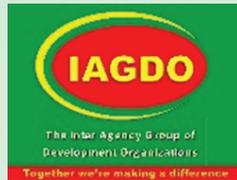


Conference of Churches in Grenada
and
The Inter Agency Group of Development Organisations



REPORT

Summary of Key Issues and Recommendations

NATIONAL ROUND TABLE

on

The CARICOM Commission on Marijuana Report 2018

Grenada Trade Centre Annex

Friday, 22nd January, 2021; 8.30 a.m. – 4.00 p.m.



11th EDF Programme
Support to the Non State Actors Panel

**Conference of Churches in Grenada
and
The Inter Agency Group of Development Organisations**



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LIST OF ACRONYMS

a.k.a.	also known as
CARICOM	Caribbean Community
CCG	Conference of Churches in Grenada
CFATF	Caribbean Financial Action Task Force
FATF	Financial Action Task Force
GCA	Grenada Cocoa Association
GCNA	Grenada Co-operative Nutmeg Association
IAGDO	Inter Agency Group of Development Organisations
WHO	World Health Organisation

NATIONAL ROUND TABLE
The CARICOM Commission on Marijuana Report 2018
Grenada Trade Centre Annex
Friday, 22nd January, 2021; 8.30 a.m. – 4.00 p.m.

The Conference of Churches in Grenada (CCG) and the Inter Agency Group of Development Organisations (IAGDO), in collaboration with the Non State Actors Panel, hosted a National Round Table on the **CARICOM Regional Commission on Marijuana Report 2018** on Friday, January 22nd, 2021.

1. Background/Context

The National Round Table was undertaken in the context of announcements by government officials - Prime Minister, Dr. the Rt. Hon. Keith Mitchell and Hon. Peter David, recently re-assigned to the Ministry of Agriculture - that Grenada would be undertaking consultations on the decriminalization of marijuana¹. At a town hall meeting, Prime Minister Mitchell also advised that Government had “*established a committee locally to review the CARICOM Marijuana Commission Report that will guide the country to set the framework for moving forward with the recommendations*”.²

National consultations with the CARICOM Commission were not accommodated by Grenada in 2018 due to its imminent general elections. While the Commission’s Report was launched since July 2018, the Report had not been publicized in Grenada nor had discussion and engagement taken place in respect of the findings and recommendations of the report. It was within this context that Inter Agency Group of Development Organisations proposed a National Round Table as a contribution to dialogue and informed, inclusive discussions on the Report. The IAGDO approached the Conference of Churches in Grenada to partner on the initiative and also solicited the support of the Non State Actors Panel. A positive response was obtained from both entities.

1.1.Regional CARICOM Commission on Marijuana

1.1.1. Background to Establishment of Commission

At its 25th Intercessional Meeting, held in St. Vincent, March 10-11, 2014, the Heads of Government of CARICOM Member States “*mandated the establishment of a Commission to interrogate the issue of possible reform to the legal regimes regulating cannabis/marijuana in the CARICOM countries*”. In reaching this decision, the Heads of Government considered the following:-

¹ <https://www.nowgrenada.com/2018/06/pm-mitchell-wants-grenada-to-reconsider-decriminalising-marijuana/>

² <https://www.nowgrenada.com/2020/11/grenada-to-develop-model-to-decriminalise-and-legalise-marijuana-use/>

- Thousands of young persons throughout the region had suffered incarceration for marijuana use and consumption.
- Many of these young persons, after their first experiences with the law, resolved to continue with crime as a way of life.
- There was deep resentment and non-co-operation with law enforcement because of inconsistent applications of the law.
- Traditionally, Caribbean citizens had promoted the use of medicinal properties of marijuana and these medicinal properties have been confirmed by emerging scientific evidence.
- Globally, other countries were undertaking legal reform in respect of use of marijuana for medicinal use.
- A regional approach would enhance the legitimacy of any policy reform approaches.

1.1.2. Terms of Reference

The Terms of Reference of the Commission were as follows:-

- i. Conduct a rigorous enquiry into the social, economic, health and legal issues surrounding marijuana use in the Caribbean and to determine whether there should be a change in the current drug classification of marijuana thereby making the drug more accessible for all types of usage (religious, recreational, medical and research); and
- ii. Recommend, if there is to be a re-classification, the legal and administrative conditions that should apply.

The Commission was also authorized and mandated to *“engage in an extensive consultation process with members of the Community and other key stakeholders at the national level to elicit the population’s view about the current usage and re-classification.”*

2. National Round Table

2.1.Purpose of the Round Table

The purpose of the National Round Table was **to contribute to the stakeholders’ knowledge and understanding of the findings and recommendations of the Report**, thereby initiating and contributing to informed engagement on the subject of decriminalization of marijuana. Stakeholders, including the general public, would be better able to make informed contributions during the intended public consultations announced by government officials. They could also be more proactive in initiating their own discussions and articulating informed positions.

The National Round Table was intended to provide a platform to:-

- **Present the findings and recommendations** of the Report of the Regional CARICOM Commission on Marijuana 2018.
- Invite **feedback/responses from key stakeholders and experts** on the various aspects of the Report

- **Invite feedback from other stakeholders** attending the Round Table
- **Identify the key issues and concerns from the stakeholders** in respect of the recommendations of the Commission.

2.2.Participants

- Originally, the National Round Table was intended to be a face-to-face engagement at a certified venue with the participation of a diverse range of stakeholders from government, civil society, secondary school students and the Rastafarian community for whom marijuana has religious significance. However, the COVID-19 spikes in late December and the preventative measures continuing into January placed significant constraints on the numbers that could be accommodated at any one site - only 25 persons. Therefore, last minute arrangements had to be made to host a virtual event.
- Invitations were issued to state and non state actors but targetted civil society groups in particular. Arrangements were made with *Island Media* to stream the event via one of its Facebook platforms in order to extend the participation in the Round Table.
- There were forty-three registered participants, on site and virtually, and an estimated one thousand followers via Island Media's *Mek We Chat* Facebook platform³

2.3.National Round Table Methodology

The National Round Table was facilitated as follows:-

- **Presentation of the Commission's Report:** Via Zoom platform, Professor Rosemary Belle Antoine - Chair of the *CARICOM Regional Commission on Marijuana* – presented the findings and recommendations of the Commission's Report 2018.
- **Respondents/Discussants:** There were three moderated panels which facilitated 10-12 minute responses from a diverse group of professional competence and expertise and accommodated questions from the onsite and virtual audience. The themes of the panels were:-
 - **Health and Social Implications including Children and Youth**
 - **Economic Considerations:** Economics of Health Care and Marijuana Usage; the Economic Potential of Marijuana
 - **Decriminalization, Legalization, Law Enforcement and Human Rights**
- **Plenary Sessions:** A plenary session concluded each panel, permitting for a question and answer session as well as observations and recommendations from attendees/participants, on site and virtual.
- **Summary of "Take-Aways":** At the end of the morning and afternoon sessions, the key take-aways were presented by Dr. Stephen Fletcher and Mr. Lester Andall respectively.

³ Part I - <https://www.facebook.com/mekwechat/videos/766878283917871>
 Part II - <https://www.facebook.com/mekwechat/videos/701566794061469>

2.4. Resource Persons

The following were the resource persons, respondents and moderators, of the presentation and various different panels:-

ACTIVITY	RESOURCE PERSONS
Presentation of <i>CARICOM Regional Commission on Marijuana Report 2018</i>	<p>Presenter:</p> <ul style="list-style-type: none"> Professor Rose-Marie Belle Antoine, <i>Chairperson of the CARICOM Regional Commission on Marijuana</i> <p>Moderator: Bishop Clyde Harvey, <i>Deputy Chairman, Conference of Churches in Grenada</i></p>
Response to Report: <i>Health, Children, Youth & Other Social Considerations</i>	<p>Respondents:-</p> <ul style="list-style-type: none"> Dr. Wendy Crawford-Daniel, <i>Research Sociologist and Professor of Social Sciences at St. George's University</i> Dr. Omowale Amuleru-Marshall, <i>Professor Emeritus, St. George's University, Department of Public Health and Preventive Medicine,</i> Dr. N. Prabhakar, <i>Psychiatrist; Lecturer, Department of Public Health and Preventive Medicine, St. George's University,</i> <p>Moderator: Ms. Cheryl Kirton, <i>Retired Educator and Human Resource Manager</i></p>
Response to Report: <i>Economic Considerations</i>	<p>Respondents:</p> <ul style="list-style-type: none"> Dr. Stephen Fletcher: <i>Lead Consultant, Campeche International Consultants; Grenada's former Ambassador to the European Union</i> Mr. Kennedy Roberts: <i>Health Economist; Lecturer, Public Health Department, St. George's University</i> Dr. Patrick Antoine: <i>Economist; Grenada's Former Ambassador to CARICOM</i> <p>Moderator: Mr. Lester Andall: <i>a retired banker; a former President of the Grenada Chamber of Industry and Commerce.</i></p>
Response to Report: <i>Decriminalization, Legalization, Law and Human Rights</i>	<p>Respondents:</p> <ul style="list-style-type: none"> Mr. Richie Maitland: <i>Grenadian attorney; specialization in Human Rights.</i> Mr. James Clarkson: <i>A retired Commissioner of Police; former National Point of Contact to the InterAmerican Committee against Terrorism</i> Elder Ras Nang Nang: <i>high priest, elder, Rastafarian faith</i> Ms. Glenda Mason-Francis: <i>retired educator</i> <p>Moderator: Retired Justice Rita Joseph-Olivetti: <i>retired judge of the Eastern Caribbean Supreme Court.</i></p>

2.5. Marijuana/Cannabis/Ganja

Throughout the proceedings of the National Round Table the names *marijuana, cannabis and ganja* were used interchangeably. It was noted by Professor Antoine that the term *marijuana* had negative connotations given the legal regime and some persons favoured the term *cannabis*⁴.

⁴ Cannabis is the first part of the scientific name, denoting the plant family, *Cannabaceae*, to which marijuana belongs

3. SUMMARY OF KEY ISSUES AND RECOMMENDATIONS

The following is a summary of the key issues and recommendations emerging from the presentation of the Commission's Report, the responses of the panels and the plenary discussions.

3.1. Stakeholder Engagement

- **People's Issue:** The issue of the reform of the legal regime of marijuana was a non-political, non-partisan issue. The presentation of the Report of the CARICOM Commission had set the right tone for a national discussion.
- **Going Forward:**
 - **Extensive and Inclusive Discussions of the Report:** The Report should be disseminated widely. There was a need for extensive and inclusive discussions to ensure that everyone in society understood the information contained in the Report.
 - **Underlying Theme of Social Justice/Legal Reform:** The theme of social justice must be central to the discussion and actions going forward. Legal reform must address the inequalities/injustices experienced by the most vulnerable in society over the years.
 - **Transitioning Challenge:** Many persons wanted decriminalization. There were also persons with real concerns based on life experiences. Their concerns should not be ignored.
 - **Education and Information:** Education and knowledge about marijuana were required. Over decades, the negative perception of marijuana - a plant that historically held great spiritual, medicinal, cultural and social value to Caribbean people - was deliberately created by the legal regime which deemed it a *dangerous drug* complemented by the socializing influences of the church and the education systems. Currently, the negative perception focused on the female plant which was smoked. However, there were different strains of marijuana with various properties and uses upon which industry could be founded to create economic well-being.

3.2. Report of the CARICOM Commission:

- **Direction:** The Commission's Report was described as "comprehensive, richly evidence-based and balanced. It gave direction as to how the CARICOM countries/Grenada should proceed in addressing the issue of reform of legal regime for marijuana."
 - **Reform of Legal Framework for Marijuana:** The legal framework for marijuana should be addressed from a human rights and public health perspective.

- **Social Justice Priorities:** Social justice must remain the priority. The increasing interests in the medical ganja industry must not overtake social justice considerations.

3.3. Decriminalization/Legalization:

- **Dangerous Drug:** There was never a rational basis for criminalizing the use of marijuana. There was no rationale which justified the classification of marijuana as a “*dangerous drug*”. It was not anymore harmful than alcohol or tobacco.
 - **WHO Declassification:** In December 2020, WHO declassified marijuana as a dangerous drug.
- **Impact of the Legal Regime:**
 - **Societal Costs:** The legal regime which treated marijuana as a *dangerous drug* created significant social costs for the country and life implications for persons who acquired criminal records as a result of being arrested and/or charged for use/possession of small amounts of marijuana.
 - **Discriminatory:** The legal regime had a disproportionately higher negative impact on the persons in the poorer, vulnerable communities.
 - **Barriers to Economic Development and Scientific Research:** The legal regime also prevented the region from exploiting the economic potential of marijuana and hindered scientific research on marijuana.
- **Support for Decriminalization:**
 - **Social Costs/Social Justice issues:** Decriminalization was the means of addressing the immediate and priority issue of the social costs/social justice issues.
 - **Wide Spread Support:** There was widespread support throughout the CARICOM region, from persons of all walks of life, for the decriminalization of marijuana.
 - **Support in Grenada:** In 2018, a poll conducted in Grenada on behalf of the Commission revealed that 61 percent of the persons polled supported decriminalization.
 - **Support of Caribbean Law Enforcement:** Decriminalization was overwhelmingly supported by law enforcement throughout the region. There was no correlation between marijuana and crime, particularly violent crime, and the law was discriminatory. Poor communities were over-policed and underprivileged.
- **Legalization with Regulation:** There should be legalization with regulations, similar to the regimes for alcohol and tobacco because of the downsides/negative consequences, particularly the health considerations with respect to children, youth and individuals with adverse reactions.

3.4. Health:

- **Equitable Access to Competent Care and Adequate Health Care Facilities:** A public health perspective must ensure availability and access to competent care and facilities by persons who experienced adverse consequences from the use of marijuana or any other substance such as alcohol. These experiences argued for a therapeutic response and access to quality care that could be accessed without barriers and the stigma of being treated for an illegal substance.
- **Children and Youth:** Notwithstanding the support for decriminalization, there must be regulations which control access to marijuana by children and youth and the provision of alternatives in schools and communities, i.e. positive activities, that would divert them from being attracted to marijuana.
- **Driving:** There should also be regulations in respect of the use of marijuana and driving, similar to that of alcohol.

3.5. Economic Potential:

- **Lucrative Potential:** The economic study commissioned by the CARICOM Commission indicated that the marijuana industry was a lucrative, global industry with significant economic potential for the Caribbean.
- **Commodity:** There was a shift in perspective from marijuana being a dangerous drug to marijuana being a commodity. Notwithstanding the huge export potential, marijuana, as an agricultural crop, would face the same challenges that all agricultural products - including Grenada's traditional exports, cocoa and nutmegs - face on the international market and be subject to the rigours of international trading rules and regulations.
- **Challenges to the Development of a Business Model/Legal Regime:** While marijuana was a lucrative industry globally, there were many challenges to the development of a business model that would adequately address the economic gains and returns from marijuana in respect of CARICOM states:-
 - **Classification of Marijuana:** The classification of marijuana – whether it has been decriminalized or permitted for recreational use - would have implications for the model that would be pursued.
 - **Legalization with a Regulated Market:** Legalization with a regulated market was proposed. The market should not be liberalized. It must also be supported by a competent, adequately resourced, regulatory body.
 - **Banking Challenges:** The Caribbean was connected to an international finance system it did not control. How could the Caribbean overcome the banking challenges? The region's banking sector was “policed” by the Financial Action Task Force and the Caribbean Financial Action Task Force which still considered revenues from marijuana transactions as “*the proceeds of illegal crime*”.
 - **Cross Border Trade:** Challenges for small states re cross border trade were not expected to go away anytime soon. It remained a challenge to move marijuana

across borders to countries where it was no longer illicit. At the federal level of the USA, marijuana was still prohibited and not easily tradable across state borders.

- **Protecting the Interests of Small Farmers:** How were the interests of small farmers and those who have borne the burden of persecution during the criminalization phase of marijuana, to be protected? In Jamaica, large foreign corporations had taken over, to the detriment of the traditional growers.
 - **Equitable Access to Resources:** There must be equitable access to resources to give opportunities to local growers and communities to participate in and benefit from the new economic opportunities that will arise.
 - **Producer Associations:** Small growers and others needed to come together in order to protect the opportunity that they and others had fought for. Producer associations and clusters along the value chain were recommended. In Grenada there were the examples of the producer associations - the GCNA and the GCA.
 - **Traditional, Vertically Integrated Licence:** The legislation in St. Vincent and the Grenadines made provisions for small, traditional producers to obtain a traditional licence which was vertically integrated. Small farmers could produce, manufacture, distribute, dispense at the retail level.
- **Branding/Differentiation and Value Added:** The region must consider its entry into the market, not as exporters of raw commodities but with differentiated/branded value-added products. This must be supported by continuous research and product development.
- **Niche Markets:** Niche markets must be identified.
- **Community Tourism:** Marijuana was already a part of community tourism in Grenada. The stigma of illegality should be removed.
- **Caution/Phased Approach:** Getting to the ultimate destination of realizing prosperity from a thriving marijuana industry required a phased approach, a step by step manner to prevent being shut off from the international system.
- **Marijuana Rainbow?** While the development of a marijuana sector was a great opportunity for small farming community, great ideas with great prospects had to be embraced properly and with a dose of reality. As the Prime Minister of St. Vincent and the Grenadines, Dr. Ralph Gonsalves, had cautioned, *there was no “pot of gold at the end of the “marijuana rainbow”*⁵.

⁵ <https://searchlight.vc/searchlight/front-page/2018/05/15/pm-gonsalves-cautions-against-over-optimism-about-medicinal-marijuana-industry/>

3.6.Rastafarians

- **Persecution and Discrimination:** Members of the Rastafarian community had experienced great trauma, discrimination and persecution as a result of the legal regime re marijuana.
- **Religious Significance:** Marijuana held religious significance for Rastafarians, a “burnt sacrament”. Members of the Rastafarian community requested that marijuana be considered as part of the Rastafarian sacrament and that there be the cessation of arrests and/or bringing charges against Rastas for the use and possession of marijuana.
- **Special Provisions:** Special provisions should be made for Rastafarians, in respect of possession and use of marijuana and places where it could be used. A special designation could be given to their tabernacles and permission given for the cultivation of a specific number of plants.