

Topic - Regulating the legalization of psychedelics and its impact on international drug treaties

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BACKGROUND INFORMATION

Psychedelic substances such as psilocybin, lysergic acid diethylamide (LSD) and 3,4-methylenedioxymethamphetamine (MDMA) have been classified under strict international drug control treaties, notably the 1961 Single Convention on Narcotic Drugs and the 1971 Convention on Psychotropic Substances.¹² These treaties place many psychedelics in the most restrictive categories, reflecting concerns about their potential abuse and lack of accepted medical use. As a result, psychedelics have been widely prohibited and criminalized across the globe.

However, recent scientific research has increasingly revealed the therapeutic potential of psychedelics in treating mental health disorders such as depression, anxiety, PTSD, and addiction.³ Clinical trials and studies have demonstrated promising results, prompting some countries and jurisdiction to reconsider their legal frameworks. Places like Canada, the Netherlands, and various U.S. states have begun to decriminalize or legalize psychedelics for medical or therapeutic use under regulated conditions.⁴

This shift creates a complex challenge for the international drug control regime. Existing treaties emphasize prohibition and control but do not clearly contain the medical or therapeutic legalization of psychedelics. Countries moving forward with legalization face legal uncertainty and potential conflicts with their international obligations under these treaties.

The International Narcotics Control Board, which is tasked with monitoring treaty compliance, has expressed concerns about these emerging regulatory changes but also recognizes the need to engage with evolving drug policies and scientific advances.⁵ Some experts advocate for reform or reinterpretation of the treaties to allow for controlled medical use of psychedelics without breaching international law, while others suggest that countries might seek amendments or exemptions to align their national policies with public health priorities.

¹ https://www.unodc.org/pdf/convention_1961_en.pdf

² https://www.unodc.org/pdf/convention_1971_en.pdf

³ <https://www.apa.org/monitor/2024/06/psychedelics-as-medicine>

⁴ <https://psychedelicalpha.com/data/worldwide-psychedelic-laws>

⁵ <https://www.incb.org/incb/en/psychotropics/index.html>

This debate raises important questions about balancing national sovereignty with international commitments, protecting public health, ensuring access to innovative medical treatments, and maintaining the integrity of international drug control. As more nations explore regulated legalization, the international community faces the urgent task of adapting longstanding treaties to reflect new scientific knowledge and shifting attitudes towards psychedelics.

USEFUL LINKS

Transform. “Can We Legalise Psychedelics Under the UN Drug Treaties? | Transform,” April 16, 2025.

<https://transformdrugs.org/blog/can-we-legalise-psychedelics-under-the-un-drug-treaties>.

World Drug Report 2023. “Recent Development Involving Psychedelics.” United Nations Office on Drugs and Crime, 2023.

https://www.unodc.org/res/WDR-2023/WDR23_B3_CH2_pschedelics.pdf.

Walsh, John, and Martin Jelsma. “Regulating Drugs: Resolving Conflicts With the UN Drug Control Treaty System.” *Journal of Illicit Economies and Development* 1, no. 3 (January 1, 2019): 266–71. <https://doi.org/10.31389/jied.23>.

Chesak, Jennifer. “What Psychedelics Legalisation and Decriminalisation Looks Like Around the World,” May 2, 2024.

<https://www.bbc.com/future/article/20240320-legal-status-of-psychedelics-around-the-world>.

Sabine Fuchs. “Annual-report,” n.d.

<https://www.incb.org/incb/en/publications/annual-reports/annual-report.html>.