

Schwung in der
internationalen
Cannabispolitik

UNO, WHO & INCB ändern ihren Fokus

11. Oktober
2019

Part 1



Cannabis under review



1961 Convention AKA “Single Convention”

Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol

mostly deals with plants or pharmaceuticals; recovers the many Treaties on opium and other drugs prior to World War II.

1971 Convention

Convention on Psychotropic Substances of 1971

addresses psychoactive substances and drugs from a more chemical perspective.

1988 Convention

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

reinforces the previous two.

The reading and implementation of these 3 Treaties is framed and conditioned by general international law:

Fundamental Human Rights; Cultural, Civil, and Political rights; UN Charter



Comprehensive exemption of NPP *Cannabis* from Treaty controls

Cultivation

Cultivation of the *Cannabis* plant is disregarded by the 1961 Single Convention, when undertaken for any purpose other than pharmaceutical production or research.

Single Convention, Article 28(2)

Official Commentary, pp. 312-5

Comprehensive exemption of NPP *Cannabis* from Treaty controls

Fibres & seeds

Fibre, seeds and leaves (when not accompanied by flowering/fruiting tops) are excluded from the scope of the Convention. They are not considered as a “drug” and not internationally controlled.

Single Convention, Article 1(b)

Official Commentary, pp. 2-4 & 312-5

Comprehensive exemption of NPP *Cannabis* from Treaty controls

Flowers & fruits

Fruiting tops (“buds”) are considered a drug. However, any drug used in industrial settings is exempt from the Convention’s controls. NPP *Cannabis* fruits are therefore not under the Convention’s régime

Single Convention, **Article 2(9)**

Official Commentary, **pp. 71-3**

These exemptions are cumulative, not exclusive.

The exemption from the scope of the Treaty, in the case of cultivation in non-medical and non-scientific context (Art. 28(2)) give total freedom to State Parties to regulate the cultivation of NPP *Cannabis* plants (hemp)

The exemptions conveyed by Art. 1(b) and 2(9) allow for the use of all botanical parts harvested from these crops, for any use that is not related to the pharmaceutical sector.

The Schedules



The 1961 and 1971 Conventions have, as annexes, specific "Schedules."

A Schedule is a list in which are placed plants, fungi, products or substances (= drugs).

There are different Schedules according to different levels of health hazards & therapeutic effects.

- Each Schedule corresponds to a specific degree of health-related harms for the products placed in it.
- Each Schedule carries information regarding the extent of therapeutic value of the products it contains.
- Each Schedule carries different policy and regulatory obligations for countries.



- ➔ Harms and extent of health hazards linked to the product
- ➔ Medical value or potential value
- ➔ Further consequences on public health and their extent

These are the elements evaluated by an international, Independent and gender-balanced and group of scientists: the **Expert Committee on Drug Dependence (ECDD)** of the **World Health Organization (WHO)**.



According to these elements, ECDD recommends:

- ➔ If a plant/fungi/product/substance **should be control under the policies of the drug control Conventions at all.**
- ➔ If so, what is the **appropriate level of control** that it should be submitted to (i.e. which of the 1971 or 1961 Conventions, and which of their Schedules)



Date	Body Reference	Action taken related to Cannabis
1952	3 rd ECDD: ECDDO3 TRS_57	Update of Cannabis as "Cannabis sativa L." "The question of justification of the use of cannabis preparations for medical purposes was discussed by the committee. It was of the opinion that cannabis preparations are practically obsolete. So far as it can see, there is no justification for the medical use of cannabis preparations."
1953	ECDDO4 TRS_76	Update of Cannabis as "Cannabis sativa L." "The committee was pleased to note that the elimination of cannabis preparations had already begun by national action, following the opinion expressed in its [ECDDO3] report that 'there is no justification for the medical use of cannabis preparations.' The committee expressed its agreement with the action taken by the Commission on Narcotic Drugs at its eighth session to the effect that the term 'Indian hemp' should be replaced by the term 'cannabis', as proposed by the representative of the World Health Organization. Furthermore, it was of the opinion that the definitions for cannabis and its preparations should be revised on the basis of the presence of active principles."

Date	Body Reference	Action taken related to Cannabis
1954	ECDDO5 TRS_95	<p>Update of Cannabis under the item "Situation concerning Cannabis sativa"</p> <p><i>"The committee considered the report of the Inter-Departmental Committee on the Abuse of Dagga, informing it of</i></p> <ul style="list-style-type: none"> <i>(1) the existence in the Union of South Africa of widespread addiction to cannabis, always by smoking,</i> <i>(2) the feeling among the South African police of a relationship between cannabis addiction and crime,</i> <i>(3) evidence of permanent deterioration as the result of the addiction, and</i> <i>(4) evidence that, as in other parts of the world, cannabis abuse is very likely to be a forerunner of addiction to opiates.</i> <p><i>The committee was pleased to note the steps taken by the Government of the Union of South Africa to assess and control the cannabis situation in the Union. The committee was also pleased to note information on improvement in the cannabis situation in India. Evidence from India, however, confirmed the development of permanent deterioration as the result of the abuse of cannabis. The committee was of the opinion that cannabis abuse comes definitely under the terms of its definition of addiction, that the abuse of cannabis is still a serious problem in many parts of the world, and that not only can there be no abatement in control procedures but there should also be extension of the effort towards the abolition of cannabis from all legitimate medical practice."</i></p>

WHO Expert Committee on Drug Dependence

Forty-first report

The two main ECDD meetings focused on *Cannabis* took place in 2018:

- **Pre-review** in June (40th ECDD meeting) - scientific assessment
- **Critical review** in November (41st meeting) - choice of the policy and Schedules to recommend

Outcome of the **WHO Expert Committee** reviews



**World Health
Organization**

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In reply please
refer to: ECDD41

Your reference:

His Excellency
Mr António Guterres
Secretary-General of the United Nations
New York, NY 10017
USA

24 January 2019

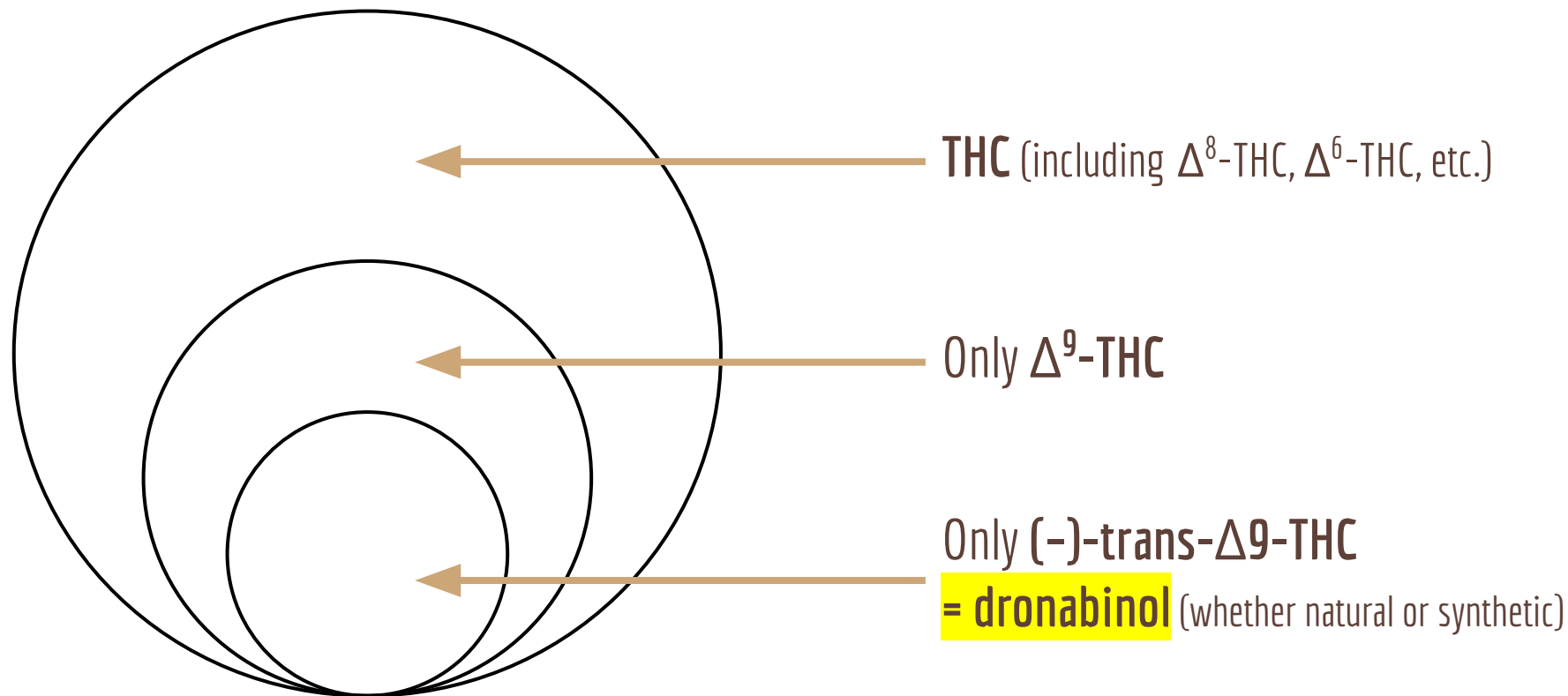
Outcome of the **WHO Expert Committee** reviews

- **Cannabis and cannabis resin**
 - To be deleted from Schedule IV of the Single Convention on Narcotic Drugs (1961)

Outcome of the WHO Expert Committee reviews

- **Dronabinol (*delta*-9-tetrahydrocannabinol)**
 - To be added to Schedule I of the Single Convention on Narcotic Drugs (1961)
 - To be deleted from Schedule II of the Convention on Psychotropic Substances (1971), subject to the CND's adoption of the recommendation to add dronabinol and its stereoisomers (*delta*-9-tetrahydrocannabinol) to Schedule I of the Single Convention on Narcotic Drugs (1961)
- **Tetrahydrocannabinol (Isomers of *delta*-9-tetrahydrocannabinol)**
 - To be added to Schedule I of the Single Convention on Narcotic Drugs (1961) subject to the CND's adoption of the recommendation to add dronabinol and its stereoisomers (*delta*-9-tetrahydrocannabinol) to Schedule I of the Single Convention on Narcotic Drugs (1961)
 - To be deleted from Schedule I of the Convention on Psychotropic Substances (1971), subject to the CND's adoption of the recommendation to add tetrahydrocannabinol to Schedule I of the Single Convention on Narcotic Drugs (1961)

Outcome of the **WHO Expert Committee** reviews



Outcome of the **WHO Expert Committee** reviews

- **Extracts and tinctures**
 - To be deleted from Schedule I of the Single Convention on Narcotic Drugs (1961)

- **Preparations produced either by chemical synthesis or as preparation of cannabis, that are compounded as pharmaceutical preparations with one or more other ingredients and in such a way that delta-9-tetrahydrocannabinol (dronabinol) cannot be recovered by readily available means or in a yield which would constitute a risk to public health**
 - To be added to Schedule III of the Single Convention on Narcotic Drugs (1961)

Outcome of the WHO Expert Committee reviews

- **Cannabidiol preparations**
 - To give effect to the recommendation of the fortieth meeting of the ECDD that preparations considered to be pure cannabidiol (CBD) should not be scheduled within the International Drug Control Conventions by adding a footnote to the entry for cannabis and cannabis resin in Schedule I of the Single Convention on Narcotic Drugs (1961) to read *“Preparations containing predominantly cannabidiol and not more than 0,2 percent of delta-9-tetrahydrocannabinol are not under international control”*

Recommendations of the 40th ECDD on CBD

The Committee recommended that preparations considered to be pure CBD should not be scheduled.

Schedules of the 1971 Convention

Current

MEDICAL VALUE

HARM

Schedule I

High liability to abuse.
Especially serious risk and threat
to public health.
Very limited or no therapeutic value(s).

LSD

MDMA

Δ -8-THC, Δ -6-THC, etc. (the "isomers")

Schedule II

Regular liability to abuse.
Substantial risk to public health.
Little to moderate therapeutic value(s).

Δ -9-THC

Amphetamines

Methaqualone

Schedule III

Regular liability to abuse.
Substantial risk to public health.
Moderate to great therapeutic value(s).

Barbiturates

Buprenorphine

Pentazocine

Schedule IV

Regular liability to abuse.
Small but significant risk to public health.
From little to great therapeutic value(s).

Tranquilizers

Diazepam

Amfepramone

Proposed

MEDICAL VALUE

HARM

Schedule I

High liability to abuse.
Especially serious risk and threat
to public health.
Very limited or no therapeutic value(s).

Schedule II

Regular liability to abuse.
Substantial risk to public health.
Little to moderate therapeutic value(s).

Schedule III

Regular liability to abuse.
Substantial risk to public health.
Moderate to great therapeutic value(s).

Schedule IV

Regular liability to abuse.
Small but significant risk to public health.
From little to great therapeutic value(s).

out

Schedules of the 1961 Convention

Current

MEDICAL VALUE

HARM

Schedule 4

Products or substances with particularly dangerous properties, especially liable to *abuse* and to *produce ill-effects* and with little or no therapeutic value or a therapeutic value that is also possessed by another drug not in this Schedule.

Schedule 1

Products or substances with high liability to *abuse* and to provoke addiction or precursors directly convertible into a drug similarly addictive and liable to abuse.

Schedule 2

Products or substances that are less liable to *abuse* and to produce addiction than those placed in the schedule 1.

Schedule 3

Pharmaceutical preparations containing low amounts of narcotic drugs, unlikely to be abused.

Resin and herbal cannabis

*Heroin**Carfentanyl**Krokodil*

Extracts & tinctures of cannabis

*Opium**Coca leaf**Methadone**Cocaine**Fentanyl**Codeine**Propiram**Dextropropoxyphene**Preparations containing less than 100 mg codeine per tablet**Cough syrup with less than 2.5 % codeine**Preparations with less than 0.1 % cocaine*

Proposed

MEDICAL VALUE

HARM

Schedule 4

Products or substances with particularly dangerous properties, especially liable to *abuse* and to *produce ill-effects* and with little or no therapeutic value or a therapeutic value that is also possessed by another drug not in this Schedule.

Schedule 1

Products or substances with high liability to *abuse* and to provoke addiction or precursors directly convertible into a drug similarly addictive and liable to abuse.

Schedule 2

Products or substances that are less liable to *abuse* and to produce addiction than those placed in the schedule 1.

Schedule 3

Pharmaceutical preparations containing low amounts of narcotic drugs, unlikely to be abused.

Herbal cannabis

Resin

THC + all isomers

Preparations of herbal cannabis

Preparations of resin

Preparations of Δ^9 -THC or isomers

Some preparations of herbal cannabis

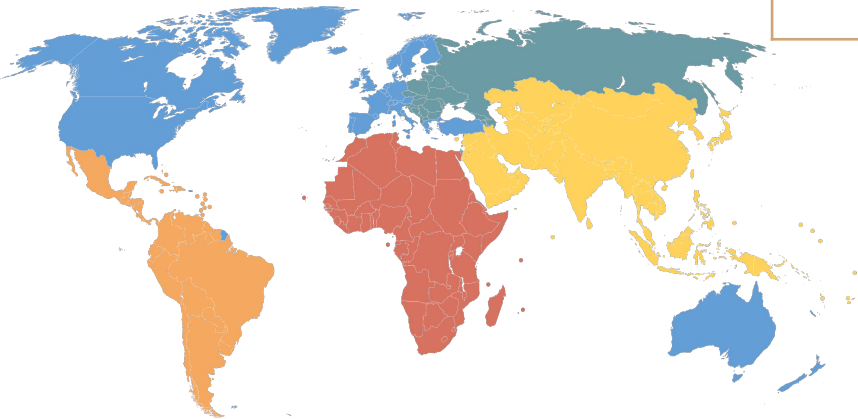
Some preparations of resin

Some preparations of Δ^9 -THC or isomers

as decided by each jurisdiction

What's next?
"the vote"

Lat' Am' & Caribbean	African Group	Asia Pacific	Eastern Europe	West' Europe & NATO
Brazil	Algeria	Afghanistan	EU Member States	
Chile	<u>Angola</u>	<u>Bahrain</u>		Austria
Colombia	Burkina Faso	China		Belgium
Cuba	Côte d'Ivoire	India	Croatia	
Ecuador	Kenya	Iraq	Czech Republic	
El Salvador	<u>Libya</u>	Japan		France
<u>Jamaica</u>	<u>Morocco</u>	<u>Kazakhstan</u>		Germany
Mexico	South Africa	Kyrgyzstan	Hungary	
Peru	Togo	<u>Nepal</u>		Italy
Uruguay	<i>Vacant</i>	Pakistan	Poland	
	<i>Vacant</i>	Thailand		Netherlands
		Turkmenistan		Spain
				<u>Sweden</u>
				<u>United Kingdom</u>
			Non-EU Member States	
			Russia	Australia
			Ukraine	Canada
				Switzerland
				Turkey
				USA



Part 2



1 NO POVERTY



2 ZERO HUNGER



3 GOOD HEALTH AND WELL-BEING



4 QUALITY EDUCATION



5 GENDER EQUALITY



6 CLEAN WATER AND SANITATION



7 AFFORDABLE AND CLEAN ENERGY



8 DECENT WORK AND ECONOMIC GROWTH



9 INDUSTRY, INNOVATION AND INFRASTRUCTURE



10 REDUCED INEQUALITY



11 SUSTAINABLE CITIES AND COMMUNITIES



12 RESPONSIBLE CONSUMPTION AND PRODUCTION



13 CLIMATE ACTION



14 LIFE BELOW WATER



15 LIFE ON LAND



16 PEACE, JUSTICE AND STRONG INSTITUTIONS



17 PARTNERSHIPS FOR THE GOALS



SUSTAINABLE
DEVELOPMENT
GOALS

1 NO
POVERTY



2 ZERO
HUNGER



3 GOOD HEALTH
AND WELL-BEING



4 QUALITY
EDUCATION



5 GENDER
EQUALITY



6 CLEAN WATER
AND SANITATION



7 AFFORDABLE AND
CLEAN ENERGY



8 DECENT WORK AND
ECONOMIC GROWTH



9 INDUSTRY, INNOVATION
AND INFRASTRUCTURE



10 REDUCED
INEQUALITIES



11 SUSTAINABLE CITIES
AND COMMUNITIES



12 RESPONSIBLE
CONSUMPTION
AND PRODUCTION



13 CLIMATE
ACTION



14 LIFE
BELOW WATER



15 LIFE
ON LAND



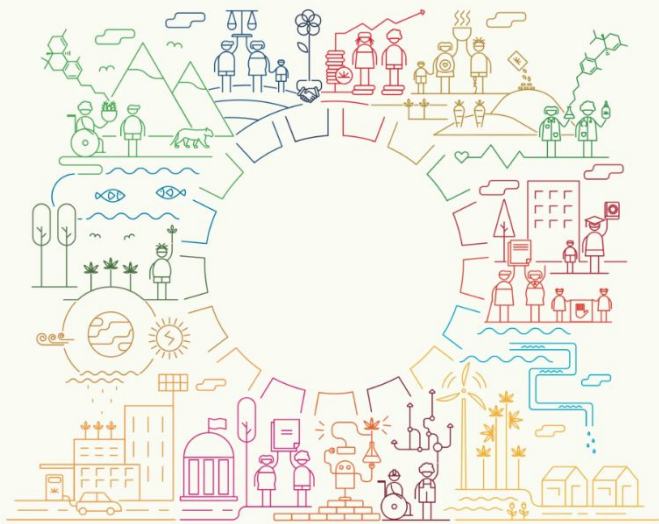
16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS



17 PARTNERSHIPS
FOR THE GOALS



**SUSTAINABLE
DEVELOPMENT
GOALS**



CANNABIS & SUSTAINABLE DEVELOPMENT

Paving the way for the next decade in
Cannabis and hemp policy

FAAAT EDITIONS



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archive.org/details/cannabissdg



INTERNATIONAL NARCOTICS CONTROL BOARD

From
“Quasi-judicial body”
To
“We are only here to lawfully implement
whatever is decided”



INTERNATIONAL NARCOTICS CONTROL BOARD



Report 2018



UNITED NATIONS

EMBARGO

Observe release date:
Not to be published or broadcast before
Tuesday, 5 March 2019, at 1100 hours (CET)

CAUTION



Cultivation of illicit crops

68. The Committee is concerned about the use of glyphosate, which was classified as probably carcinogenic to humans by the International Agency for Research on Cancer of the World Health Organization, in the aerial spraying of cannabis crops to control the illicit cultivation of cannabis in the Pondoland region.

69. The Committee recommends that the State party suspend such aerial spraying and instead **offer alternative development programmes** to the affected communities to encourage them to abandon the illicit cultivation of cannabis, including the possibility of participating in the medical cannabis market **through a licensing programme for small-scale community farmers.**

Included in E/C.12/ZAF/CO/1, UN Committee on Economic, Social and Cultural Rights, 29 November 2018



Momentum in
International
Cannabis Policy

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