

# The Penalization of the Cannabis lords

By Xhavit Shala

*The mayors<sup>1</sup> and village chiefs should understand not only that it is necessary to stop cannabis cultivation but also that it is their duty to contribute to this effort. All those who make efforts to cover up this criminal activity, or in worst cases, even manage it, must be legally punished. Following is a conversation with News 24 journalist Gerti Shella in his Vila 24 show, aired live on September 07, 2006, at 13.00.*

## Anti Cannabis from Villa 24

**Gerti Shella [journalist]:** We are now live on Villa 24 where we have Mr. Xhavit Shala, the Director of the Albanian Center for National Security Studies who has just arrived.

Mr. Shala, welcome.

The battle against cannabis continues and it has caused even victims due to the exchange of fire that has occurred in some instances. Why is the cultivation of cannabis proving so resilient?

**Xhavit Shala:** The fact that the battle is continuing I would consider something positive. What this means that the cultivators and those who stand behind them will receive the merited response.

**Journalist:** The clashes then are an indicator that the fight has been intensified?

**Xhavit Shala:** Yes, the fight against the cultivation of narcotic plants has been intensified. It demonstrates that the time when we had in Albania gray area, places where the government could not extend its reach, is gone. Albanian police have carried out operations against cannabis cultivation in every corner of the country. Plants have been destroyed and individuals arrested. I consider this a significant success for the police.

Given the occasion, I would like to underline the very important contribution given by the media. To a large extent it was the information and the pressure exerted by the media, which compelled the police in certain districts to undertake operations against cannabis.

**Journalist:** While we are holding this conversation, we see on the screen the News 24 footage of cultivated areas filmed by our journalists.

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**Xhavit Shala:** When we analyze the recent police action against cannabis we may reach conclusions and draw lessons for the future. It is important to note that the fight against cannabis be not concentrated only during the summer harvest season. The main focus should be in preventing cannabis cultivation.

**Journalist:** Now we are at harvest time, right?

**Xhavit Shala:** The more work is done to prevent cultivation, the less work is needed during the harvest season and less forces and means need to be employed. It was this also the goal of the legal amendment that was proposed, even though it was met with some opposition and was followed by various misinterpretations. This bill marks the first time the Albanian legislation provides for preventive work. The law obliges the local government structures and police to work together to prevent the cultivation of narcotic plants. It is the first time that a law requires that local government units contribute to dealing with this problem. It is the first time that local government and police structures are required to report the information they come in possession on cases of cannabis cultivation in the areas under their jurisdiction. The fourth important element of the law is that it provides for special penalties against police inspectors in the field, local government officials who reconcile themselves with cultivation of cannabis and do not report to the police the cases of cultivation. And in Albania such cases of cultivation are fresh in our memory. I would like to mention here the case of the police inspector in the village of Lazarat who was expelled from the police and is now under prosecution. The case of the mayor of Temal and there are also cases of village chiefs.

The law that was passed is now being fully enforced. Next year this task will be a little bit easier because of the clear and firm messages against the cultivation that were delivered.

**Journalist:** Mr. Shala, do you think that aside from the prevention, individual implicated in cultivation will no longer be elected in local government functions?

**Xhavit Shala:** Anyone who can not live up to the responsibility he takes before his community has not reason to seek to be elected a village chief or mayor of a commune.

**Journalist:** As a matter of fact, we are talking here about very poor communities.

**Xhavit Shala:** We live in the year 2006 and it can no longer be tolerated that a village elder come in possession of information relating a crime and he does not report it. If this is allowed to continue, then they can no longer be considered as government structures but only as crime lords.

We should never allow that mayor or head elders become people who stand as cover for these criminal activities, such as is the case with the cultivation of narcotic plants.

The problem of cannabis cultivation is a very serious issue. On behalf of the Albanian Center for National Security Studies, I call on all to seriously consider and deal with this issue. During 2004, our center, through a series of articles, studies and publications called on the political class and public opinion to pay closer attention to fighting this activity. I would also like to publicly denounce the cases when opinions have been expressed that hamper the fight against the cultivation of cannabis. I actually read a few days ago in Gazeta Shqiptare an article that in its essence was advocating the cultivation of cannabis.

**Journalist:** This was connected with the discussion that we had together.

**Xhavit Shala:** Yes, we discussed it together, but when these theses are propagated by people who enjoy political support it leads to misunderstandings. I am sure that such opinions where independent opinions and that they do not represent the position of any political force.

**Journalist:** The discussion on whether cannabis cultivation should or should not be allowed in Albania is now a fact. This discussion is one of the reasons why we are holding this second conversation with you today.

**Xhavit Shala:** It is a discussion that exists but all means are now being employed, starting with effort to make citizens aware and then actions to enforce the legal provisions, to stop the cultivation of narcotic plants. We should not allow steps backwards and open once again the discussion whether cannabis cultivation should be allowed or not. This should not happen. All the political forces have distanced themselves from supporting the cultivation of cannabis. There should not be any hesitation on this position in spite of some individuals who hold personal opinions that are contrary to this. To speak today of allowing cannabis cultivation because there is a demand from Holland or Switzerland is ludicrous. It is the same like having citizens in Colombia think that their state should cultivate cocaine since there is a demand for it in the US.

**Journalist:** Cocaine in the US is illegal, while in Holland, cannabis is not prohibited.

**Xhavit Shala:** Holland and Switzerland enjoy all the conditions required to grow cannabis themselves. When Holland is able to produce such beautiful flowers in green houses it can surely produce cannabis if it so chooses. This is clear, I think.

**Journalist:** How do you explain this though? Isn't there a paradox?

**Xhavit Shala:** They are states with a consolidated and interesting democracy. They allow the use of narcotics for medical purposes but they prohibit the production and trafficking of these substances.

**Journalist:** It's almost hypocritical in fact.

**Xhavit Shala:** The states that allow the use of narcotics prohibit their cultivation and trafficking because based on international convention the production and trading of these substances is prohibited. Both cannabis and cocaine are substances prohibited by International Conventions that we have signed and they have binding power for our legal system. I find the discussion on whether to allow the cultivation or not completely out of place.

The fight against cannabis cultivation is a problem that all Albanians should deal with and not only the political forces. If we do not understand this we undermine our efforts for integration into Euro-Atlantic structures and undermining our national security.

**Journalist:** As you are saying, the logic surrounding the cultivation of cannabis is completely deferent from the logic of supporting, of encouraging local agricultural production...

**Xhavit Shala:** The cultivation of narcotic plants is a criminal activity regulated by international conventions and the Albanian legislation. Cultivation of cannabis can not and should not be tolerated. All should come to the realization of this, not only the villager who lives in the mountains but every one else also.

This becomes a more serious problem today when cultivation has moved from the villages in the fields into the mountains. This development indicates that the fight has been intensified. While they are able to cultivate cannabis in these areas this year this will be impossible next year when the police will be able to identify these spots and have in place an effort to prevent the cultivation from happening.

**Journalist:** Does the police possess the necessary infrastructures to identify and uncover the places where cannabis is cultivated?

**Xhavit Shala:** It certainly does. There are strange excuses used to justify failure to act, such as the request that every commissariat should have a helicopter, which is something that is impossible given our conditions. The state has undertaken the effort to fight this phenomenon with the means it has under possession and is fulfilling its obligations. The more capacities available the better it is, but if attention is given to preventing the cultivation the work to eradicate cultivation will be much easier.

And it should be understood that preventive work does not begin in August but in January, three months before the cultivation starts. The preventive campaign should take place everywhere where there is cultivation. The village elder and police inspector should visit every family and make it clear to the citizens the legal consequence of cannabis cultivation.

I remember that in Fier we followed a very interesting method. We prepared and printed about 9000 forms that we handed over to farmers to sign. In that form the farmer committed himself to not cultivating cannabis and received information about the legal

provisions in power against cannabis. Even though this mainly had a psychological effect and it was not a legally binding measure, it was very effective. The forms were distributed in January and February. The effect would not have been the same if this action had been taken in April or May when the cultivation has already started.

**Journalist:** How come the Ministry of Interior has not launched any awareness campaign to inform the citizens about the legal provisions in force against cannabis? The Ministry continues to engage forces who often even end up exchanging fire with cultivators when it would cost much less to engage itself in these activities.

**Xhavit Shala:** The research center that I head has continued to monitor the effort against cannabis cultivation and it is now the place to admit that the political messages against cultivation has come at a right time. It was delivered by the Prime Minister and Minister of Interior in January and February when the legal amendment were prepared. But this political message was not received properly by the technical level in the State Police. As a consequence, the prevention campaign began late, it began only in April. For the campaign to be effective, as I said earlier, it should start in January.

**Journalist:** If Minister Olldashi is watching this show, we would suggest that he consider using the media to convey the message of what consequences await anyone cultivates cannabis.

**Xhavit Shala:** This is very much possible. The media is powerful weapon in facing this problem. It was the media that broke the news that cannabis was cultivated in those remote areas. But the messages should be aired through the media not in August but before the cultivation has even started. The media enters into every home, which is why we say that media can be a very effective partner in preventing the cultivation of narcotic plants and encouraging the fight against crime in general.

**Journalist:** Mr. Shala, I would like to thank you for being in our studio today and I hope that the messages that you delivered will have been heard and understood correctly.