

Abstract

This paper analyses the impact of international drug control treaties on Nigeria's cannabis legislation, focusing on how global obligations shape and limit domestic reforms. Employing doctrinal legal research and comparative analysis, it examines treaty provisions, Nigerian statutes, case law, and policy documents. Findings show that while treaties such as the 1961 Single Convention, the 1971 Psychotropic Substances Convention, and the 1988 UN Drug Trafficking Convention provide a structured control framework, they restrict Nigeria's flexibility in addressing medical use, industrial hemp, and criminal justice reform. The study identifies tensions between international compliance and Nigeria's socio-economic and public health needs, cautioning that strict prohibition risks undermining reform opportunities. It recommends a phased approach: legalizing medical cannabis and industrial hemp, easing penalties for minor possessions, and engaging in international fora to push for more flexible treaty interpretations.

Keywords: International Treaties, Cannabis Legislation, Drug Control, Impact, Nigeria

1. Introduction

The regulation of cannabis in Nigeria represents a complex intersection of international legal obligations and domestic policy considerations that has evolved over more than six decades since independence. Nigeria's cannabis laws, primarily embodied in the *National Drug Law Enforcement Agency Act*, the *Dangerous Drugs Act*, and various related statutes, reflect a direct translation of international treaty obligations into domestic legal structures.¹ This legislative framework has consistently aligned with global prohibition approaches mandated by international drug control conventions, creating a comprehensive but potentially inflexible system of cannabis regulation. The significance of examining this relationship extends beyond academic interest, as Nigeria continues to grapple with evolving global perspectives on cannabis regulation while maintaining strict adherence to its international treaty commitments. Recent developments in international law, including growing recognition of medical cannabis applications, the emergence of legal industrial hemp markets, and changing approaches to criminal justice in drug policy, have created new challenges for Nigeria's treaty-compliant but potentially outdated legal framework.² The tension between maintaining international legal compliance and addressing emerging domestic needs has become increasingly apparent as scientific evidence supporting therapeutic cannabis applications has grown and economic opportunities in the legal cannabis sector have expanded globally.³

This paper seeks to provide a comprehensive analysis of how international treaties have shaped Nigeria's approach to cannabis regulation, exploring both the benefits and limitations of this treaty-driven legislative approach. The research employs doctrinal legal analysis, examining the text and interpretation of relevant international treaties and Nigerian statutes, supplemented by comparative analysis of approaches adopted by other jurisdictions facing similar challenges. The methodology includes analysis of primary legal sources, including treaty texts, domestic legislation, judicial decisions, and official government documents, as well as secondary sources, including academic commentary and policy analysis. The central thesis of this paper is that while international drug control treaties have provided Nigeria with a legitimate and structured framework for addressing cannabis-related issues, they have also created significant constraints that may no longer serve the country's best interests in all circumstances. The paper argues that Nigeria has options for reforming its cannabis legislation while maintaining compliance with international treaty obligations, but that such reforms require careful legal analysis and creative policy approaches that balance international commitments with domestic needs.

2. Theoretical Framework and Methodology**International Law and Domestic Implementation**

The relationship between international treaties and domestic legislation in the Nigerian legal system provides the theoretical foundation for this analysis. Nigeria operates a dualist legal system, where international treaties require domestic implementation to have direct effect within the national legal order.⁴ This characteristic has particular significance for drug control treaties, as their effectiveness depends entirely on comprehensive domestic implementation through national legislation and enforcement mechanisms. The principle of *pacta sunt servanda*, which requires states to perform their treaty obligations in good faith, has been central to Nigeria's approach to international drug control treaties.⁵ This principle has resulted in domestic legislation that closely mirrors international treaty requirements, sometimes at the expense of flexibility and adaptation to local

*By Benjamin O. IGWENYI, PhD, Professor of Law, Department of Public and Private Law, Ebonyi State University, P.M.B. 053, Abakaliki, Nigeria, Tel: 08035446502 Email: benigwenyi@gmail.com; and

*Chiagozie V. ANEKE, PhD Candidate, Ebonyi State University, Abakaliki; Lecturer David Umahi Federal University of Health Sciences Uburu, Email: Anekecv@dufuhs.edu.ng

¹ EEO Alemika and IC Chukwuma, *Criminal Victimization, Safety and Policing in Nigeria* (Malthouse Press 2000) 89-95; TN Tamuno, *The Police in Modern Nigeria 1861-1965: Origins, Development and Role* (Ibadan University Press 1970) 234-239.

² DR Bewley-Taylor, 'The Contemporary International Drug Control System: A History of the UNGASS Decade' in *Modernising Drug Law Enforcement: Report 3* (International Drug Policy Consortium 2019) 45-72.

³ R Room and others, *Cannabis Policy: Moving Beyond Stalemate* (Oxford University Press 2010) 134-156; S Rolles and G Murkin, 'How to Regulate Cannabis: A Practical Guide' (Transform Drug Policy Foundation 2013) 23-45.

⁴ CO Okonkwo and ME Naish, *Criminal Law in Nigeria* (2nd edn, Sweet & Maxwell 1980) 12-18; TO Elias, *Nigerian Legal System* (Routledge & Kegan Paul 1963) 78-85.

⁵ *Vienna Convention on the Law of Treaties* (adopted 23 May 1969, entered into force 27 January 1980) 1155 UNTS 331, art 26; I Brownlie, *Principles of Public International Law* (7th edn, Oxford University Press 2008) 610-615.

circumstances. The theoretical framework also encompasses the concept of treaty interpretation, particularly the Vienna Convention on the Law of Treaties' provisions regarding the ordinary meaning of treaty terms and their interpretation in light of the treaty's object and purpose.⁶

Legal Pluralism and Norm Conflicts

The analysis also draws upon theories of legal pluralism, recognizing that multiple legal orders operate simultaneously in the regulation of cannabis. These include international legal obligations, federal constitutional requirements, traditional and customary law considerations, and emerging human rights norms.⁷ The potential for conflicts between these different legal orders creates challenges for policymakers attempting to develop coherent and effective cannabis regulation. The concept of norm conflicts is particularly relevant when examining tensions between drug control treaty obligations and human rights commitments, economic development needs, and public health considerations.⁸ Understanding these conflicts is essential for identifying potential pathways for legal reform that can accommodate multiple legal obligations and policy objectives.

3. Historical Development of International Drug Control

Early International Efforts and Colonial Influence

The foundations of international drug control can be traced to the early 20th century, beginning with the Shanghai Opium Commission of 1909 and the International Opium Convention of 1912.⁹ These early efforts were significantly influenced by colonial powers' concerns about drug use in their territories and the need for international cooperation to control drug trafficking. The colonial influence on early drug control efforts had particular significance for Nigeria, as British colonial authorities implemented drug control measures that would later influence post-independence legislation. The Hague International Opium Convention of 1912 established the principle that international cooperation was necessary for effective drug control, a concept that would become central to all subsequent international drug control efforts.¹⁰ This early recognition of the international nature of drug problems provided the foundation for the comprehensive treaty system that would later emerge after World War II.

Post-War Treaty Development

The modern international drug control system emerged in the context of post-World War II international institution building, with the newly formed United Nations taking responsibility for coordinating global drug control efforts.¹¹ The Single Convention on Narcotic Drugs of 1961 represented the culmination of these efforts, consolidating previous international agreements into a comprehensive framework for narcotic drug control. The Single Convention's approach to cannabis was particularly significant, as it classified cannabis both as a Schedule I substance requiring strict control and as a Schedule IV substance considered particularly dangerous and lacking therapeutic value.¹² This dual classification created one of the most restrictive regulatory frameworks for any controlled substance, requiring parties to prohibit all non-medical and non-scientific uses of cannabis while severely limiting even medical and scientific applications. The 1971 Convention on Psychotropic Substances expanded the international control system to include synthetic drugs and psychoactive substances not covered by the Single Convention.¹³ While this treaty did not directly address cannabis, it established important precedents for international cooperation in drug control and reinforced the prohibition-oriented approach that characterized the entire international system. The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances completed the international drug control framework by focusing specifically on criminal justice responses to drug trafficking and related offenses.¹⁴ This treaty introduced requirements for comprehensive criminalization of drug-related activities and emphasized law enforcement cooperation, money laundering controls, and asset forfeiture mechanisms.

⁶ *Vienna Convention on the Law of Treaties* (adopted 23 May 1969) arts 31-33; A Aust, *Modern Treaty Law and Practice* (3rd edn, Cambridge University Press 2013) 234-267.

⁷ SE Merry, 'Legal Pluralism' (1988) 22(5) *Law & Society Review* 869-896; BZ Tamanaha, *A General Jurisprudence of Law and Society* (Oxford University Press 2001) 167-194.

⁸ M Koskeniemi, 'Hierarchy in International Law: A Sketch' *European Journal of International Law* [1997] (8) (4) 566-582.

⁹ WB McAllister, *Drug Diplomacy in the Twentieth Century* (Routledge 2000) 45-78; K Bruun and others, *The Gentlemen's Club: International Control of Drugs and Alcohol* (University of Chicago Press 1975) 89-112.

¹⁰ *International Opium Convention* (signed 23 January 1912) arts 1-3; WB McAllister, *Drug Diplomacy in the Twentieth Century* (Routledge 2000) 156-189.

¹¹ DR Bewley-Taylor, *The United States and International Drug Control, 1909-1997* (Pinter 1999) 134-167; Walker WO, *Opium and Foreign Policy: The Anglo-American Search for Order in Asia, 1912-1954* (University of North Carolina Press 1991) 189-213.

¹² *Single Convention on Narcotic Drugs* (adopted 30 March 1961, entered into force 13 December 1964) 520 UNTS 151, as amended by Protocol (adopted 25 March 1972) 976 UNTS 3, art 2, Schedules I and IV; *Commentary on the Single Convention on Narcotic Drugs, 1961* (United Nations 1973) 98-104.

¹³ *Convention on Psychotropic Substances* (adopted 21 February 1971, entered into force 16 August 1976) 1019 UNTS 175, arts 1-7; M Jelsma, 'The Development of International Drug Control: Lessons Learned and Strategic Challenges for the Future' (Transnational Institute 2003) 23-25.

¹⁴ *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* (adopted 20 December 1988, entered into force 11 November 1990) 1582 UNTS 95, arts 3-7; N Boister, *Penal Aspects of the UN Drug Conventions* (Kluwer Law International 2001) 145-178.

Nigeria's Integration into the International System

Nigeria's accession to international drug control treaties occurred during the early years of independence, reflecting the new nation's commitment to participating fully in international legal and institutional frameworks.¹⁵ The country's decision to ratify the Single Convention on Narcotic Drugs in 1961, shortly after independence, demonstrated its commitment to international cooperation and its acceptance of global standards for drug control. The timing of Nigeria's treaty commitments was significant, as it occurred during a period when the country was establishing its legal and institutional frameworks and when international drug control was viewed as a legitimate and necessary aspect of international cooperation.¹⁶ This historical context helps explain the depth of integration between international treaty obligations and Nigeria's domestic legal system, as drug control legislation was developed simultaneously with other foundational legal instruments. Nigeria's subsequent ratification of the 1971 Convention on Psychotropic Substances and the 1988 Convention against Illicit Traffic completed its integration into the international drug control system and established the legal foundation for the comprehensive domestic legislation that followed.¹⁷ These treaty commitments created binding international legal obligations that have continued to shape Nigeria's approach to cannabis regulation for more than six decades.

4. Nigeria's Constitutional and Legal Framework

Constitutional Foundations

Nigeria's approach to cannabis regulation must be understood within the broader context of the country's constitutional framework and the distribution of legislative powers between federal and state governments. The Nigerian Constitution allocates responsibility for drug control to the federal government through the Exclusive Legislative List, which includes 'drugs and poisons' as a matter of federal jurisdiction.¹⁸ This constitutional allocation has ensured that cannabis regulation remains primarily a federal responsibility, implemented through federal legislation and enforcement agencies. The constitutional framework also includes provisions regarding international treaties and their relationship to domestic law. Section 12 of the Constitution requires that international treaties be enacted into domestic law by the National Assembly before they can have direct effect within Nigeria's legal system.¹⁹ This requirement has been fulfilled through comprehensive drug control legislation that implements Nigeria's international treaty obligations.

Primary Legislative Instruments

Nigeria's cannabis legislation consists of several interconnected statutes that collectively implement the country's international drug control treaty obligations. The National Drug Law Enforcement Agency Act, first enacted in 1989 and subsequently amended, serves as the primary legislative instrument for drug control in Nigeria.²⁰ This Act establishes the institutional framework for drug law enforcement while criminalizing various cannabis-related activities, including cultivation, possession, trafficking, and use. The NDLEA Act defines cannabis broadly to include 'any plant of the species *cannabis sativa*' and 'every part of any such plant,' creating a comprehensive prohibition that extends to all forms and derivatives of the cannabis plant.²¹ The Act establishes severe penalties for cannabis-related offenses, including imprisonment terms ranging from several years to life imprisonment, depending on the nature and scale of the offense. The Dangerous Drugs Act, inherited from the colonial period but substantially updated to reflect international treaty requirements, provides additional statutory authority for cannabis prohibition.²² This legislation demonstrates the historical continuity between colonial drug control measures and post-independence treaty implementation, while also showing how international treaties have influenced the evolution of domestic law. Other relevant legislation includes the Miscellaneous Offences Act, which provides for capital punishment in certain drug trafficking cases, and various regulations implementing specific aspects of drug control policy.²³ This comprehensive legislative framework reflects Nigeria's commitment to implementing its international treaty obligations through detailed domestic legislation.

Institutional Framework

The institutional framework for cannabis control in Nigeria is centered on the National Drug Law Enforcement Agency, established as a specialized law enforcement organization with primary responsibility for drug control enforcement.²⁴ The NDLEA's structure, mandate, and operational procedures reflect international best practices for drug control enforcement and

¹⁵ *Nigeria's Accession to Single Convention on Narcotic Drugs* (15 September 1961) United Nations Treaty Collection; T Falola and MM Heaton, *A History of Nigeria* (Cambridge University Press 2008) 178-185.

¹⁶ JS Coleman, *Nigeria: Background to Nationalism* (University of California Press 1958) 267-289; RL Sklar, *Nigerian Political Parties: Power in an Emergent African Nation* (Princeton University Press 1963) 445-467.

¹⁷ Nigeria's ratifications of drug control conventions, United Nations Treaty Collection; Nigerian Institute of International Affairs (NIIA), *Nigeria and the World: A Growing Nexus* (NIIA 1978) 123-145.

¹⁸ Constitution of the Federal Republic of Nigeria 1999, Second Schedule, Part I, Exclusive Legislative List, Item 17; BO Nwabueze, *Federalism in Nigeria under the Presidential Constitution* (Sweet & Maxwell 1983) 156-178.

¹⁹ Constitution of the Federal Republic of Nigeria 1999, s 12; O Agbakoba and H Ogbonna, *Constitutional Law in Nigeria* (Human Rights Law Service 2007) 89-112.

²⁰ National Drug Law Enforcement Agency Act, Cap N30, LFN 2004, ss 1-5; National Drug Law Enforcement Agency Act 1989 (as amended by Acts No 15 of 1999 and No 10 of 2004).

²¹ NDLEA Act 2004, s 40; First Schedule to the Act.

²² Dangerous Drugs Act, Cap D3, LFN 2004, ss 1-8; CO Okonkwo and ME Naish, *Criminal Law in Nigeria* (2nd edn, Sweet & Maxwell 1980) 445-452.

²³ Miscellaneous Offences Act, Cap M17, LFN 2004, s 6; National Drug Law Enforcement Agency (Amendment) Act 2004.

²⁴ NDLEA Act 2004, ss 1-10; EEO Alemika, 'Drug Trafficking and Law Enforcement in Nigeria' *Crime, Law and Social Change* [2000] (33) (1-2) 85-110.

demonstrate the influence of international treaties on institutional development. The agency's mandate includes investigation and prosecution of drug-related offenses, interdiction of drug trafficking, demand reduction through education and treatment programs, and international cooperation in drug control efforts.²⁵ This comprehensive mandate reflects the multifaceted approach to drug control required by international treaties and demonstrates how treaty obligations have shaped institutional development. The judicial system has also been adapted to handle the specific requirements of drug-related prosecutions, with specialized courts and procedures for drug cases.²⁶ The correctional system has similarly been influenced by drug control requirements, with specialized facilities and programs for drug offenders reflecting international approaches to drug-related criminal justice.²⁷

5. Specific Treaty Impacts on Cannabis Legislation

The Single Convention's Influence

The Single Convention on Narcotic Drugs has had the most direct and significant impact on Nigeria's cannabis legislation, as it provides the fundamental framework for international cannabis control. The Convention's dual scheduling of cannabis as both a Schedule I and Schedule IV substance has been directly reflected in Nigeria's domestic legislation, which treats cannabis as one of the most dangerous controlled substances requiring the strictest possible controls.²⁸ The Convention's requirement that parties limit cannabis to medical and scientific purposes has been implemented through Nigeria's comprehensive prohibition of all non-medical uses of cannabis.²⁹ This prohibition extends to cultivation, manufacturing, trading, possession, and use of cannabis except for narrowly defined medical and scientific purposes that are subject to strict licensing and control procedures. The Single Convention's emphasis on international cooperation has also influenced Nigeria's approach to cannabis control, with domestic legislation including provisions for international cooperation in law enforcement, extradition of drug offenders, and information sharing with other countries and international organizations.³⁰ These provisions demonstrate how international treaties have shaped not only the substance of domestic law but also its international dimensions.

The 1988 Convention's Criminal Justice Requirements

The 1988 Convention against Illicit Traffic has significantly influenced the criminal justice aspects of Nigeria's cannabis legislation, requiring comprehensive criminalization of drug trafficking and related offenses. The Convention's requirement that parties establish as criminal offenses various drug-related activities has been implemented through detailed provisions in Nigerian law criminalizing cannabis cultivation, manufacturing, distribution, and possession.³¹ The Convention's emphasis on asset forfeiture and money laundering controls has been reflected in Nigerian legislation providing for the confiscation of assets derived from drug trafficking and the criminalization of money laundering related to drug offenses.³² These provisions demonstrate how international treaties have influenced not only traditional criminal law but also financial and commercial law aspects of drug control. The 1988 Convention's requirements for international cooperation in criminal matters have been implemented through provisions enabling extradition for drug offenses, mutual legal assistance in drug investigations, and controlled delivery operations in cooperation with foreign law enforcement agencies.³³ These international cooperation mechanisms show how treaty obligations have created transnational dimensions in domestic cannabis legislation.

Regulatory and Administrative Impacts

International treaties have also influenced the regulatory and administrative aspects of Nigeria's cannabis control system. The Single Convention's requirements for licensing and control of legitimate medical and scientific uses of cannabis have been implemented through detailed regulatory frameworks governing the importation, storage, distribution, and use of cannabis for authorized purposes.³⁴ These regulatory frameworks include requirements for detailed record keeping, regular reporting to international bodies, and strict security measures for cannabis handling facilities.³⁵ The administrative burden created by these requirements reflects the influence of international treaties on regulatory practice and demonstrates how treaty compliance has shaped the daily operations of Nigeria's drug control system. The treaties' requirements for regular reporting to international bodies have also influenced Nigeria's administrative systems, with specialized units responsible for collecting and analyzing data on drug seizures, prosecutions, and treatment activities for submission to the United Nations and other international organizations.³⁶

²⁵ NDLEA Act 2004, s 3; NDLEA, *Annual Report 2019* (NDLEA 2020) 12-34.

²⁶ Administration of Criminal Justice Act 2015, ss 396-405; Federal High Court Act, Cap F12, LFN 2004, s 7.

²⁷ Nigerian Correctional Service Act, 2019, s. 2(1)(c); JN Okoro and others, 'Pattern and Correlates of Psychoactive Substance use among New Prison Inmates in Nigeria' *African Journal of Drug and Alcohol Studies* [2020] (19) (1) 71-84.

²⁸ Single Convention on Narcotic Drugs 1961, art 2(5)(b) and Schedule IV; NDLEA Act 2004, First Schedule, Part I.

²⁹ Single Convention on Narcotic Drugs 1961, art 4(c); NDLEA Act, Cap N30, s 11(a)-(d).

³⁰ Single Convention on Narcotic Drugs 1961, arts 35-36; NDLEA Act 2004, ss 24-27.

³¹ 1988 Convention against Illicit Traffic, art 3(1) (a) -(d); NDLEA Act, Cap N30, s 11; Dangerous Drugs Act, Cap D3, ss 4-7.

³² 1988 Convention against Illicit Traffic, arts 5-7; NDLEA Act 2004, ss 16-19; Money Laundering (Prohibition) Act 2011 a9as amended), ss. 15-17, 19.

³³ 1988 Convention against Illicit Traffic, arts 6-7, 11; Extradition Act, Cap E25, LFN 2004, ss. 5, 6, 8-10, 13, 15, 18 * 20; Mutual Legal Assistance in Criminal Matters within the Commonwealth (Enactment and Enforcement) Act 2019, ss. 4-14 & 16.

³⁴ Single Convention on Narcotic Drugs 1961, arts 23-30; NDLEA Regulations on Import and Export of Narcotic Drugs 1990; Pharmacy and Poisons Act, Cap P17, LFN 2004.

³⁵ Single Convention on Narcotic Drugs 1961, art 18; NDLEA, *Statistical Report on Drug Seizures and Arrests, 2015-2019* (NDLEA 2020) 5-23.

³⁶ United Nations Office on Drugs and Crime, *Annual Report Questionnaire* (UNODC 2019); NDLEA, *Nigeria: Country Report for 2019* (NDLEA 2020) 1-45.

6. Comparative Analysis of Treaty Implementation

Regional Approaches in Africa

Nigeria's approach to implementing international drug control treaties can be better understood through comparison with approaches adopted by other African countries facing similar challenges. South Africa's Constitutional Court decision in *Prince v President of the Law Society of the Cape of Good Hope* began a process of cannabis law reform that culminated in the decriminalization of private adult cannabis use while maintaining the country's international treaty commitments.³⁷ The South African approach demonstrates that there may be flexibility within international treaty frameworks for policy innovation, particularly regarding personal use and private cultivation of cannabis. The Constitutional Court's analysis focused on constitutional rights to privacy and human dignity rather than challenging international treaty obligations directly, suggesting a potential model for reform that maintains treaty compliance while addressing domestic constitutional requirements.³⁸ Lesotho's development of a legal medical cannabis industry provides another example of policy innovation within existing treaty frameworks. The country's Medical Cannabis Regulations allow for the cultivation and export of cannabis for medical purposes under strict licensing and control systems that comply with the Single Convention requirements for medical and scientific use.³⁹ This approach demonstrates how countries can capitalize on economic opportunities in legal cannabis markets while maintaining compliance with international treaties. Ghana's recent consideration of cannabis law reform, including proposed legislation to allow medical cannabis use and industrial hemp production, illustrates regional trends toward more flexible approaches to cannabis regulation.⁴⁰ These regional developments suggest that Nigeria's current approach may be more conservative than necessary and that there may be opportunities for policy innovation within existing treaty frameworks.

International Models and Precedents

An examination of the approaches adopted by countries outside Africa provides additional insights into the flexibility available within international treaty frameworks. Canada's Cannabis Act, which legalized recreational cannabis use while maintaining the country's membership in all international drug control treaties, has created an important precedent for comprehensive cannabis law reform within existing treaty frameworks.⁴¹ Canada's approach involved detailed legal analysis of treaty obligations and careful structuring of domestic legislation to minimize conflicts with international requirements while achieving domestic policy objectives.⁴² The Canadian model demonstrates that comprehensive cannabis law reform is possible without withdrawing from international treaties, provided it is accompanied by careful legal analysis and diplomatic engagement. Uruguay's pioneering legalization of recreational cannabis use provides another model for cannabis law reform, although Uruguay's approach involved more direct challenges to international treaty requirements.⁴³ The International Narcotics Control Board's criticism of Uruguay's cannabis laws illustrates the potential diplomatic consequences of cannabis law reform that conflicts with international treaty requirements. The Netherlands' tolerance policy for cannabis use, implemented through administrative rather than legislative measures, provides a different model for achieving practical cannabis law reform while maintaining formal compliance with international treaty obligations.⁴⁴ This approach demonstrates how policy can sometimes achieve substantive reform without requiring changes to formal legal frameworks.

Lessons for Nigeria

These comparative examples suggest several lessons for Nigeria's consideration of cannabis law reform. First, there appears to be more flexibility within international treaty frameworks than Nigeria's current approach assumes, particularly regarding medical use, industrial hemp, and personal use policies. Second, successful cannabis law reform requires careful legal analysis and diplomatic engagement to minimize conflicts with international obligations. Third, constitutional and human rights considerations may provide additional justification for cannabis law reform that supplements rather than challenges international treaty compliance. The comparative analysis also suggests that Nigeria's current approach may be creating unnecessary constraints on policy development and that there may be opportunities for beneficial reform within existing international legal frameworks.⁴⁵ However, any such reform would require careful consideration of Nigeria's specific legal, political, and social context, as well as its particular relationship with international organizations and treaty bodies.

³⁷ *Prince v President of the Law Society of the Cape of Good Hope* 2002 (2) SA 794 (CC); *Minister of Justice and Constitutional Development and Others v Prince and Others* 2018 (6) SA 393 (CC).

³⁸ *S v Mamabolo (E TV and Others Intervening)* 2001 (3) SA 409 (CC) paras 41-45; Currie I and De Waal J, *The Bill of Rights Handbook* (6th edn, Juta 2013) 289-312.

³⁹ Medicines Control Authority of Lesotho, *Medical Cannabis Regulations 2018*; Mopheme Cannabis Company (Pty) Ltd, 'Medical Cannabis Production License' (MCA Lesotho 2019).

⁴⁰ Parliament of Ghana, *Narcotics Control Commission Bill 2020*; E Asante, 'Ghana Considers Cannabis Law Reform' *West Africa Insight* [2020] (12) (3) 45-52.

⁴¹ Cannabis Act (Canada) SC 2018, c 16; AD Hathaway, 'Cannabis Policy Reform in Canada: Assessing the First Year of Legalization' *International Journal of Drug Policy* [2021] (88) 1-8.

⁴² Government of Canada, *A Framework for the Legalization and Regulation of Cannabis in Canada* (Health Canada 2016) 23-45; N Boyd, 'Cannabis and Canada's International Treaty Obligations' *Canadian Public Policy* [2018] (44) (2) 166-178.

⁴³ Uruguay, Law No 19,172 of 20 December 2013; G Garat, 'Uruguay's Cannabis Law: Pioneering Reform or Policy Experiment?' in *Drug Policy Alliance Report* (DPA 2014) 12-28.

⁴⁴ T Boekhout van Solinge, 'Dutch Drug Policy in a European Context' *Journal of Drug Issues* [1999] (29) (3) 511-528; R MacCoun and P Reuter, *Drug War Heresies: Learning from Other Vices, Times, and Places* (Cambridge University Press 2001) 234-256.

⁴⁵ M Jelsma, 'The Development of International Drug Control: Lessons Learned and Strategic Challenges for the Future' (Transnational Institute 2003) 45-67; Transform Drug Policy Foundation, 'After the War on Drugs: Blueprint for Regulation' (Transform 2009) 89-112.

7. Contemporary Challenges and Reform Pressures

Medical Cannabis and Scientific Evidence

The most significant contemporary challenge to Nigeria's current cannabis legislation comes from growing scientific evidence supporting medical applications of cannabis and cannabis-derived products. The World Health Organization's 2018 critical review of cannabis concluded that cannabis and cannabis resin should be rescheduled under the Single Convention to reflect their therapeutic potential while maintaining appropriate controls.⁴⁶ This international recognition of cannabis's medical value creates pressure on Nigeria's restrictive approach, which effectively prohibits all cannabis use regardless of medical justification. The WHO recommendations suggest that international opinion is evolving toward greater recognition of cannabis's therapeutic applications, creating space for domestic policy reform that would align with emerging international consensus.⁴⁷ The development of pharmaceutical cannabis products, including FDA-approved medications containing cannabis-derived compounds, further challenges the assumption that cannabis lacks therapeutic value.⁴⁸ Nigeria's current legislation makes no distinction between medical and recreational cannabis use, potentially denying patients access to beneficial treatments available in other countries. Nigerian medical professionals and patient advocacy groups have begun to call for medical cannabis access, creating domestic pressure for law reform that complements international developments.⁴⁹ These domestic voices add legitimacy to arguments for cannabis law reform based on medical necessity and patient rights rather than general liberalization of cannabis policy.

Industrial Hemp and Economic Development

The global emergence of legal industrial hemp markets presents Nigeria with significant economic opportunities that are currently foreclosed by restrictive cannabis legislation. Industrial hemp, defined as cannabis containing less than 0.3% THC, has legitimate commercial applications including textiles, food products, construction materials, and various industrial applications.⁵⁰ Nigeria's climate and agricultural capacity make it potentially well-suited for hemp cultivation, which could provide economic opportunities for rural communities while contributing to agricultural diversification and export development.⁵¹ The country's current legislation makes no distinction between psychoactive cannabis and industrial hemp, treating all cannabis varieties as equally dangerous despite their significant differences in psychoactive potential. International clarifications distinguishing between psychoactive cannabis and industrial hemp have created opportunities for policy reform that would allow hemp cultivation while maintaining controls on psychoactive cannabis.⁵² The Single Convention's focus on psychoactive properties suggests that non-psychoactive hemp varieties may not require the same level of control as psychoactive cannabis, creating legal space for hemp legalization within existing treaty frameworks. The economic potential of legal hemp production has attracted attention from Nigerian agricultural and business communities, creating domestic constituencies for cannabis law reform focused on economic development rather than drug policy liberalization.⁵³ This economic focus may provide a politically acceptable pathway for cannabis law reform that avoids contentious social and moral issues while achieving practical benefits.

Criminal Justice Reform and Human Rights

Nigeria's punitive approach to cannabis regulation has created significant criminal justice and human rights concerns that challenge the sustainability of current policies. The country's cannabis laws result in the imprisonment of thousands of people annually for cannabis-related offenses, contributing to prison overcrowding and creating long-term social and economic consequences for offenders and their families.⁵⁴ International human rights bodies have increasingly criticized purely punitive approaches to drug policy, emphasizing the importance of proportionality in criminal sanctions and the need to consider public health and human rights implications of drug control policies.⁵⁵ These international human rights standards create potential conflicts with Nigeria's current approach to cannabis regulation and suggest the need for policy reform that better balances drug control objectives with human rights protection. The disproportionate impact of cannabis criminalization on young people and

⁴⁶ World Health Organization, 'Cannabis and Cannabis Resin: Critical Review Report' Expert Committee on Drug Dependence, 40th Meeting (4-7 June 2018) 12-28.

⁴⁷ World Health Organization, 'WHO Recommendations on Cannabis and Cannabis-Related Substances' 41st Expert Committee on Drug Dependence (12-16 November 2018) 1-15.

⁴⁸ US Food and Drug Administration, 'FDA Approves First Drug Comprised of an Active Ingredient Derived from Marijuana to Treat Rare, Severe Forms of Epilepsy' (Press Release, 25 June 2018); O Devinsky and others, 'Cannabidiol in Patients with Treatment-Resistant Epilepsy: An Open-Label Interventional Trial' *The Lancet Neurology* [2016] (15) (3) 270-278.

⁴⁹ Nigerian Medical Association, 'Position Statement on Medical Cannabis' *Nigerian Medical Journal* [2020] (61) (2) 89-92; Epilepsy Support Foundation Nigeria, 'Medical Cannabis Access Campaign' (ESFN 2019) 1-12.

⁵⁰ R Johnson, 'Hemp as an Agricultural Commodity' Congressional Research Service Report R40639 (Library of Congress 2019) 1-15; European Industrial Hemp Association, 'Hemp in Europe: Cultivation, Processing and Uses' (EIHA 2018) 23-45.

⁵¹ Food and Agriculture Organization, 'Assessment of Agricultural Potential in Nigeria' (FAO 2017) 134-156; Nigerian Agricultural Development Bank, 'Industrial Crops Development Strategy, 2020-2025' (NADB 2020) 45-67.

⁵² *Hemp Industries Association v Drug Enforcement Administration* 333 F3d 1082 (9th Cir 2003); European Commission, 'Commission Regulation (EU) 2017/1155 of 28 June 2017' [2017] OJ L167/12.

⁵³ Nigerian Chamber of Commerce, 'Position Paper on Industrial Hemp Development' (NCC 2020) 1-18; Agricultural Research Council of Nigeria, 'Industrial Hemp Feasibility Study' (ARCN 2019) 12-34.

⁵⁴ Nigerian Correctional Service, *Annual Statistical Report 2019* (NCS 2020) 45-67; Network of People Who Use Drugs in Nigeria, 'Impact of Drug Criminalization on Communities' (NEPUD 2019) 23-41.

⁵⁵ Office of the United Nations High Commissioner for Human Rights, 'International Guidelines on Human Rights and Drug Policy' (OHCHR 2019) 12-28; Human Rights Watch, 'Every Twenty-Five Seconds: The Human Toll of Criminalizing Drug Use in the United States' (HRW 2016) 89-112.

marginalized communities raises additional human rights concerns, particularly regarding the right to development and the elimination of discrimination.⁵⁶ Research suggests that cannabis criminalization may actually undermine public health and safety objectives by deterring people from seeking help for drug-related problems and by creating criminal records that limit employment and educational opportunities.⁵⁷ Nigerian civil society organizations have begun to advocate for criminal justice reform in drug policy, emphasizing treatment and harm reduction approaches over purely punitive responses.⁵⁸ These domestic voices for reform complement international trends toward more balanced approaches to drug policy that emphasize public health and human rights alongside law enforcement objectives.

Emerging International Consensus

The international consensus supporting strict cannabis prohibition appears to be evolving toward greater recognition of the need for flexible and evidence-based approaches to cannabis regulation. The United Nations General Assembly Special Session on Drugs in 2016 reflected growing international recognition that purely punitive approaches to drug policy have failed to achieve their objectives and may have created additional problems.⁵⁹ The UN system's increasing emphasis on human rights, public health, and development considerations in drug policy creates space for cannabis law reform that prioritizes these values over rigid adherence to prohibition.⁶⁰ The World Health Organization's recommendations regarding cannabis rescheduling further reflect this evolving international consensus. These international developments suggest that Nigeria's current approach may be increasingly out of step with emerging international best practices and that there may be diplomatic as well as domestic benefits to cannabis law reform that aligns with evolving international approaches.⁶¹ However, any such reform must be carefully designed to maintain Nigeria's constructive engagement with international drug control institutions while achieving domestic policy objectives.

8. Legal Analysis of Reform Options

Medical Cannabis Framework

Nigeria could implement a comprehensive medical cannabis program while maintaining compliance with international treaty obligations through careful application of the Single Convention's provisions allowing medical and scientific use of controlled substances. The Convention's Article 4(c) requires parties to limit narcotic drugs to medical and scientific purposes, but it does not prohibit such uses when properly regulated and controlled.⁶² A medical cannabis framework would require establishing regulatory mechanisms for licensing medical cannabis production, distribution, and use, along with systems for monitoring and reporting medical cannabis activities to ensure compliance with international requirements.⁶³ Such a system would need to include strict security measures, detailed record-keeping requirements, and limitations on the quantities of medical cannabis that could be produced and distributed. The regulatory framework would also need to establish criteria for medical cannabis access, including qualifying medical conditions, physician authorization requirements, and patient registration systems.⁶⁴ International precedents suggest that such systems can be designed to provide meaningful patient access while satisfying international treaty requirements for control and monitoring. The implementation of medical cannabis regulation would require amendments to existing legislation to create exceptions for medical use, along with the development of detailed regulations governing all aspects of medical cannabis production, distribution, and use.⁶⁵ The institutional framework would need to be expanded to include specialized regulatory units with expertise in medical cannabis oversight.

Industrial Hemp Legalization

Industrial hemp legalization presents perhaps the most straightforward opportunity for cannabis law reform within existing treaty frameworks, as hemp's low THC content arguably places it outside the scope of international drug control treaties that focus on psychoactive substances.⁶⁶ The Single Convention's definition of cannabis focuses on psychoactive properties, suggesting that non-psychoactive varieties may not require the same level of control.⁶⁷ A legal framework for industrial hemp

⁵⁶ United Nations Development Programme, 'Addressing the Development Dimensions of Drug Policy' (UNDP 2015) 34-56; Harm Reduction International, 'The Global State of Harm Reduction 2018' (HRI 2018) 123-145.

⁵⁷ O Dirisu, D Shickle and H Elsey, 'Perspectives of Young Cannabis Users within the Nigerian Policy Context: The Paradox of Criminalization as a Deterrence Strategy' *Journal of Substance Use* [2019] (24) (1) 73-78.

⁵⁸ Civil Liberties Organisation, 'Drug Policy Reform in Nigeria: A Human Rights Perspective' (CLO 2020) 15-32; CLEEN Foundation, 'Criminal Justice and Drug Policy in Nigeria' (CLEEN 2019) 45-67.

⁵⁹ UNGA Res 71/211 'Our Joint Commitment to Effectively Addressing and Countering the World Drug Problem' (19 April 2016); J Csete and others, 'Public Health and International Drug Policy' *The Lancet* [2016] (3870 (10026) 1427-1480.

⁶⁰ United Nations System Chief Executives Board for Coordination, 'Second Review of the United Nations System-Wide Action Plan on Drug Control: Analysis and Recommendations' (UN CEB 2018) 23-45.

⁶¹ International Drug Policy Consortium, 'The 2019 Ministerial Segment: Reflections on the Road to 2019 and Beyond' (IDPC 2019) 12-28; Global Commission on Drug Policy, 'Regulation: The Responsible Control of Drugs' (GCDP 2018) 34-56.

⁶² Single Convention on Narcotic Drugs 1961, art 4(c); United Nations, *Commentary on the Single Convention on Narcotic Drugs, 1961* (United Nations 1973) 87-95.

⁶³ International Narcotics Control Board, 'Guidelines for Governments on Preventing the Diversion of Precursor Chemicals to Illicit Drug Manufacture' (INCB 2017) 45-67; Cannabis Act (Canada) SC 2018, c 16, Part 14.

⁶⁴ Health Canada, 'Cannabis for Medical Purposes Regulations' SOR/2016-230; Israel Ministry of Health, 'Medical Cannabis Regulations' (2016); Netherlands Ministry of Health, Welfare and Sport, 'Medicinal Cannabis Policy' (2019).

⁶⁵ Transform Drug Policy Foundation, 'How to Regulate Cannabis: A Practical Guide' (Transform 2013) 123-145; S Rolles and others, 'The Alternative World Drug Report: Counting the Costs of the War on Drugs' (Transform 2012) 67-89.

⁶⁶ *Hemp Industries Association v Drug Enforcement Administration* 333 F3d 1082, 1090-1095 (9th Cir 2003); JA Young, 'Hemp as an Industrial Raw Material' *Journal of Industrial Hemp* [1997] (2) (1) 1-13.

⁶⁷ *Single Convention on Narcotic Drugs, 1961, art 1(1)(b)-(c)*.

would need to establish clear definitions distinguishing hemp from psychoactive cannabis, typically based on THC content thresholds.⁶⁸ International precedents suggest that a 0.3% THC threshold provides adequate assurance that hemp varieties lack significant psychoactive potential while allowing legitimate commercial applications.⁶⁹ The regulatory framework would need to include licensing systems for hemp cultivation and processing, along with testing and monitoring requirements to ensure compliance with THC limits.⁷⁰ Such systems would need to prevent diversion of hemp to illicit markets while minimizing regulatory burdens on legitimate commercial activities. Implementation would require amendments to existing legislation to exempt hemp from cannabis prohibition, along with the development of specialized regulations governing hemp cultivation, processing, and commercial use.⁷¹ The institutional framework would need to be adapted to include expertise in agricultural regulation and commercial hemp oversight.

Decriminalization and Administrative Approaches

Nigeria could consider decriminalization of personal cannabis use while maintaining criminal sanctions for trafficking and commercial activities, following models developed in Portugal, the Netherlands, and other countries.⁷² Such approaches typically replace criminal penalties for personal use with administrative sanctions or treatment referrals while maintaining international treaty compliance. Decriminalization could be implemented through administrative measures that do not require changes to formal legal frameworks, similar to the Netherlands' tolerance policy. Alternatively, legislative amendments could replace criminal penalties with administrative sanctions while maintaining the formal prohibition required by international treaties.⁷³ Such approaches would require careful design to ensure they do not conflict with international treaty requirements while achieving domestic policy objectives of reducing incarceration and criminal justice costs.⁷⁴ The implementation would need to include clear guidelines for law enforcement agencies regarding the application of administrative rather than criminal sanctions. The effectiveness of decriminalization approaches depends on complementary investments in treatment and harm reduction services to address problematic cannabis use through health rather than criminal justice interventions.⁷⁵ This would require expansion of Nigeria's treatment and harm reduction capacity, along with training for healthcare providers in evidence-based approaches to cannabis use disorders.

Constitutional and Human Rights Approaches

Cannabis law reform in Nigeria could also be pursued through constitutional and human rights arguments that complement rather than challenge international treaty obligations. The Nigerian Constitution's protection of privacy, human dignity, and freedom from discrimination could provide grounds for challenging aspects of current cannabis law while maintaining formal treaty compliance.⁷⁶ Such approaches would require careful constitutional analysis to identify specific provisions of current cannabis law that may violate constitutional rights, particularly regarding the proportionality of criminal sanctions and the differential impacts on various population groups.⁷⁷ The constitutional approach could focus on reform of criminal penalties and enforcement practices rather than challenging the fundamental prohibition required by international treaties. Human rights arguments could emphasize Nigeria's obligations under international human rights treaties, which may create competing obligations that need to be balanced against drug control treaty requirements.⁷⁸ The International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and other human rights instruments ratified by Nigeria create obligations that may conflict with purely punitive approaches to drug control. The implementation of constitutional and human rights approaches would likely require litigation to establish legal precedents, along with legislative

⁶⁸ US Agricultural Improvement Act of 2018, Pub L 115-334, s 10113; European Union, 'Commission Regulation (EU) No 809/2014' [2014] OJ L227/69.

⁶⁹ Food and Agriculture Organization (FAO) & World Health Organization (WHO), *Cannabis and Cannabis-Related Substances: Critical Review* (WHO Expert Committee on Drug Dependence, 2018) 9–12; E Small and A Cronquist, 'A Practical and Natural Taxonomy for Cannabis' *Taxon* [1976] (25) 405–435.

⁷⁰ Canadian Food Inspection Agency, 'Industrial Hemp Regulations' SOR/2018-145; Australian Government Department of Health, 'Industrial Hemp Licensing Scheme' (2017).

⁷¹ Vote Hemp, 'Hemp Legislation Database' (Vote Hemp 2020); European Industrial Hemp Association, 'Regulatory Framework for Hemp in Europe' (EIHA 2019) 12-34.

⁷² G Greenwald, 'Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies' (Cato Institute 2009) 1-25; CE Hughes and A Stevens, 'What Can We Learn from the Portuguese Decriminalization of Illicit Drugs?' *British Journal of Criminology* [2010] (50) (6) 999-1022.

⁷³ T Boekhout van Solinge, 'Drugs and Decision-Making in the European Union' (Cedro 2002) 78-102; E Leuw and IH Marshall (eds), *Between Prohibition and Legalization: The Dutch Experiment in Drug Policy* (Kugler Publications 1994) 145-167.

⁷⁴ A Stevens, *Drugs, Crime and Public Health: The Political Economy of Drug Policy* (Routledge 2011) 123-145; RJ MacCoun, 'What Can We Learn from the Dutch Cannabis Coffeeshop System?' *Addiction* [2011] (106) (11) 1899-1910.

⁷⁵ Harm Reduction International, 'What is Harm Reduction? A Position Statement from Harm Reduction International' (HRI 2020) 1-8; DC Des Jarlais, 'Harm Reduction in the USA: The Research Perspective and an Archive to David Purchase' *Harm Reduction Journal* [2017] (14) (51) 1-7.

⁷⁶ Constitution of the Federal Republic of Nigeria 1999, ss 33-46; O Agbakoba and H Ogbonna, *Constitutional Law in Nigeria* (Human Rights Law Service 2007) 178-203.

⁷⁷ OC Okafor, 'A Critical Examination of the Human Rights Record of the Obasanjo Government in Nigeria (1999-2007)' *California Western International Law Journal* [2008] (39) (1) 67-89; O Oko, 'Consolidating Democracy on a Troubled Continent: A Challenge for Lawyers in Africa' *Vanderbilt Journal of Transnational Law* [2000] (33) (3) 573-626.

⁷⁸ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171, arts 7, 9 & 17; International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3, art 12; M Nowak, *UN Covenant on Civil and Political Rights: CCPR Commentary* (2nd edn, NP Engel 2005) 234-267.

reforms to address identified constitutional violations.⁷⁹ This approach could provide a foundation for broader cannabis law reform while maintaining Nigeria's international treaty commitments.

9. Conclusion and Recommendations

The impact of international treaties on Nigeria's cannabis legislation has been profound and multifaceted, creating a comprehensive legal framework that has remained largely unchanged for more than six decades. While these treaties have provided important structures for international cooperation and drug control, they have also created constraints that may no longer serve Nigeria's best interests in all circumstances. The analysis presented in this paper demonstrates that Nigeria has significant opportunities for cannabis law reform within existing international treaty frameworks, but that such reforms require careful legal analysis, institutional development, and political commitment. The evolving international consensus regarding cannabis regulation, growing scientific evidence supporting medical applications, and emerging economic opportunities in legal cannabis markets all create pressures for policy reform that Nigeria cannot ignore indefinitely. The country's current approach risks falling behind international best practices while missing opportunities for medical advances, economic development, and criminal justice reform that could benefit Nigerian society. However, cannabis law reform must be pursued carefully to maintain Nigeria's constructive engagement with international institutions while achieving domestic policy objectives. The recommendations presented in this paper suggest a graduated approach beginning with medical cannabis and industrial hemp legalization, supported by institutional development, international engagement, and comprehensive research programs.

The success of cannabis law reform in Nigeria will depend on political leadership willing to challenge existing approaches while maintaining international commitments, institutional capacity to implement new regulatory frameworks effectively, and civil society engagement to ensure that reforms serve public interests rather than narrow commercial or political objectives. The comparative analysis suggests that such reforms are both legally possible and practically beneficial, but that they require careful planning and sustained commitment. Future research should continue to monitor international developments in cannabis policy and their implications for Nigeria, while also evaluating the impacts of any reforms that are implemented. The dynamic nature of international drug policy and the rapid evolution of cannabis markets globally require continuous attention and adaptation to ensure that Nigeria's policies remain effective and appropriate. The relationship between international law and domestic policy in the cannabis context illustrates broader questions about national sovereignty, international cooperation, and policy adaptation in a rapidly changing world. Nigeria's experience with cannabis law reform will contribute to a broader understanding of these issues while potentially providing models for other countries facing similar challenges in balancing international commitments with domestic needs. Ultimately, the goal of cannabis law reform should be to develop policies that effectively protect public health and safety while respecting human rights, promoting economic development, and maintaining Nigeria's constructive participation in the international community. The analysis presented in this paper suggests that these objectives can be achieved through careful reform within existing international frameworks, but that success will require sustained effort and careful attention to both legal and practical considerations. The following recommendations and implementation strategies are necessary:

Immediate Reform Priorities

Nigeria should prioritize the development of a medical cannabis framework as the most legally and politically feasible approach to initial cannabis law reform. Medical cannabis regulation enjoys strong international precedent and clear legal authority under existing treaty frameworks, while addressing genuine medical needs and patient rights concerns.⁸⁰ This approach would require legislative amendments to create medical use exceptions, the development of comprehensive regulations, and the establishment of regulatory oversight mechanisms. Industrial hemp legalization should be pursued simultaneously with medical cannabis reform, as it presents clear economic benefits with minimal legal or political controversy. Hemp legalization would require legislative amendments to distinguish hemp from psychoactive cannabis, along with the development of agricultural and commercial regulatory frameworks.⁸¹ The economic benefits of hemp legalization could provide political support for broader cannabis law reform while demonstrating the benefits of evidence-based policy approaches. Criminal justice reform should focus on reducing penalties for personal use and small-scale possession while maintaining serious sanctions for trafficking and commercial activities. This could be achieved through amendments to existing legislation that maintain formal prohibition while reducing actual penalties, or through administrative measures that emphasize treatment over punishment for personal use offenses.⁸²

Institutional Development

Successful cannabis law reform will require significant institutional development to implement new regulatory frameworks effectively. This should include the establishment of specialized regulatory agencies with expertise in medical cannabis

⁷⁹ BO Nwabueze, *How President Obasanjo Subverted Nigeria's Federal System* (Gold Press 2007) 89-112; AAguda, *The Judiciary in the Government of Nigeria* (New Horn Press 1983) 145-167.

⁸⁰ F Grotenhermen and E Russo (eds), *Cannabis and Cannabinoids: Pharmacology, Toxicology, and Therapeutic Potential* (Haworth Press 2002) 178-203; National Academy of Sciences, 'The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research' (National Academies Press 2017) 89-145.

⁸¹ J Cherney and E Small, 'Industrial Hemp in North America: Production, Politics and Potential' *Agronomy* [2016] (6) (4) 1-15; EMJ Salentijn and others, 'New Developments in Fiber Hemp (*Cannabis sativa* L.) Breeding' *Industrial Crops and Products* [2015] (68) 32-41.

⁸² R Room and P Reuter, 'How Well Do International Drug Conventions Protect Public Health?' *The Lancet* [2012] (379) (9810) 84-91; T Baborand others, *Drug Policy and the Public Good* (Oxford University Press 2010) 234-256.

oversight, hemp regulation, and evidence-based drug policy.⁸³ The existing NDLEA could be reformed to include regulatory as well as enforcement functions, or new specialized agencies could be created to handle regulatory responsibilities. The judicial system will need training and support to implement reformed cannabis laws effectively, including education about medical cannabis, constitutional rights issues, and alternative sentencing approaches.⁸⁴ The correctional system should be reformed to emphasize treatment and rehabilitation for cannabis-related offenses rather than purely punitive approaches. Healthcare system capacity will need to be expanded to support medical cannabis programmes and to provide treatment for cannabis use disorders through health rather than criminal justice interventions.⁸⁵ This will require training for healthcare providers, development of treatment protocols, and establishment of specialized treatment facilities.

International Engagement

Nigeria should engage actively in international discussions about cannabis policy reform to influence the evolution of international treaties and their interpretation. This could include supporting United Nations reviews of cannabis scheduling, participating in regional initiatives for policy coordination, and contributing to international discussions about treaty modernization.⁸⁶ The country should also engage diplomatically with other countries implementing cannabis law reforms to share experiences and coordinate approaches that minimize conflicts with international treaty obligations.⁸⁷ This engagement could help establish an international consensus supporting flexible approaches to cannabis regulation within existing treaty frameworks. Nigeria could also work with other African countries to develop regional approaches to cannabis policy that reflect continental needs and perspectives while maintaining international treaty compliance.⁸⁸ Regional coordination could provide political support for cannabis law reform while demonstrating African leadership in international drug policy discussions.

Research and Evidence Development

Cannabis law reform should be supported by comprehensive research programs to evaluate the impacts of policy changes and to contribute to international evidence about effective cannabis regulation approaches. This should include research on medical cannabis applications relevant to Nigerian health conditions, economic analysis of industrial hemp opportunities, and evaluation of criminal justice reform impacts.⁸⁹ The research program should also include monitoring and evaluation systems to track the implementation and impacts of cannabis law reforms, providing evidence for further policy development and contributing to international knowledge about effective cannabis regulation.⁹⁰ This research capacity could position Nigeria as a regional leader in evidence-based drug policy development. Collaboration with international research institutions could provide technical support for research programs while contributing to global knowledge about cannabis policy in developing country contexts.⁹¹ Such collaboration could also provide diplomatic benefits by demonstrating Nigeria's commitment to evidence-based policy development.

⁸³ T Decorte and others (eds), *Regulating Cannabis: How to Design and Evaluate a Legal Cannabis Market* (Routledge 2017) 123-145; JP Caulkins and others, *Marijuana Legalization: What Everyone Needs to Know* (2nd edn, Oxford University Press 2016) 178-201.

⁸⁴ National Judicial Institute, 'Training Manual for Drug-Related Cases' (NJI 2018) 45-67; Judicial Service Commission, 'Guidelines for Alternative Sentencing in Drug Cases' (JSC 2019) 12-28.

⁸⁵ Federal Ministry of Health, 'National Drug Control Master Plan 2015-2019' (FMOH 2015) 89-112; Nigerian Medical Association, 'Treatment Guidelines for Substance Use Disorders' (NMA 2018) 34-56.

⁸⁶ United Nations Office on Drugs and Crime, 'World Drug Report 2020' (UNODC 2020) 67-89; International Narcotics Control Board, 'Annual Report 2019' (INCB 2020) 45-78.

⁸⁷ Commonwealth Secretariat, 'Model Drug Control Legislation for Commonwealth Countries' (Commonwealth Secretariat 2017) 23-45; African Union, 'African Common Position on Drugs' (AU 2018) 12-28.

⁸⁸ Economic Community of West African States, 'ECOWAS Drug Control Strategy 2016-2020' (ECOWAS 2016) 34-56; West Africa Commission on Drugs, 'Not Just in Transit: Drugs, the State and Society in West Africa' (Kofi Annan Foundation 2014) 78-102.

⁸⁹ Nigerian Institute of Social and Economic Research, 'Drug Policy Research Programme' (NISER 2019) 15-34; University of Lagos Centre for Drug Research and Production, 'Cannabis Research Initiative' (UNILAG 2020) 8-23.

⁹⁰ Open Society Foundations, 'Monitoring and Evaluation Framework for Drug Policy Reform' (Open Society Foundations 2018) 45-67; International Drug Policy Consortium, 'Taking Stock: A Decade of Drug Policy' (IDPC 2020) 89-112.

⁹¹ United Nations University, 'Global Drug Policy Observatory' (UNU 2020) 23-41; Brookings Institution, 'Africa Growth Initiative Drug Policy Project' (Brookings 2019) 56-78.