



UNODC

United Nations Office on Drugs and Crime

**SNISMUN 2020**

The background of the entire page is a close-up photograph of vibrant green cannabis leaves with serrated edges, set against a dark background. The leaves are illuminated from the side, creating a strong contrast and highlighting their texture.

# United Nations Office on Drugs and Crime

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## BACKGROUND GUIDE

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**SNISMUN 2020**

**Agenda: The Legalization and Regulation of  
Cannabis**

**Chairpersons: Ritvik Sai Narayan and Riddhi  
Gopinath**

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# Letter from the Executive Board

Greetings Delegates,

Welcome to the UN Office on Drugs and Crime. Over the duration of this conference, these esteemed nations of the world, wielding tremendous political, social and economic power, will convene to deliberate and discuss issues concerning the trade and status of drugs and drug-related crime all over the planet.

As an unbiased Executive Board, it is still altogether difficult to admit that we aren't moving towards an incredibly progressive world, because we are. Boundaries are opening, barriers are being crossed, and people are opening their eyes past draconian and illogical policies of times long past.

But it is also becoming increasingly evident that in the sphere of narcotics, progressive ideology is often compared to drug legalization. The debate has morphed in such a way where we cannot have one without the other.

There are always two sides to any conflict, but in this particular debate about drug legalization, each side has a multitude of layers. There are individuals around the world who are campaigning for the free use of drugs at a controlled pace. There are individuals who are not drug users themselves, but who believe that legalization is the best solution to get the narcomania off the streets. Of course, at a governmental level, there is a large plethora of people who are unwilling to look past the ill-effects of narcotics and who believe it is necessary to pronounce their illegality.

In such a polarizing environment, it is our duty as an Executive Board to provide you with an avenue to display your logical prowess, diplomacy, and adherence to government foreign policy to ensure that the drug war, if it really is a war, doesn't get out of hand. To be judged solely on your merits is the only way to reach a diplomatic resolution.

At a time when the world is plagued with a pandemic, it is heartening to see a new generation of innovation arise. Legalization has been a very popular topic in recent discussions, with different countries having different ideologies that are in synergy with their policies.

We look for a holistic delegate, someone who has documentation, speeches as well as lobbying under their belt, fully aware that these skills take time and effort. While understanding the competitive nature of the conference, they must be willing to be collaborative in nature.

With that said, use this conference as an opportunity to learn and evolve, every day is a learning. All the best delegates, hoping to see everyone in committee, and as always, may the best delegate win.

- **Riddhi and Ritvik**

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## *Committee History and Powers*

The United Nations Office on Drugs and Crime (UNODC) was established in 1997 after the merger between the United Nations Drug Control Programme and the Centre for International Crime Prevention. Nowadays, it is regarded as a “global leader in the fight against illicit drugs and international crime”. It has offices spread out all over the globe. 90% of its budget relies on voluntary contributions, which are mainly given by Governments. UNODC’s mandate is to “assist Member States in their struggle against illicit drugs, crime, terrorism and transitional crime in all its dimensions” as stated in the Millennium Declaration.

The Office could divide its work programmes in three different types of aid:

- Field based technical cooperation’s projects that can help Member States counteract critical situations.
- Research and analytical work to increase understanding of everything of concern of the Office.
- Normative work to aid national Governments in implementing international treaties and declarations, but also to suggest the development of local legislation.

Programmes led by UNODC can cover different areas, such as:

1. Organized crime and trafficking of any sort in order to help Member States with the instability caused by these types of crimes, but also with cybercrime or environmental crime;
2. Corruption in order to work together with the public and private sectors or the civil society itself in order to help dismantle corrupted “empires” or to recover assets stolen by corrupt officials;
3. Crime prevention and criminal justice reform in order to promote the adoption of measures that guarantee a fair criminal justice system that always bears in mind the respect for human rights;
4. Drug abuse prevention and health in order to reshape the perception of drug usage at all levels thanks to educational campaigns and scientific researches;
5. Terrorism prevention in order to effectively assist entities that are involved with cases of terrorism.

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## *History of the Issue*

The cultivation, use and trade of psychoactive and other drugs has occurred since the dawn of civilization. In the 20th century, the United States government led a major renewed surge in drug prohibition called the "War on Drugs." It was only in the 20th Century that Britain and the United States outlawed cannabis. The British had gone to war with China in the 19th Century in what became known as the First and Second Opium Wars to protect their valuable trade in narcotics. Motivations claimed by supporters of drug prohibition laws across various societies and eras have included religious observance, allegations of violence by racial minorities, and public health concerns. Those who are not proponents of anti-drug legislation characterize these motivations as religious intolerance, racism, and public healthism.

Various proponents of drug liberalization wish to repeal these laws for reasons ranging from individual rights-based defenses of liberty, to consequentialist arguments against the economic and social outcomes of drug prohibition. Starting in the 20th century, large organized movements to overturn existing drug laws formed around the world. The most vocal of these groups exist in liberal democracies, and typically attract liberal and libertarian supporters, although drug liberalization itself is a non-partisan issue and may be supported by adherents of any ideology.

The campaign against alcohol prohibition culminated in the Twenty-first Amendment to the United States Constitution repealing prohibition on 5 December 1933, as well as liberalization in Canada, and some but not all of the other countries that enforced prohibition. However, many laws controlling the use of alcohol continue to exist even in these countries.

Current proponents of drug liberalization seek the repeal or softening of drug prohibition laws, most commonly cannabis but also including other controlled substances such as alcohol, tobacco, opiates, stimulants, psychedelics, dissociatives, prescription drugs, and others. In reality, there is no generalized way for the Executive Board to quantify drug legalization. Each country has its own diverse and eclectic populace, and is comprised of various political and economic systems, some of which are conducive to the trade of cannabis, and some of which are not.

We request you to review the following links to get a grip on the history of the issue at large.

However, we insist you emphasize on solutions and research your country's specific drug policies, as well as its inherent pros and cons.

## *Relevant Terminology*

The terms 'depenalization', 'decriminalization' and 'legalization' are often used in the drug control debate. These terms are briefly distinguished as follows.

1. **Depenalization:** something remains a criminal offence, but is no longer punished, e.g. now the case may be closed.

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- 2. Decriminalization:** an offence is reclassified from criminal to non-criminal. It remains an offence and may be punished by the police or other agencies, rather than a court.
  - 3. Legalization:** there is a move from a prohibited behavior (criminal or not) to a permitted behavior. This is usually used to describe supply, rather than possession, of drugs.

## ***Current status of Cannabis***

The use of cannabis for recreational purposes is prohibited in most countries; however, many have adopted a policy of decriminalization to make simple possession a non-criminal offense (often similar to a minor traffic violation). Others have much more severe penalties such as some Asian and Middle Eastern countries where possession of even small amounts is punished by imprisonment for several years.

Uruguay and Canada are the only sovereign states that have fully legalized the consumption and sale of recreational cannabis nationwide. In the United States, ten states and the District of Columbia have legalized the recreational use of cannabis although it remains federally illegal. Laws vary from state to state when it comes to the commercial sale. Court rulings in Georgia and South Africa have led to the legalization of cannabis consumption, but not legal sales. A policy of limited enforcement has also been adopted in many countries, in particular Spain and the Netherlands where the sale of cannabis is tolerated at licensed establishments.

Countries that have legalized the medical use of cannabis include (but not limited to) Argentina, Australia, Canada, Chile, Croatia, Cyprus, Finland, Germany, Greece, Israel, Italy, Luxembourg, Peru, Norway and the Netherlands.

## ***Cannabis Policy in Europe***

While all European Union Member States treat possession of cannabis for personal use as an offence, over one third do not allow prison as a penalty for minor offences. In many of the countries where the law allows imprisonment for such cannabis possession, national guidelines advise against it. No national government in Europe supports legalization of cannabis sale for recreational use, and all countries have prison sentences for illegal supply. However, several draft laws have been proposed to national parliaments in the last few years, as well as some initiatives in regions or cities that were rejected at national level.

Some models of legal supply include:

- 1. Coffeeshops:** In the Netherlands, coffeeshops are outlets for the sale and often on-site consumption of cannabis. They are licensed by the municipality, and about two-thirds of Dutch municipalities do not allow them. numbers have been falling since 2000. Sale and personal possession are punishable by imprisonment under Dutch law, but coffeeshops are tolerated provided they adhere to strict criteria published in a directive of the public

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prosecutor. However, there is no toleration of production of the stock, creating a legal anomaly known in the Netherlands as the 'back door problem'.

2. **Cannabis Social Clubs:** In a number of European countries, groups of users have formed 'cannabis social clubs. They claim that, in principle, if cultivation of one cannabis plant is tolerated for one person's use, then 20 plants together might be tolerated for a club of 20 people. No national government in Europe accepts this, though some regions in Spain have attempted to pass regulations to limit the proliferation of such clubs. In 2015, the Spanish Supreme Court clearly stated that 'organized, institutionalized and persistent cultivation and distribution of cannabis among an association open to new members is considered drug trafficking'.

## ***Cannabis Policy Outside Europe***

Four basic models of legal cannabis production and supply are now operating. Some jurisdictions allow more than one of these models:

1. **Taxed, commercial supply:** Many licensed growers supply many licensed retail outlets. This is the model in Colorado, Washington State, Alaska and Oregon, and it is the model approved in 2016 in California, Maine, Massachusetts and Nevada.
2. **Government supply:** The government contracts a limited number of growers and controls supply through outlets. This is one of three models in Uruguay.
3. **Permitting home grow** (and giving small amounts). No tax, no sales outlets. This is the only model in Washington DC, and one of three models in Uruguay. Home grow is also permitted in seven of the eight American states with commercial supply models; only Washington State does not allow it.
4. **Social clubs:** A group of people grow cannabis in a collective and use it. No tax, no sales outlets. These one of three models in Uruguay.

## ***Questions A Resolution Must Answer (QARMA):***

1. Is it globally legal to legalize marijuana for recreational use?
2. How will countries deal with taxation and trafficking if so?
3. Is spending large portions of countries GDP worth doing?
4. Will existing offenders be released from prisons?
5. How will the international community handle the Single Convention on Narcotic Drugs? And if so, should it be updated?

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## ***Additional Resources***

On that note, delegates, use this background to its fullest potential. However, please do ensure that this does not limit your research to the content in this document. Here are some additional resources to widen your perspective on the agenda:

1. <https://www.theweek.co.uk/59417/should-cannabis-be-legalised-the-pros-and-cons-of-decriminalising-drugs-general-election-2019>
2. <https://www.vox.com/policy-and-politics/2018/8/20/17938332/marijuana-legalization-cannabis-weed-pot>
3. <https://www.pharmaceutical-journal.com/news-and-analysis/opinion/comment/beyond-cannabis-why-we-should-look-at-legalising-other-illegal-drugs-for-medical-use-to-benefit-patients/20205613.article?firstPass=false>
4. [https://www.vice.com/en\\_uk/article/z4k8qa/what-would-drug-dealers-do-if-all-drugs-were-legalised](https://www.vice.com/en_uk/article/z4k8qa/what-would-drug-dealers-do-if-all-drugs-were-legalised)
5. <https://www.brookings.edu/articles/drug-legalization-time-for-a-real-debate/>