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Cannabis Culture Initiatives

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The National Commissioner of the South African Police Service
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Parliamentary Portfolio Committees on Police, Justice, and Trade & Industry
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South African Human Rights Commission (SAHRC)
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Independent Police Investigative Directorate (IPID)
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Dear Honourable Ministers and Commissioners

SUBJECT: CANNABIS REFORM – FROM PRESIDENTIAL COMMITMENTS TO URGENT ACTION

For three consecutive years, the President of the Republic has stood before Parliament and promised South Africa that cannabis reform would unlock new industries, create over 130,000 jobs, and uplift rural communities. These were not abstract pledges they were concrete commitments made in the State of the Nation Address in 2022, 2023, and 2024.

The President's own words spoke of *urgency, industrialisation, and economic empowerment*. Those words gave hope to small farmers in Mpondoland, to healers practicing indigenous medicine, to entrepreneurs ready to invest, and to citizens who believed that South Africa was finally ready to embrace the green economy.

And yet, the reality we face in 2025 tells a very different story.

1. The Reality of Contradiction and Delay

- **Hemp Permits Without Protection**

The Department of Agriculture issues hemp cultivation permits under the Plant Improvement Act. Yet cannabis remains classified as a Schedule 6 drug under the Medicines Act, and cultivation remains criminalised under the Drugs Act. Farmers are given paper licences with one hand and threatened with SAPS enforcement with the other.

- **CBD Scheduling Confusion**

CBD, a non-psychoactive compound recognised globally as safe, remains trapped across two different Schedules. This inconsistency blocks legitimate trade, deters investors, and prevents farmers from developing a market for their crops.

- **No Commercialisation Pathway**

The Cannabis for Private Purposes Act (2024) only allows private cultivation and possession. Commercial cultivation, processing, and sale remain prohibited. There is no enabling legislation for trade, no harmonisation across departments, and no certainty for investors or communities.

- **Exclusion of Legacy Growers and Traditional Healers**

Licensing frameworks are written for capital-intensive companies, not rural cooperatives. Application fees, security requirements, and compliance demands are insurmountable for small farmers. Meanwhile, traditional healers whose practices are recognised under the Traditional Health Practitioners Act remain sidelined, despite their central role in community health.

- **Continued Criminalisation**

SAPS continues to arrest, raid, and harass citizens for cannabis possession and cultivation, despite the 2018 Constitutional Court ruling (*Prince v Minister of Justice*) affirming the right to private use. Each arrest undermines both constitutional rights and public trust.

2. The Cost of Government Inaction

- **Economic Exclusion**

Rural farmers in KwaZulu-Natal and the Eastern Cape are cultivating under permits but cannot legally sell their crops. Without processing infrastructure or offtake agreements, they are pushed deeper into poverty.

- **False Hope Projects**

Provincial hemp “mega-projects” are announced with fanfare yet stall due to lack of

legal certainty and investment. Companies with political connections some even led by individuals previously debarred by regulators are presented as “flagship” partners, undermining credibility and investor confidence.

- **Lost Competitiveness**

While Lesotho, Zimbabwe, and Germany are exporting cannabis and piloting new models, South Africa lags behind. Despite being promised leadership in Africa’s cannabis economy, we now export less than 5% of the continent’s medicinal cannabis, losing billions in potential revenue.

- **Social Injustice**

Communities who carried cannabis through decades of criminalisation now face new layers of exclusion. Instead of being recognised as pioneers, legacy growers are criminalised while corporates prepare to profit.

3. Immediate Measures

We, the cannabis community of South Africa, call for decisive and transparent action:

1. **A Moratorium on Arrests**

A binding directive to SAPS halting arrests and seizures for private and medicinal use, consistent with the Constitutional Court’s ruling.

2. **Interim Relief for Legacy Growers and Healers**

A transitional framework enabling small-scale growers and traditional healers to cultivate and trade within defined limits while legislation is finalised.

3. **De-Scheduling of CBD and Harmonised Hemp Regulation**

Align regulation with science. Treat hemp as an agricultural crop and remove CBD from restrictive schedules that prevent legitimate trade.

4. **A Transparent Cannabis Council**

A statutory body with elected representatives from growers, healers, civil society, and industry — not only government appointees or corporate interests.

5. **A Full Public Audit**

An investigation by the Auditor-General into cannabis reform spending, the issuance of permits, and the status of projects announced under the Cannabis Master Plan.

4. Restore Credibility and Justice

Mr. President, you told us cannabis reform would empower the rural poor, heal our people, and build a new economy. But until today, reform has empowered only the already powerful and criminalised those who kept the plant alive during the darkest years of prohibition.

The credibility of your words, and of Parliament, now depends on action.

- You cannot promise 130,000 jobs and deliver only arrests.
- You cannot speak of inclusion while excluding healers and small farmers.
- You cannot claim leadership while the region overtakes us in exports, investment, and innovation.

The time for promises has ended. The time for **correction, inclusion, and justice** has arrived.

We call on Parliament, Ministers, and the Presidency to act not with more committees or consultations, but with legislation, directives, and protections that align our law with our Constitution and with the urgent needs of our people.

Sincerely

Charl Botha B.Proc (S.A)
(Electronically Signed)

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Positive Cannabis Culture Initiatives