

# Treaty Diagram

A visual overview of the treaty challenge and available pathways.

Treaty Alignment • Audience: Public / Staff / Partner • Draft v2.1 • whole-plant framework



**What this resource does:** Turns the treaty issue into a clear, visual explanation using plain English so non-specialists can understand the problem, the preferred solution, and fallback options.

## The treaty problem in one line

Domestic adult-use legalization and the current drug-treaty baseline do not sit neatly together. WRCL's position is to address that contradiction directly rather than pretend it will solve itself.

Step	What happens	Why it matters
1	Congress legalizes the entire plant domestically and establishes a comprehensive federal framework.	This addresses the domestic contradiction but not the international one.
2	The United States identifies the treaty provisions involved with non-medical adult-use cannabis.	This transforms a vague concern into a clear legal and diplomatic action plan.
3	The United States prefers to pursue an inter se agreement with like-minded treaty parties.	This is WRCL's preferred durability lane for adult-use legality.
4	The United States keeps fallback options, including reservation or re-accession, as well as longer-term modernization.	This safeguards the project from being halted by a single diplomatic theory.
5	The domestic framework includes clear measures for anti-diversion, youth protection, product safety, and oversight.	Robust domestic controls strengthen the defensibility of any treaty strategy.

## How hemp fits differently

Industrial hemp is not subject to the same treaty issues as non-medical adult-use Cannabis. The Single Convention explicitly excludes the cultivation of Cannabis solely for industrial (fiber and seed) or horticultural purposes. Therefore, WRCL's treaty focus is on adult-use non-medical markets, while recognizing that hemp occupies a different place in the treaty text.

## The three diplomatic pathways

Pathway	WRCL view	Best use
Inter se modification	Preferred path.	Primary strategy for like-minded states seeking durable non-medical adult-use legalization.
Reservation / re-accession	Fallback or comparison model.	Useful if inter se stalls or if the United States needs a narrower legal fallback.
Formal amendment/modernization	Long game.	Important for broader global evolution, but progresses more slowly and relies more on consensus.

## Message discipline

- Align refers to treaty alignment, not general modernization.
- Treaty work should not delay domestic design; it should proceed in parallel.
- Explain industrial hemp separately so adult-use treaty issues do not overshadow the hemp lane.

## Selected source basis

**Single Convention on Narcotic Drugs, 1961, as amended** — Treaty baseline, including Article 28(2) industrial-hemp carveout. <https://treaties.un.org/doc/Publication/UNTS/Volume%20976/volume-976-I-14152-English.pdf>

**Vienna Convention on the Law of Treaties, Article 41** — Primary legal basis for an inter se modification strategy. [https://legal.un.org/ilc/texts/instruments/english/conventions/1\\_1\\_1969.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf)

# Treaty alignment options for federal cannabis legalization

Three legally serious pathways (primary and fallback)

## Preferred

### Option A: Inter se coalition lane

Modify treaty application among participating parties only (VCLT Art. 41)

- Build a like-minded country coalition
- Explicit anti-diversion and public-health commitments
- Trade rules only among participating parties
- Preserves relations with non-participants

## Fallback

### Option B: "Bolivia model" reservation

Denounce then re-accede with a targeted reservation (1961 Arts. 45, 50)

- Legally explicit (no pretending involved)
- Requires diplomatic groundwork to avoid objections
- Pairs best with strong domestic guardrails
- Use as a backstop if the coalition lane stalls

## Long game

### Option C: Treaty modernization

Amendment/protocol route (slow, parallel track)

- Durable global solution
- Consensus-heavy and time-intensive
- Run in parallel with A or B
- Use evidence and monitoring to build buy-in

### Non-negotiable guardrails (what makes this credible)

- Anti-diversion licensing and track-and-trace
- No exports unless treaty-aligned agreements exist
- Age limits, product safety standards, and marketing limits