



Junior Committee: Economic and Social Council

Topic: The Question of the Legalization of Recreational Drugs

Background Information

Drugs can be used for a variety of reasons, such as for medicinal purposes, as well as recreationally. Many of the common substances in our society are scientifically considered recreational drugs, such as alcohol and nicotine, which are legal, but also cocaine and cannabis¹. The reasons to use recreational drugs are many, and very dependent on the user. They can be used for pleasure, for its psychoactive nature, but also due to tradition and customs, like the consumption of coffee in Portugal after every meal². However, the double-faced coin has fallen under analysis recently, as the debate on the legalization of some drugs has come to a haught. Researchers claim drugs can lead to severe consequences on one's health, due to its addictiveness. It can result in pulmonary issues, an increased risk of other illnesses, paranoia and anxiety, amongst many others³.

Recently, the debate on drug legalization has been centered around one specific drug - *marijuana*. According to most recent studies, *cannabis* can have very positive effects on the users', like relieving chronic pain, helping with psychiatric issues, and even help controlling other addictions⁴. However, **delegates must also be aware of the possible negative**

¹ Sanghvi, S. (2023). *Recreational Drugs Support | LloydsPharmacy Online Doctor UK*. [online] Lloydspharmacy.com. Available at: <https://onlinedoctor.lloydspharmacy.com/uk/lifestyle-advice/recreational-drugs> [Accessed 2 Feb. 2023].

² Coffee Culture in Portugal: A Special Addiction - Context Travel. (2020). *Coffee Culture in Portugal: A Special Addiction - Context Travel*. [online] Available at: <https://www.contexttravel.com/blog/articles/a-guide-to-coffee-in-portugal> [Accessed 2 Feb. 2023].

³ Samhsa.gov. (2023). *Know the Risks of Using Drugs*. [online] Available at: <https://www.samhsa.gov/adult-drug-use> [Accessed 2 Feb. 2023].

⁴ Europa, H. (2019). *20 Health benefits of cannabis that everyone should know*. [online] Health Europa. Available at: <https://www.healtheuropa.com/health-benefits-of-cannabis/92499/> [Accessed 2 Feb. 2023].

consequences of consuming these drugs recreationally. Being in a Economic and Social Council (ECOSOC) indicates delegates should look at this issue taking into account the consequences of their policies on the state of the economy and society.

For the past centuries, throughout the globe, governments and authorities have taken rather punitive and harsh measures against drug use. Until today, 35 countries still hold death penalties for drug offences⁵. In a world consumed with violence, and war, it is central that delegates reach a consensus and a compromise regarding which policies should be applied upon drug users, and discuss its possible legalization, decriminalization, criminalization, harshening of penalties, etc. Therefore, **delegates should keep in mind the need for a fruitful debate on the use of recreational drugs**, as well as on the processes that surround it, like cultivation, sale, and tax collection by the states.

Current Situation

The United Nations Office on Drugs and Crime has given a special emphasis on three key aspects: post-legalisation trend in the use of cannabis, the environmental impacts of illicit drug use and the drug use trend in women and young people particularly. According to the *World Drug Report 2022*, a total of 284 million people aged 15 to 64 consumed drugs of some kind, an increase of 26% compared to 10 years prior⁶.

Some Member States believe the prohibition or restrictions on drug use appears more beneficial than legalisation. However, the control of drug use leads not only to the reduction of drug supply, but rather also to a high price and increase in illegal and criminal activities. The restrictions imposed on drug use has also led affected individuals to have greater consequences, including death, upon use of lower quality drugs. As such, **delegates should acknowledge that even though the restriction of drug use brings its benefits, there are several drawbacks associated.**

⁵ Harm Reduction International. (2022). *The Death Penalty For Drug Offences: Global Overview 2021 - Harm Reduction International*. [online] Available at: <https://hri.global/publications/the-death-penalty-for-drug-offences-global-overview-2021/> [Accessed 2 Feb. 2023].

⁶ United Nations: Office on Drugs and Crime. (n.d.). *World Drug Report 2022*. [online] Available at: <https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2022.html>.

Many Member States are becoming increasingly aware that the legalisation of recreational drugs may be beneficial for reasons related to social security. As stated, by becoming harder to obtain drugs for own consumption, individuals may have to resort to previously unnecessary measures, including illegal and criminal activities like robbery and blackmail, effectively becoming more harmful to society and posing threats to social security. Accordingly, mechanisms of legalisation of drugs like managing the drug trade through taxation make it so that individuals will not have to use illegal means to raise funds. Experts believe that since the demand for drugs has been continually increasing, legalisation is a possible way to limit the negative impact caused by the acquisition of recreational drugs. Legalising the use of recreational drugs does not increase the number of people consuming it, as most are knowledgeable of their impact on health.

A report recently issued by the *International Narcotics Control Board* highlights the need for greater attention to social issues in the implementation of drug policies and drug programmes, better health and rehabilitation services. Such a report calls on countries to abolish the death penalty for drug-related crimes and encourages the consideration of alternative strategies to replace the imprisonment for minor drug-related crimes. This report also states that the main three international drug control treaties⁷ (the *Single Convention on Narcotic Drugs of 1961*, as amended by the 1972 Protocol; the *Convention on Psychotropic Substances of 1971*; the *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988*) are based on a **balanced approach, the principle of proportionality and respect for human needs**. Yet, many countries' policies to deal with drug associated crime, including drug possession for personal use, rely primarily on punitive criminal justice responses including prosecution and imprisonment. **Alternative measures including treatment, rehabilitation and social integration remain underutilised, so delegates may use this throughout the debate.**

⁷ United Nations Office on Drugs and Crime (2022). *Treaties*. [online] United Nations : Office on Drugs and Crime. Available at: <https://www.unodc.org/unodc/en/treaties/index.html>.

Bloc Positions

United States of America

By federal law, the possession, use, or distribution of illicit drugs in the United States of America is prohibited. There are strict penalties put in place for drug convictions, with the majority of the offences including some degree of mandatory prison time, such increasing significantly when the illicit drug use results in death or serious bodily injury⁸.

The Netherlands

It is against Dutch law to possess, sell or produce drugs. However, the country deems legal, and therefore tolerates, the sale of *soft drugs* in *coffee shops*, establishments where Cannabis is sold under strict conditions, but in which no alcoholic beverages are sold or consumed. The Dutch Public Prosecution Service does not prosecute the public on the grounds of possession or use of small quantities of soft drugs, but does prosecute all other forms of possession, sale, or production of both soft and hard drugs. Even so, the government keeps imposing stricter laws on coffee shops, dismantling cannabis nation-wide or international-wide operations, and curbing the production of hard drugs. Addiction care is available for all those who are addicted to drug use⁹.

Portugal

In July 2021, Portugal decriminalised the personal use, and possession, of all illicit recreational drugs. As of now, upon the most recent passing of Law 30/2000, the country refers cases of consumption, purchase or possession of up to ten days' supply of a drug of such kind to an administrative panel that recommends treatment, fines, warnings, and other penalties for the individual. Nonetheless, the trafficking, cultivation, and possession of quantities over ten days'

⁸ Federal and State Drug Laws (2019). *SUMMARY OF FEDERAL AND STATE DRUG LAWS FEDERAL DRUG LAWS*. [online] Available at: <https://spu.edu/-/media/university-leadership/student-life/Summary-of-Federal-and-State-Drug-Laws-as-of-5-6-16.ashx#:~:text=STATE%20DRUG%20LAWS->.

⁹ Veiligheid, M. van J. en (2013). *Drugs - Government.nl*. [online] www.government.nl. Available at: <https://www.government.nl/topics/drugs#:~:text=In%20the%20Netherlands%2C%20it%20is>.

supply of illicit substances, remain criminal offences. Portugal's decriminalisation policy has proven that softening drug use laws does not increase drug use or consequences for such¹⁰.

Vietnam

First, illegal possession of illicit substances may involve a penalty of up to life imprisonment in Vietnam, upon examination for penal liability for illegal possession of drugs. If discovered, the illegal possession of narcotic substances may be fined up to 10 million in Vietnam currency (equivalent to almost 400€). The illegal possession of illicit substances may be fined up to 10 million in local money, if not yet reached the level of being examined for penal penalty, individuals may be fined up to 5 million and organisations up to 10 million¹¹.

¹⁰ Office of National Drug Control Policy (2019). *Drug Decriminalization in Portugal: Challenges and Limitations*. [online] The White House. Available at: <https://obamawhitehouse.archives.gov/ondcp/ondcp-fact-sheets/drug-decriminalization-in-portugal-challenges-and-limitations#:~:text=In%20July%202001%2C%20Portugal%20decriminalized.>

¹¹ LawNet (2022). *How are illegal possession of drugs dealt with in Vietnam?* [online] Tin tức pháp luật. Available at: <https://lawnet.vn/thong-tin-phap-luat/en/hinh-su/how-are-illegal-possession-of-drugs-dealt-with-in-vietnam-102903.html#:~:text=Illegal%20possession%20of%20narcotic%20substances> [Accessed 3 Feb. 2023].