

## **Cannabis, the government and the Community**

**By Xhavit Shala**

International Conventions<sup>1</sup> prohibit the cultivation of narcotic plants and the Albanian legislation defines it as a criminal activity.<sup>2</sup> And when a criminal activity takes massive proportions it becomes a serious threat to the national security of the country. Albania aspires integration into the Euro Atlantic structures and is about to sign the Stabilization Association Agreement. But in order for integration to be possible Albania can no longer allow itself to remain a republic of hashish, in the same line with countries like Afghanistan and Pakistan. In these circumstances, the political engagement in the fight against the cultivation of narcotic plants expresses in very clear terms a political will to fight crime.

It is the duty of the political force that holds power at a central level to concretize with action its political will to bring Albania outside the map of cannabis producing and exporting countries. If we want to achieve success in eradicating cultivation, the reasons for the failure of the effort to fight cannabis must first be identified. This action should be then followed by identifying the means and methods to successfully deal with this situation. It is also the responsibility of the local government, that represents a more diverse political spectrum, to not only materialize the political will of the majority and the opposition against the cultivation of cannabis, but also to take upon itself specific responsibilities in this specific situation.

One of the main reasons for the failure in the effort against cultivation, not doubting the political will of the government, is failure to plan a prevention campaign and the perception that this is a responsibility of the State Police only and the absence of cooperation with the local communities. In order for the fight against cannabis to be successful, it is necessary that the law should provide for the need to take preventive actions against cultivation, and to involve the local government and the community as partners with the police in this effort. This is the context through which the draft amendments to the law 7975, of 26.7.1995, "On Narcotic Substances" should be viewed, a draft law that has given rise to diverse reactions in favor and against it from the political forces and local government structures especially.

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<sup>2</sup> The article is written in support of the proposed draft legal amendment to law 7975, 26.7.1995, "On Narcotic and Psychotropic substances", that had caused considerable reaction for and against the passing of the draft in various segments of Albanian political specter and local government structures in particular. The article was published in "Shqip" daily of May 25, 2006.

The draft bill aims to bring about essential changes in the fight against cannabis. *First of all*, it makes it an obligation for the local government structures to become part of the anti cannabis effort together with the police; *secondly*: it obliges the police and the local government to cooperate in the effort to prevent the cultivation of narcotic plants, identify the areas cultivated and the persons responsible; *thirdly*, it obliges the local structures (local government units, criminal and public order police) to properly inform the respective anti-narcotics structure upon coming in possession of information regarding cannabis cultivation; *fourthly*, each party is held legally responsible if it fails to fulfill the abovementioned duties.

The mandatory involvement of local government structures in the fight against cannabis is a very important measure and will most certainly help minimize the cultivation of narcotic plants. The local government structures in particular zones, considering it as a civic obligation have already been providing the police with support in this effort while it must also be noted that there have been also segments in these structures which have allowed the massive cultivation of narcotic plants in their territories, often exchanging their silence with promises of electoral support for the individuals and the political forces they represent. The local government structures possess the necessary capabilities to help, in cooperation with the police, identify the areas cultivated and the persons responsible for it. Unless there is a cooperation established between the police and the local government structures, in spite of any police measure that may be taken, it would be impossible to guarantee full success in the effort against cannabis cultivation. The passing of this legal measure would make even those local government structures, which once colluded with traffickers or kept their silence, to distance themselves from them and coordinate their efforts with the police and no longer consider this cooperation as a non binding ethical obligation only.

This draft represents one of the rare examples in legislation that tries to introduce the element of preventive work. The draft requires that the local government structures and the police work together to prevent the cultivation of narcotic plants. This marks a very important moment because one of the main reasons for the continued resilience of cannabis cultivation is the method employed so far in taking action only after the plant had already matured and reached the required level in narcotic substance content. This method brings negative consequences both for the police which at the height of summer heat had to take part in mowing the cannabis plants down and for the cultivators also who would waste a lot of effort sweat and money to grow the cannabis. In the best of cases the police was able to destroy less than half of all the areas cultivated.

The prevention of narcotic plant cultivation can not be achieved unless the local government, the communities in the affected areas and police work together in this effort. Such cooperation can lay the basis for a continued partnership and method of work between the local communities, local government structures and the police.

Supporting the preventive approach, when the police, local government and communities work together as partners will ensure success in the effort against cannabis cultivation. This type of cooperation would allow the government to achieve success in

the public order and security policies, not limited only to the fight against cannabis but in the fight against human trafficking and other forms of criminal activity also.

