

To: PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES

Bili: CANNABIS FOR PRIVATE PURPOSES BILL [B19 - 020]

From: RASTAFARI COMMUNITY IN ZAYAN

Contact Person: Baba Lord I kaMgan'gadu

SUBMISSION OF COMMENTS ON CANNABIS FOR PRIVATE PURPOSES BILL 2020

DATE: 08 OCTOBER 2020

Compiled and edited by Rastafari Elders in Zayan

Approved by: Zayan Community Members in South Africa

We, the RasTafari Community in Zayan are descendants of the Indigenous people of South Africa who chose to break-away from the systematic way of living designed for urban and township dwelling. We live a natural life on the land which is ruled by Traditional Leaders with the purpose of preserving and prolonging life by practicing ancient culture and tradition of cultivating Cannabis for performing cultural and spiritual rituals, healing and economic purposes.

The Rastafari Communities in Zayan have been brutalized, criminalized and persecuted for Cultivating, living, dealing and healing with the Cannabis plant for centuries under the Laws set by the Apartheid Regime, which have denied Us the right to research, commercialize and develop the Cannabis Industry.

The Rastafari community in Zayan have read and interpreted the proposed Cannabis for Personal Purposes Bill in consultation with Our affected Rastafari Zayans across South Africa Traditional Leaders under the Ndzundza Mabhoko Traditional Authority, Ndzundza Mabusu Traditional Council, Arts and Culture Organisations, and We conclude that the bill:

- Inhibits on the cultural right of the Rastafari Community in Zayan and Indigenous communities.
- Marginalizes the abovementioned communities to explore and develop their cultural , spiritual and economic growth in the Cannabis Industry
- It still criminalizes the Rastafari Communities in Zayan
- It still perpetrates the stigma that Cannabis is harmful

We state our inputs on the Bill as follows:

Section 1 — Definitions

(1) (a) Cannabis is not just the flowering or fruiting tops and leaves separate from the plant, its the whole tree including the seed, stalk and roots.

(1) (b) any substance which contains THC is not Cannabis, it's a component of Cannabis

Section 2 — Prescribed quantities for personal use by an adult person

(1) -The prescribed quantities should be demarcated for urban areas and townships and exclude Rastafari Communities in Zayan and Indigenous communities that have been cultivating before the Democratic Government took over from the Apartheid regime.

(2) — Include demarcated smoking areas to accommodate Rastafari in public places

(3) — An adult person has the right to remunerate in any manner suitable and affordable to them, as this is natural to do in cultural terms

Section 3 — Cultivation Offences

(1)(a) (b) (c) - The offences listed should not apply to Rastafari Communities in Zayan and indigenous communities who are already cultivating Cannabis.

(2) (a) This regulation should not apply to Rastafari Communities in Zayan and their children as they are conceived and born into an environment that exposes them to Cannabis by culture.

Section 4 — Cannabis Offences

The offences listed should apply to areas regulated by Governments, exempt should be awarded to Rastafari Communities in Zayan and Indigenous Communities.

Section 6 - Offences involving a child

- (1) (a) (i)(ii)(iii)(iv)(v)(vi) Should not apply to Rastafari Community members in Zayan as their children are exposed and born into cannabis environments from conception. Cannabis is part of their daily life, diet and healing, therefore we cannot isolate them from Cannabis cultivation, possession, consumption.

Section 7 — Penalties

There is no offence in cultivating, dealing and healing with cannabis, rather there are a lot of benefits economically, environmentally and personally that cannabis possesses and therefore no one should be imprisoned or criminalized for performing such acts with cannabis.

Section 9 — Regulation

The regulations should apply to urban areas and exempt Rastafari Communities in Zayan as they are already cultivating for their personal, cultural and spiritual benefits.

There is no offence in cultivating, using and dealing with natural herbs and plants created by the Almighty. Therefore We request the following to be taken into consideration:

1. Recognition of the Rastafari Community in Zayan as the rightful custodians of the Cannabis Plant as Our Indigenous plant.
2. Unschedduling of the Cannabis plant as a Drug or harmful substance as stated in the Drug Act of 1922
3. The disbanding of SAHPRA as a Regulatory Body and recall of all Cannabis Cultivation Licenses and Permits Issued in South Africa
4. The formation of a Neutral Body that will include the Rastafari Community, Traditional Leaders and Indigenous Communities, Farmers and relevant Government Departments to research, conduct trials to determine the safe personal, cultural and economic development of the Cannabis Industry.
5. Government support and prioritization of time allocated to Rastafari Community in Zayan and Our Indigenous Communities.
6. A Presidential Public apology addressed to the Indigenous communities, Rastafari Communities in Zayan and Traditional Leaders

We will also like to express our interest in making a verbal presentation, where we will be accompanied by Our Traditional leaders and Elders of The Rastafari Community in Zayan.

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08-10-2020

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