



Organización Civil - ONG  
**Grupo de Mujeres de la Argentina**  
**Foro de VIH Mujeres y Familia (GMA)**

Autonomous City of Buenos Aires, 28 November 2020

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**Dear**

**Secretariat of the Governing Bodies United Nations Office on Drugs and Crime  
Commission on Crime Prevention and Criminal Justice  
Commission on Narcotic Drugs**

**P.O. Box 5001400 Vienna, Austria – email: [unodc-sgb@un.org](mailto:unodc-sgb@un.org)**

**Present**

**SUBJECT: GMAF presents Canada report - December 2020 regarding Alternative Medicine - Medicinal Cannabis**

On this occasion, GMAF presents the Canadian December 2020 report on medical cannabis by **Ms. Tiara Iman Sillet Yopez and Ms. Annelene Jose Sillet Yopez. M**, those that will count in this document, what several of the people who use alternative medicine from medical cannabis live.

That is why we ask you as a Subject of International Law - State, to **"Support patient access to natural medicine medicines because it is not a danger to public health, VOTE YES!"**

Thank you for allowing civil organizations to give this contribution from their social commitment.

**Martha Inés Miravete Cicero**

Procuradora - CUIT 27-17106771-0  
DDJJ - Exp N° 4579/20

Chairperson – GMAF

## Dear members of the UN

My name is **Tiara Sillet Yopez, my wife is Annelene Sillet Yopez**, we are a young married gay couple who are strong defenders of **human rights in health**, implementing alternative medicine from cannabis and its derivatives. I have experience in criminology and justice, as well as forensic science and my wife is a physical therapist (Venezuelan but permanent resident here in Ontario, Canada). In October 2017 we opened a cannabis vaping salon called Natural Budz. It was a safe use site, which we expanded to a patient intake clinic (where we help people receive prescriptions for cannabis possession and grow licenses through doctors and Health Canada) and a cannabis education center. I write cannabis education for private universities, regional police services, government officials, Parkinson's of Canada, the MS Society of Canada, as well as internationally based companies.

Before opening our salon, we consult with the police services in our area as well as with the municipality (mayor, councilors, etc). We wanted to maintain an open dialogue with officials in our community and maintain a strong relationship, as we were determined to show that people who work in the cannabis industry do not need to hide from the police or officials. We wanted to immerse ourselves and our cannabis community in the larger community of our city.

Shortly after we opened our salon, a bill banning smoking and vaping in enclosed public spaces, as well as work spaces, went into effect The Ontario Smoke-Free Act 2017, which made our business illegal to Health Canada. We stopped smoking and vaping in the salon and maintained our educational facility and our patient intake aspect of our business. It became difficult to maintain though, as most of our revenue came from customers interested in the salon as a safe consumer site, which they no longer had. This affected many medicinal patients who were not allowed to smoke in their apartments or condominiums, and there was a great stigma surrounding smoking outdoors. In fact, most of our clients who had medical licenses had been stopped and questioned by the police when they smoked or smoked their medications outside. We tried on many occasions to draw the attention of our municipal officials to this and even presented the municipality with a petition filled with hundreds of signatures from people who wanted and needed a safe consumer site. My wife took a break from the business at this time due to some mental health issues and I became the sole owner of the business.

During all this time there was not a proper, accessible system in place for medicinal patients to purchase cannabis, and the quality and options available were poor. We had several patients come in everyday asking where they could get cannabis products, especially ones not available by Health Canada. I knew I needed to help people so I went through the laws and legislation after cannabis was legalized recreationally and noticed that in The Cannabis Act there was nothing that said you could not share cannabis that you have grown, or accept donations for said cannabis/ cannabis products. I decided to host "farmers markets" where I allowed various cannabis farmers who created their own products such as edibles, oils, topicals, tinctures, and various concentrates to share their products and accept donations. They would rent out a small booth in my location which helped with the costs of rent and other bills the smoking/vaping in the lounge used to support. My wife would come in during this time to volunteer and help me with organizing the event on some occasions.

We never claimed to be a cannabis retailer or a dispensary. We were simply human rights defenders for alternative medicine, from the non-invasive treatment of cannabis and its derivatives. We tried to help patients obtain quality products so they could donate for product and not ruin their bank.

Since these products could not be accessed through Health Canada nor could they be accessed by the OCS (Ontario Cannabis Store) once cannabis was legalized recreationally, we knew we needed to help. Furthermore, people who tried to legally access cannabis from the OCS were met with extremely late deliveries (one month or more after purchase), moldy cannabis, and under weighed cannabis. Another major concern was the excessive amount of packaging applied for small amounts of plant matter. This is problematic for many people and serves only to harm the environment. People were constantly disappointed with the lack of access and products that the government made available to the people, and after the legalization of recreational cannabis there were even less medical cannabis options available. People who relied on the product's quality and price point were constantly left disappointed and in pain. We had people of all ages 19+ and of all races come through the lounge to find cannabis information/education and cannabis products at our farmers market that we held every Friday night.

In April of 2019 our cannabis farmers market was raided by the police after a 3+ week investigation. They claimed we were selling cannabis illegally and took all the money and products on the premises that night from both my wife and I as well as all the other farmers that were there. They infringed on our Charter of Rights and Freedoms by not telling us we had access to our paralegal (who was there at the time of the raid) before questioning us. They used intimidation, separated us from each other, and had 2 officers on each side of the wheelchair of our paralegal. They took pictures and videos and told us we were not allowed to use our cellphones or videotape. They changed the locks on our building and told our landlord to evict us- which he did. We were left without a business, very high legal costs which have not yet been resolved, and our customers were left without a location to get their medication accessibly or to get the many products they relied on to survive and to live a decent quality of life. Within our charges the police are charging my wife as a co-owner of the business when she was simply a volunteer at that point. We are the only market that has been raided. In contrast many non-minority (Men) who run farmers markets through the city of Toronto continue to host these events and have not had any police issues. In fact, police came to an event in Toronto that was doing the same donation idea that we were doing and warned them about the number of people in the location (they were over capacity) and that's it. We do not want to think that because of these actions from state officials, there is a double discrimination towards my wife and I, because we are women who seek a better quality of life for ourselves and our community. We believe this to be unjust, and something that impacts many people in a negative way not just us.

We have a major opioid crisis in our region and we help many addicts to use cannabis as an exit drug from many of the hardest drugs they were using, since the Harm Reduction Policies that have been well implemented in the UN since 2000 UNGASS PAF. It is unfortunate that these people have lost out on a space to help them with their addiction due to the raid. This creates a lack of protection not only from the legal aspect but from the lack of prevention to the continuance of addiction.

GMAF in its report makes us understand that Human Rights are universal, inalienable and interdependent, and the Personal and Fundamental Rights are the Right to Health and the Right to Life. The regulatory framework of the Inter-American Court of Human Rights has expressed a criterion on different protection, in the context of human rights, whose scope and contention is projected in a broad and universal sense for the protection of the right to health.

The Inter-American Court of Human Rights is the competent body to hear about the application of the American Convention on Human Rights - Pact of San

José (CADH), establishing in its articles the recognition of the Essential Rights of Man - “Article 4. Right to Life, Article 5. Right to Personal Integrity, Article 7 - Right to Personal Freedom, Article 8 - Judicial Guarantees, Article 17 - Protection of the Family, Article 19 - Rights of the Child, Article 24 - Equality before the Law ”, They are norms of the region that protects us because also as Human Rights Defenders, we collaborate so that we can analyze, and investigate these treatments, and that in the WHO as UNDRUGS they see that there are varied procedures of alternative medicine and not reach the intake of medications from laboratory corporations that often create pathological collateral in the patient under their treatment.

Please note that in the Syracuse Principles on the limitation and repeal of provisions in the International Covenant on Civil and Political Rights, Public Health can only justify the restriction of certain rights to the extent that they allow the State to prevent or face serious threats to the health of the population, which since when we started this project we at no time wanted to break the law and even less so of not collaborating to achieve the best quality of life for people in our country and in the world.

The Syracuse Principles item 25 and 26 - Principles of Syracuse on the limitation and repeal of provisions in the International Covenant on Civil and Political Rights - Annex, UN Doc E / CN.4 / 1984/4 (1984). Public health can be invoked as a reason to limit certain rights to allow a state to take measures related to a serious threat to the health of the population or individual members of the population. These measures must be specifically aimed at preventing illness or injury or providing care for the sick and injured. The international health standards of the World Health Organization must be duly taken into account. After expressing all our points to the prosecutor, he refused to drop the charges. As my wife (Annelene) is a permanent resident originally from Venezuela, we could not afford for her to have immigration issues so I (Tiara) asked the prosecutor if I could take the full charges onto myself so my wife could have her charges withdrawn and he eventually agreed. Currently we are waiting for Annelene’s charges to be withdrawn and for Tiara to plead guilty on December 10th 2020.

That is why, through this medium, we present this situation to international organizations, within the framework of the 63rd session of the Commission on Narcotic Drugs on December 2, 2020 at the Vienna International Center (CIV), Wagramer Strasse 5, 1220 Vienna, where the Commission on Narcotic Drugs and Commission on Crime Prevention and Criminal Justice will meet at this event.

Thank you in advance for giving us this opportunity to inform this commission on the ideological persecution and discrimination we are experiencing, and unfairly so to simply improve the quality of life of many people who need it and depend on us.

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