



# Decriminalisation policies and cannabis regulation policies

An overview of developments over the past 5 years

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## *Legal status and international debate background*

### **UN Drug Control Conventions**

- Single Convention on Narcotic Drugs (1961)
- Convention on Psychotropic Substances (1971)
- Convention against Illicit Traffic in Narcotic Drugs and Psychotropic substances (1988)

### **Obligations of the signatory states**

- Criminalize drug supply (production, trafficking, transfer and possession) through criminal sanctions.
- The decision to directly criminalize cannabis use is state-determined.

**First initiatives to decriminalize certain cannabis-related offences in the 1970s – “Medical cannabis” – Most radical reforms in the last decade**

## *Developments through the 2010 decade*

### **Changes in the international context**

- A debate that has changed in nature
- Calls from the Global Commission on Drug Policy
- Mobilizations in Latin America and UNGASS 2016
- Local "exit from prohibition" experiments

### **Differentiation of product qualifications and types of use**

- Legal recognition of "therapeutic" use
- Evolution of international standards
- "Rediscovery" of industrial hemp and rise of the CBD and low-THC markets
- First legalization reforms for "recreational" cannabis (2012-2021)

### Increased access to "therapeutic" cannabis

- Legalization movement started in the 1990s
- Pioneer countries: Canada (2001), Netherlands (2003), Israel (2006).
- Authorized in most EU countries in very different forms

### Disparities in authorization rules and access conditions

- **Therapeutic indications** (at least cancer, AIDS, multiple sclerosis)
- **Authorized supply channels: sale** (pharmacy, "dispensary" or specialized store), **authorization for home growing**
- **Medical follow-up** (prescription or "recommendation", patient register)
- **Forms and methods of consumption** (natural, synthetic or medicinal cannabis; vaporized or smoked).

## *Overview of reforms allowing access to non-medical ("recreational") cannabis*

**Between 2012 and 2021, 18 out of 50 U.S. states allow regulated markets for adult non-medical cannabis use  
+ 2 countries (Uruguay, Canada)**

### **Emergence of new "tolerance" models**

- Legalization of cannabis for religious purposes (Jamaica)
- Self-cultivation for private use
- Cannabis social clubs (CSC)

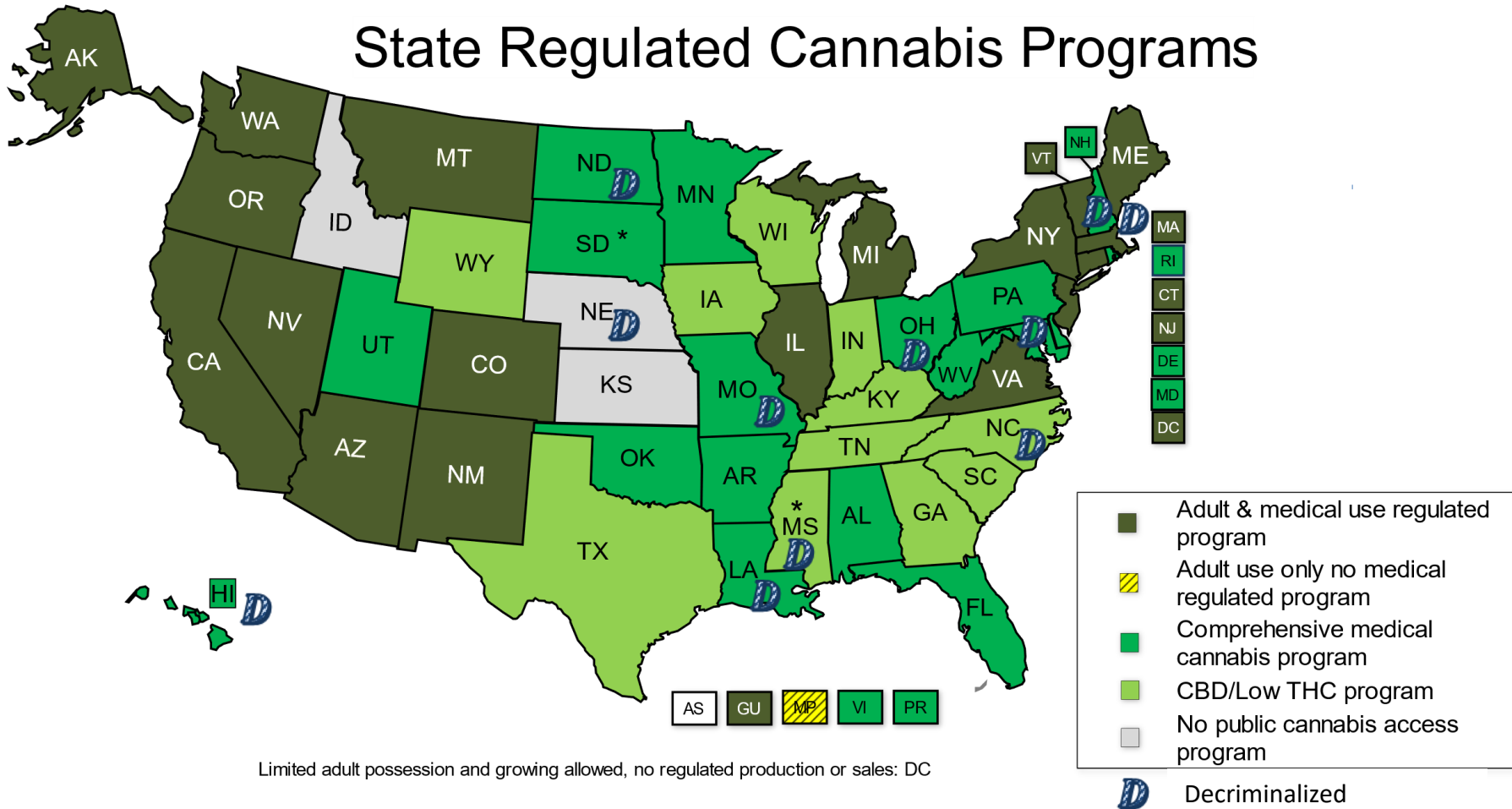
**Local experiments of legal production and controlled sale in Europe (Denmark, Germany, Netherlands, Switzerland)**

### **Legalization of non-medical use on the agenda**

- Unsuccessful (New Zealand...)
- In progress (Mexico, Luxembourg, Germany, Malta...)

# Adult non-medical use of cannabis in the United States in 2021

## State Regulated Cannabis Programs



# *Regulating cannabis*

## *Reform goals : differential expectancies*

### **Common goals :**

- Neutralise the black market and fight drug-related violence & criminality
- Make production, sale and purchase conditions safer
- Limit access to cannabis for young people (protection of minors)

### **Major differences :**

- Fiscal interests & civil liberties / racial issues (US)  
vs Public health and risk education (Uruguay)
- For profit, business-friendly model (US)  
vs State control = demonetise the issue (Uruguay)
- Alignment of medical & recreational markets (US)  
vs eradication of 'prensado' & 'pasta base' among young people (Uruguay)

## *"Regulating Cannabis" Diversifying Policies*

### **Differentiated models of supply**

- **Commercial legalization (United States)**
- **State monopoly (Uruguay)**
- **"Authorizing without promoting": a decentralized model (Canada)**

### **Regulatory policies: convergences and disparities**

- **Regulation based on the North American alcohol model**
- **Differentiated practices and effects: future research (ASTRACAN)**
- **Regulatory policies : convergences and disparities**



## *Conclusion*

### **A growing variety of cannabis accounts, meanings and related policies**

- Expanding access to medical cannabis
- Future directions of non-medical cannabis legalization initiatives
- Differentiation of definitions and uses (industrial, "wellness", etc.)

### **Lingering issues**

- Medium/long term effects of legalization reforms
- In the face of the opioid and methamphetamine overdose crisis, could cannabis work as a tool for harm reduction ?
- A knowledge gap to be filled