming the damages caused by IDT, but it is also in line with the recommendations agreed on in the different high-level political forums organized by the United Nations Commission on Narcotic Drugs and multilateral instruments on the protection of human rights.

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\* [E/CN.7/2022/1](#).

\*\* This document has not been edited.



## **I. About the importance of executing anti-drug policies based on scientific evidence, as set out in the 2009 Political Declaration and Action Plan, and Final Document UNGASS 2016**

1. Despite many global efforts, the supply and demand of cocaine drugs maintain a sustained growth rate, as reported by the World Drug Report of the United Nations Office on Drugs and Crime (UNODC). This situation, taking into consideration the current context of the COVID-19 pandemic, requires an efficient and effective response from all countries to prevent this growth rate from continuing for many years.
2. To address these challenges, the international community has confirmed its willingness to strengthen and develop policies that help sustainably reduce this increasing tendency of IDT. This requires the adoption of measures aimed at generating scientific evidence. This was ratified both in the 2009 Political Declaration and Action Plan and Final Document UNGASS 2016:

Despite significant progress in certain areas, the initiatives have not resulted in a significant overall global decline of illicit drug crop cultivation for the production of narcotic drugs and psychotropic substances. The lack of understanding of the supply/demand dynamics in the drug market, as well as the absence of a balanced long-term approach – combined with certain regulatory measures inadequately planned, corruption, and insufficient international development aids to address the causes of illicit drug crop cultivation – have undermined the capacity of governments to maintain the progress made so far locally. (Political Declaration and Action Plan on international cooperation in favour of a comprehensive and balanced strategy to counter the world drug problem – 2009).

We recognize that the civil society, as well as the scientific community and academia, have an important role in addressing and countering the world drug problem, and we realize that the populations affected and representatives of civil society entities, as appropriate, should be allowed to perform a participatory role in the formulation and implementation of anti-drug policies and programs and the provision of relevant scientific data to support the assessment of said policies and programs; we also recognize the importance of cooperating with the private sector in this regard. (Final document of the extraordinary sessions of the United Nations General Assembly regarding the world drug problem carried out in 2016).

3. The willingness to generate scientific evidence that helps implement anti-drug policies expressed in the declarations of the United Nations encourages the States affected by demand pressure to generate their information. It is important to acknowledge the right of the countries to generate evidence in the context of the unique features of their territory. National authorities are responsible for generating their data to meet first their nationwide needs in the context of their anti-drug policies. In turn, this evidence shall comply with the international standards that allow for a global analysis of the phenomenon. The United Nations plays an important role in the international standardization of evidence; however, the States are responsible for promoting and building up skills in their officers, in such a way that the data may be timely used for decision making.
4. Peru acknowledges the importance of continuing developing policies to counter illicit cocaine drug trafficking (IDT) since it causes different damages that have an impact on public health, human rights, national security, and governance. At the same time, it is acknowledged that it is impossible to deal with IDT if we do not understand first that the drug supply results from a demand in the global market.
5. In Peru, a series of measures have been proposed to reduce the damage caused by illicit drug trafficking to vulnerable populations and territories. This involved the

promulgation of a new National Anti-Drug Policy, in force until 2030 (Supreme Decree No. 192-2020-PCM). In addition to this, a tool for targeting the Policy through strategic intervention zones and sub-zones has been defined (Supreme Decree No. 086-2021-PCM), and a strategy of Social Pact between State and Citizens has been defined to ensure the gradual and sustainable reduction of coca crops for illegal purposes.

6. The main base to formulate these public policy instruments has been the Anti-Drug Information System (SISCOD, by its initials in Spanish),<sup>1</sup> an official instrument consolidated by the National Commission for Development and Life without Drugs (DEVIDA), in such a way it provides all the scientific evidence required by the 2030 National Anti-Drug Policy. In this regard, Peru reiterates its commitment to the international community to continue generating scientific evidence that strengthens the interventions under the national policies.

## II. The situation of illicit drug trafficking in Peru, based on scientific evidence

### 2.1. The global cocaine demand maintains its growth rate impacting the cocaine drug supply chain

7. Illicit cocaine drug trafficking (IDT) takes place because there is a worldwide market requiring it. Understanding the economic relationship between the global demand and its impact on the supply is essential to assess accordingly the situation of the global fight against illegal drug production and trade and drug use prevention.

8. In this regard, according to the data provided by UNODC, worldwide cocaine consumer markets, especially from Europe and North America, have maintained a sustained growth rate since 2003, from 13.3 million consumers to approximately 19 million consumers in 2020 (UNODC, 2021).

9. The growth of these two large cocaine consumption markets (Europe and North America), has been setting the standard for the economic incentives of illicit cocaine trafficking, with highly attractive prices for the workforce, compared to other types of commodities; one kilogram of cocaine could cost more than 45 thousand dollars in the United Kingdom (UNODC, 2020), while in Peru its price is 3 per cent of that amount.

10. Not even the COVID-19 pandemic was able to limit the growth of the global use of narcotic substances. Although during the initial periods of the COVID-19 pandemic (March, April, and May 2020) a decline in the global use of cocaine was observed, as a result of a reduced opportunity for supply (due to the implementation of quarantines all over the world and the closure of nightlife economy), an increase of the use of narcotic substances could be observed since May 2020. If we take as a reference the 2003 figures, we notice an increase in the number of international consumers of 42 per cent in the year 2020 (UNODC, 2021). As reported by the European Monitoring Center for Drugs and Drug Addiction (2021), the analysis of wastewater from 28 cities in Central and Western Europe showed that a total of 14 cities had increased their use of cocaine by May 2020, a figure that doubles the result obtained during the initial months of the pandemic. In that regard, changes could be observed in the ways and means for the micro-commercialization of drugs in European countries, making them available for consumption. While the initial quarantine period due to COVID-19 affected the retail sale of illicit drugs, this illegal market managed to adapt to the situation by changing the micro-commercialization mechanisms, which facilitated consumer access to cocaine (Table 1). As a result of the global cocaine demand, the cocaine production growth rate will continue to

<sup>1</sup> SISCOD was created by Legislative Decree No. 1241 (2015) and upgraded in 2020 thanks to the creation of a new measurement model to control cocaine production and trade. SISCOD provides information to public Peruvian entities and the public as a whole. This information is available at: <https://sistemas.devida.gob.pe/siscod/inicio>.

skyrocket unless better measures are taken from a supply and demand point of view; it currently amounts to 1901 tons (UNODC, 2021).

Table 1

**Modalities of micro-commercialization of cocaine during the context of the restrictions on transportation due to COVID-19**

Source	Micro-commercialization modalities
<b>Covid-19 and Drugs: impact outlook (UNODC, 2021).</b>	<ul style="list-style-type: none"> <li>• Use of food delivery services.</li> <li>• Use of sealed personal protection equipment (PPE) delivery services.</li> <li>• Use of postal services.</li> <li>• Use of encrypted instant messaging.</li> <li>• Use of online markets (including those on the dark web).</li> </ul>
<b>Impact of COVID-19 on drug markets, use, harms, and drug services in the community and prisons (EMCDDA, 2021)</b>	<ul style="list-style-type: none"> <li>• Use of delivery services.</li> <li>• Use of social media.</li> <li>• Use of postal services.</li> <li>• Use of encrypted instant messaging.</li> <li>• Use of online markets (including those on the dark web).</li> </ul>

Source: UNODC (2021); EMCDDA (2021), own translation.

11. In Peru, quarantine generated a greater availability of licit and illicit drugs. According to an online survey conducted among 293 people, 89.8 per cent said they had access to alcohol and/or other drugs (legal, illegal, or for medical purposes). Similarly, a high alcohol intake was observed; 14.6 per cent of the respondents consumed alcohol daily and 15.3 per cent did it every week.

12. About drug trade and the people imprisoned for IDT, the largest percentage of people arrested over the past year were accused of micro-commercialization of drugs (39 per cent), another group was intervened by non-punishable drug possession (34 per cent) and, finally, groups of detainees for IDT (27 per cent). This calls for a review of the prioritization criteria concerning the exercise of criminal investigation and prosecution.

## 2.2. Control of coca crops for illicit purposes based on forced eradication

13. For a long time, the specialized international literature has reported the limited impact of forced eradication to control the coca crops for illegal purposes. Consider, for example, the case of Colombia, there is evidence that eradication, by aerial spraying, does not influence the grower's decisions or their future expectations.<sup>2</sup> Other studies<sup>3</sup> add that, while forced eradication, by aerial spraying, may reduce the cultivated area in the short term, it has at the same time adverse effects given that it boosts an increase in the price of cocaine paste. This leads to an increase in profitability and the interest to expand the hectares of crops.

14. In line with the above, other studies<sup>4</sup> have analysed the effects of forced eradication in the displacement of coca crops in the three countries of the Andes

<sup>2</sup> Tabares & Rosales (2005): Políticas de control de oferta de coca: "la zanahoria" y "el garrote". *Desarrollo y Sociedad journal*. Issue No. 55. ISSN 1900-7760. Found on: <https://revistas.uniandes.edu.co/doi/pdf/10.13043/dys.55.5>.

<sup>3</sup> Vargas Manrique, Carlos Eduardo. (2004). Cultivos ilícitos y erradicación forzosa en Colombia. *Cuadernos de Economía*, 23(41), 109-141. Found on: [www.scielo.org.co/scielo.php?script=sci\\_arttext&pid=S0121-47722004000200005&lng=en&nrm=iso](http://www.scielo.org.co/scielo.php?script=sci_arttext&pid=S0121-47722004000200005&lng=en&nrm=iso).

<sup>4</sup> Raffo López, Leonardo, Castro, Javier Andrés, & Díaz España, Alexander. (2016). Los efectos globo en los cultivos de coca en la Región Andina (1990–2009). *Apuntes del Cenes*, 35(61),

region: the reduction of coca crops in Colombia accelerates the growth of the hectares in Peru and Bolivia.

15. For Peru, the evidence discussed is particularly important given that, from 1982 to 2021, a forced eradication strategy has been implemented, with a total of 400 thousand hectares of coca crops eradicated. Despite these substantial efforts, the eradication of crops has not stopped them from replanting; that is why the area planted with coca in Peru has maintained its trend for growth. According to the information of the Anti-Drug Information System (SISCOD, 2021), by 2020 approximately 62 thousand hectares of coca crops had been estimated in Peru.

16. On the other hand, global figures show that, despite there being a reduction from 2017 to 2019 in the coca crop area in the Andes Region (from 245,400 ha to 234,155 ha), cocaine production increased in the same period (from 1,747 t to 1,901 t). This was the result of the technological developments in IDT, which is using fewer coca leaves in the manufacture of cocaine derivatives.

17. In short, according to the scientific evidence forced eradication – in the manner it has been implemented – has not been proven to be a tool that ensures a sustained reduction of coca crops. As a result of forced eradication within a territory, coca crops tend to move to other territories and, in some cases, they are replanted. It is also of utmost importance to understand the limits of forced eradication in a context where fewer crops are being used in the manufacture of cocaine derivatives.

18. In the light of this evidence, Peru has decided to generate reforms in the eradication, promoting the implementation of a “Targeted and Sustained Eradication.” To address the weaknesses of forced eradication, in the manner it was implemented, starting this year this control tool will be used with a targeting criterion that prioritizes the most vulnerable zones, such as Protected Natural Areas with their Buffer Zones and the territory of Indigenous Peoples. The areas granted under concession by the State for timber purposes have also been prioritized. That is, we have prioritized the areas where eradication is urgent and its implementation does not interfere with the rights of our citizens.

### **2.3. More protected natural areas and indigenous people lands are recording illicit trafficking of cocaine (IDT) and the positioning of IDT activities in strategic areas, such as the Triple Frontier, Ucayali, and Puno**

19. 2022 presents a weakened institutional drug interdiction scenario. The COVID-19 pandemic impacted hard on Peru’s anti-drug policy: more than 1,300 anti-drug agents were reassigned to city surveillance tasks; others became infected, and others were hospitalized for a long time. This institutional impact facilitated the displacement of illicit drug trafficking to new protected territories and border areas.

20. The expansion of coca crops for illicit purposes has had a significant impact on Protected Natural Areas (PNA) and Buffer Zones (BZ). Between 2018 and 2020, crop hectares for illegal purposes increased 50 per cent (from 6,600 hectares in 2018 to 9,400 hectares in 2020) (DEVIDA, 2021). The increase in the area observed in 2020 has generated damages, particularly in the Bahuaja Sonene National Park (coca zone of Inambari Tambopata) and in the Sira Natural Reserve (coca-growing area of Pichis Palcazu). Similarly, coca crops have invaded the territory of indigenous peoples. Between 2018 and 2020, the crop hectares for illegal purposes in these territories grew 27 per cent (from 7,900 hectares to more than 10,000 hectares of crops) (DEVIDA, 2021).

21. On the other hand, the post-pandemic situation also showed an intensification of illicit trafficking of cocaine in areas such as the Amazonian Trapezium, Ucayali, and Puno. In the case of the Amazonian Trapezium, the price of one kilogram of cocaine paste (USD 1,800) has greatly exceeded the average national price

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207–236. Found on: [www.scielo.org.co/scielo.php?script=sci\\_arttext&pid=S0120-30532016000100008&lng=en&tlng=es](http://www.scielo.org.co/scielo.php?script=sci_arttext&pid=S0120-30532016000100008&lng=en&tlng=es).

(USD 590). This area is of particular concern, basically because it borders territories under the control of criminal networks and insurgents.

22. Additionally, Peru's law enforcement agencies have been reporting the intense dynamics observed of the use of drug flights to send cocaine from Peru to Europe. In this vein, for example, the Peruvian Air Force has detected more than 400 clandestine landing strips in drug production zones in 2021. This evidence has led us to resume air interdiction. Lastly, in the case of Puno, cocaine paste prices have also exceeded the national average, reaching a figure of more than USD 2,000 per kilogram. This zone is of particular interest given that the illicit trafficking of cocaine co-exists with other illegal activities, such as illegal mining, human trafficking, and smuggling.

#### **2.4. The sustained growth of the coca leaf market for traditional and industrial use in Peru**

23. Far from decreasing, the legal coca leaf market in Peru has been experiencing sustained growth. According to the latest study published by the Instituto Nacional de Estadística e Informática – INEI (National Institute of Statistics and Informatics) (2019), there are more consumers of coca leaves now (from 4.5 million in 2003 to approximately 6 million in 2019), and there is a greater demand of coca leaves for traditional purposes than before (from 8,7000 tons (t) in 2003 to approximately 12,000 t in 2019).

24. However, the National Coca Company (ENACO, by its initials in Spanish), which is the only company authorized by Decree-Law No. 22370 to satisfy the demand for coca leaves for legal purposes (1978), is progressively buying smaller amounts of coca leaves from duly registered producers (from 2,641 t in 2010 to 1,311 t in 2021) (ENACO, 2021). Similarly, it is progressively stopping the purchase of coca leaves in areas with registered producers (between 2008 and 2021, ENACO recorded purchases in 7 out of 11 possible areas). Finally, its share in the industrial coca leaf market – for example, coca leaf infusions – is only 8 per cent annually of potentially 81 t. The income recorded has shown a downward trend since 2003, which has sharpened in 2021.

25. To sum up, while the traditional demand for coca leaves in Peru increases, formal sales channels have not been able to ensure an adequate supply. Peru, under its international commitments with the United Nations, established a monopolistic regime to make sure coca leaves are not used for illegal purposes; however, clearly, it has not worked well and must be fully restructured and reformed.

### **III. Peruvian strategy for cocaine crop control based on the Social Pact between State and Citizens**

26. Within the framework of the 2030 National Anti-Drug Policy, Peru has established a control strategy based on a Social Pact between State and Citizens, which includes the recognition of rights and obligations. This is in response to the need to ensure an adequate territorial governance model that guarantees the sustainability of the control of coca crops intended for illegal purposes, the comprehensive development of the territories affected by illicit drug trafficking, the correct functioning of the system to supply coca leaves for legal purposes in compliance with health standards, and territorial security.

27. To ensure proper compliance with the above, the Social Pact between State and Citizens strategy adopts several public policies approaches: (a) Intercultural Approach, to the extent two or more visions of coca leaves co-exist and must be discussed; (b) Rights Approach, to the extent that the individual, coca leaf producer, Indigenous and Native Peoples, and the general public have rights that cannot be ignored by the State; (c) the Duty or Responsibility Approach, to the extent that the individuals that are part of the Social Pact have rights, but also responsibilities towards the community; and (d) the Gender-Based Approach, to the extent that

women living in areas with illicit drug trafficking are particularly vulnerable to this social phenomenon.

28. Under this framework, Peru reiterates its commitment made in the 2009 Political Declaration and Action Plan, which recommended countries to: “*Develop alternative development programs and eradication measures with full respect for the relevant international instruments, including human rights instruments and to take into consideration the cultural and social traditions of the participating communities when developing such alternative development plans*”.

29. The commitments set out in the Social Pact revolve around 3 axes:

- The first axis of Comprehensive and Sustainable Alternative Development: Its objective is to ensure that each service of the State contributing to economic and institutional development in the areas affected by illicit drug trafficking does not exclude any individual or producer.

With this axis, Peru shows its full adherence to the recommendations made in the 2009 Political Declaration and Action Plan, which recommended countries to: “Promote the participatory approaches of all stakeholders -including the groups at risk of starting the illegal cultivation of plants used for the production of narcotic drugs and psychotropic substances- in the selection, preparation, execution, surveillance, and assessment of alternative development programs.” Also, within the framework of this axis, Peru agrees with the recommendations set out in the session Document jointly submitted by Germany, Peru, Thailand, and the UNODC, entitled: “The Future of Alternative Development”, Vienna, March 14 to 22, 2019, which states that: “It is necessary to address the different socio-economic realities of the communities and take into consideration the human rights and gender dimensions. (...) It is vital to adapt and adjust the design, review, and implementation of alternative development programs to the realities in situ.”

- The second axis of targeted and sustainable Eradication of crops for illegal purposes: Its objective is to ensure territorial security and prevent resowing crops for illegal purposes. Under this axis, the implementation of forced eradication will target territories belonging to Indigenous or Native Peoples, as well as Protected Natural Areas, in territories of Forest Concessions, and border areas. In other strategic zones, such as the Valley of the Apurímac, Ene, and Mantaro Rivers, where there is a strong presence of deeply rooted social coca leaf producer organizations, the auto-eradication of crops will be implemented, to reduce up to 5000 hectares of coca crops by 2026.

With this axis, Peru shows its adherence to the recommendations made in the Final Document of UNGASS 2016, which encouraged countries to: “Make sure that the measures adopted to prevent illicit cultivation and eradicate plants used for the production of narcotic drugs and psychotropic substances respect the basic human rights, duly consider traditional legal uses -where historical data on such uses is available- and protect the environment, in compliance with the three international drug control treaties, and consider as well, as appropriate and in accordance with the national legislation, the United Nations Declaration on The Rights of Indigenous Peoples.”

- The third axis of production, stockpiling, industrialization, and trading of coca leaves: Its objective is to restructure the monopolistic regime of ENACO to turn it into a flexible and regulatory institution, in keeping with modern times, respecting the population’s traditions and health.

This axis is consistent with the recommendations made in the 2009 Political Declaration and Action Plan, which recommended countries to: “Promote supply reduction measures that take into consideration the traditional legal uses, provided there is historical evidence of such use, as well as environmental protection, under the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.”

## IV. Conclusions

Illicit trafficking is a public problem since it causes a series of damages affecting public health, human rights, territorial security, and democratic governability. Peru, as a Member State of the United Nations system, reiterates its commitment to face these problems in compliance with the principle of common and shared responsibility.

The scientific evidence shows that, far from being reduced, the global cocaine demand has maintained sustained growth since 2003, generating incentives to support the supply chain for that narcotic drug. To address these challenges, the countries must be capable of adopting measures that, based on scientific evidence, contribute to stopping the growth of drug supply and demand.

Peru has been making progress in this regard given that it has been strengthening its policy instruments and reinforcing the generation of evidence through its Anti-Drug Information System (SISCOD). In doing so, it was possible to observe the limited effects of the forced eradication strategy when it is not duly targeted to the territory; it was also observed how illicit drug trafficking activities (IDT) progressed in the territories of indigenous or native peoples, protected natural areas, and border areas. Similarly, evidence has been generated showing sustained growth of the legal coca leaf market with a weak regulatory system.

Faced with these challenges, and within the framework of the National Anti-Drug Policy, Peru has established a control strategy based on a Social Pact between State and Citizens, which involves the establishment of rights and obligations for the citizens of the areas affected by IDT. 03 axes define this strategy: (a) Axis of Comprehensive and Sustainable Alternative; (b) Axis of targeted and sustainable eradication of crops for illegal purposes; and (c) Axis for the production, stockpiling industrialization, and trading of coca leaves.

This strategy of the Social Pact between State and Citizens is in line with the international commitments undertaken by Peru, particularly the recommendations made in the Political Declaration and Action Plan on international cooperation in favour of a comprehensive and balanced strategy to counter the world drug problem (2009), in the Final Document of the extraordinary sessions of the United Nations General Assembly regarding the world drug problem (2016), and in the session Document jointly submitted by Germany, Peru, Thailand, and the UNODC, entitled: "The Future of Alternative Development".

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