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ANALYSIS OF THE BENEFITS AND RISKS OF CANNABIS LEGALIZATION POLICY IN THAILAND AFTER CANNABIS LEGALIZATION IN 2022 – 2024

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Abstract

This study analyzes the benefits and risks of the cannabis legalization policy in Thailand in the period 2022-2024. The main objectives of this study are to evaluate the economic, health, and social impacts of cannabis legalization, and to assess the extent to which this policy supports Thailand's national interests. The research method includes secondary data analysis from government reports and other reliable sources. The results show that cannabis legalization can increase tax revenues, create jobs, and provide health benefits through medical use. However, there are also risks such as potential for increased cannabis use that impact public health, and social changes that must be managed properly. This study provides policy recommendations to maximize benefits and minimize risks, supporting informed and sustainable decision-making.

Keywords: Cannabis Legalization, Thailand, Medical Marinjuana

Abstrak

Penelitian ini menganalisis manfaat dan risiko kebijakan legalisasi ganja di Thailand pada periode 2022-2024. Tujuan utama penelitian ini adalah untuk mengevaluasi dampak ekonomi, kesehatan, dan sosial dari legalisasi ganja, serta menilai sejauh mana kebijakan ini mendukung kepentingan nasional Thailand. Metode penelitian meliputi analisis data sekunder dari laporan pemerintah dan sumber terpercaya lainnya. Hasil penelitian menunjukkan bahwa legalisasi ganja dapat meningkatkan pendapatan pajak, menciptakan lapangan kerja, dan menyediakan manfaat kesehatan melalui penggunaan medis. Namun, terdapat juga risiko seperti potensi peningkatan penggunaan ganja yang berdampak pada kesehatan publik, dan perubahan sosial yang harus dikelola dengan baik. Penelitian ini memberikan rekomendasi kebijakan untuk memaksimalkan manfaat dan meminimalkan risiko, mendukung pengambilan keputusan yang informasional dan berkelanjutan.

Kata Kunci: Legalisasi Ganja, Thailand, Ganja Medis.

1. Introduction

Cannabis (*Canabis Sativa*) or often called *Marijuana* refers to the leaves, stems or flowers of plants that contain substances *Tetracycline* (THC) and Cannabinoids / *Canabidol* (CBD). The use of cannabis plants is mostly used for medical and recreational purposes/ *Non-Medical*. In recreational functions, the use of marijuana is focused on the active substance THC which will cause euphoria and other effects that overhang the recreational interest. In recreational use, the cannabis plant is usually processed into cigarettes or mixed with food and beverages. Meanwhile, in medical use, cannabis plants are only taken CBD to treat various health disorders. Because for medical purposes, of course, the THC content must be reduced or eliminated first to avoid the effects of the THC substance. From this explanation, it can be seen that there is a simple difference between the use of marijuana for recreational purposes and the use of marijuana for medical purposes. (BNN, 2022)

Cannabis plants are included in Narcotics groups I and IV based on the United Nations Single Convention on Narcotics / *United Nation Single Convetation on Narcotic Drugs* in 1961. The placement of marijuana in group IV means that marijuana only has very limited medical benefits as well as high potential for abuse so that marijuana must get the most high and strict control with various subjects when compared to narcotics or other substances that fall into groups I to III. . As time progresses and research on the benefits of marijuana grows, WHO submits recommendations to the UN Commission on Narcotic Drugs (CND) to change or reduce the grading level of marijuana. This recommendation was then approved after a vote on December 2, 2020, which then succeeded in eliminating marijuana from group IV and automatically changing the scope of its control. Based on research and practice of using cannabis for medical treatment in various countries, the WHO then believes in the health benefits that can be obtained from marijuana. In the recommendations submitted by the WHO, marijuana is no longer juxtaposed with opium or heroin which can pose a risk of death. . (International Narcotics Control Boards, 2023)(International Narcotics Control Boards, 2023)

The steps taken by the United Nations regarding the change in the classification of marijuana greatly affect the regulation of marijuana in narcotics policies in various countries because this step then opens up many barriers to marijuana for medicine and science. The legalization of marijuana by a country is special because of the many benefits and advantages obtained by the country along with the risks that must be accepted, especially with the current conditions where there are still very few countries that legalize marijuana. Based on the data collected by the author, countries that have legalized the existence of marijuana both in the medical and recreational world include Colombia, Mexico, United States, Canada, Germany Italy, Thailand, South Africa, Australia, Argentina, Ecuador, Peru, Spain, Uruguay, and Cyprus.

In this study, the author wants to conduct an analysis related to the benefits and risks that will be received by the state if they legalize marijuana. The author chose Thailand which is the only country in Asia that has legalized marijuana as a case study. Thailand is a country in Asia that has legalized medical marijuana since 2019 and opened the legalization of recreational marijuana in 2022. Since cannabis was legalized, more than 1.1 million Thailand people have signed up for permits to grow it and more than 6,000 cannabis dispensaries have sprung up across the country. Neon signs of marijuana are already everywhere in the tourist area of Bangkok, the capital of Thailand. Pharmacies selling marijuana are popping up on every corner. Hundreds of food and beverage vendors advertise menus that contain marijuana.

The tourism sector is on the rise among foreign tourists, and this then opens up the development of the cannabis tourism industry throughout the country. (CNN, 2024) This study aims to analyze the benefits and risks of cannabis legalization policies in Thailand in the 2022-2024 period. The study will evaluate the economic, health, and social impacts of marijuana legalization and assess whether the policy supports Thailand's national interests. From this background description, the researcher wants to research what are the benefits and risks of the marijuana legalization policy in Thailand after the legalization of marijuana in 2022 – 2024?

2. Literature Review and Thought Framework

2.1. Literature Review

1. Theory of Regime

According to Stephen D Krasner, Regime theory is the result of the growth of the roots of liberalism, from the meaning of itself the regime is an institution that accommodates many parties through rules, norms, decisions, procedures that are held or agreed upon for the benefit of all parties. . The regime is the result of international cooperation, one of the products of this cooperation is international institutions such as the United Nations (United Nations). (Krasner, 1933)

2. National Interest Theory

Jack C. Plano and Roy Olton explained that the national interest is a vital interest to be fought for by a country for the survival of the country itself. According to Jack C. Plano and Roy Olton, things that are included in the national interest are Independence, self-preservation, territorial integrity, security, and economic sustainability. The national interest is carried out wisely by considering profits and losses, and some are carried out without regard to international normative or moral rules for the sake of achieving the national interest itself. . The national interest itself has two characteristics, namely Permanent Interest ((Olton, 1982)*permanent interests*), consistent and long-term, and *Variable interest*, namely interests that arise along with the condition of the country and are flexible.

2.2 Framework of Thought

Based on the Regime theory, the author can analyze how the role of international institutions shapes the behavior of countries in the international system, such as the legalization of marijuana carried out by Thailand. Regime theory has several concepts that can be used to answer the formulation of existing problems, including the following:

1. International Norms and Rules

Regime theory focuses on the importance of international norms and rules that govern certain issues, in the context of this research this theory can be used by analyzing the rules and norms that exist in the United Nations and UNDOC (United Nations Office on Drugs and Crime) related to the trade and use of marijuana.

2. Implementation and Compliance

In this study, the author will analyze the compliance and suitability of the actions of the State of Thailand that legalizes marijuana to the rules and norms regulated in the provisions of the UN Single Convention on Narcotics, remembering that Thailand is also one of the countries that signed the convention.

3. Regional Impact and International Stability

Analyze the implications and influence of the marijuana legalization policy in Thailand on regional stability, relations with other countries, and regional responses to this policy change. The author sees that the legalization of marijuana carried out by the State of Thailand is carried out for the national interest. From the aspect of national interest, the author can analyze the benefits and risks obtained by the state of Thailand after implementing the policy of legalizing marijuana. The concept of the theory of national interest that the author will analyze is as follows:

4. Economic Importance

Economic interests are certainly one of the main targets in the decision to legalize marijuana in Thailand, this is because through the legalization of marijuana, it certainly provides benefits to state tax revenue, industrial development and new jobs.

5. Public health interests

The health impact of marijuana use can actually have a positive or negative impact depending on the policy of the marijuana user himself. The legalization of marijuana is very likely to cause abuse which will actually cause health problems and addiction (addictive).

6. Analisis Cost – benefit

The author will take a Cost-Benefit approach to compare benefits and risks or potential losses based on the data that the author has collected.

3. Research Methods

This research uses qualitative research methods. According to David William, qualitative research is a research effort to collect data based on natural backgrounds. Because it is carried out naturally or naturally, the results of the research are also scientific and can be accounted for. The data collection techniques used in this study are in the form of local and international media, as well as other materials that support and relate to the title including journals, books, online news and library research related to this research. The data collected in this study is secondary data. (Williams, 1995)

Secondary data is data collected from research from pre-existing sources. The data source used by the author in this study is secondary data. According to Sugiyono, secondary data is obtained by reading, learning and understanding through other media sourced from literature, books, and documents. In choosing a data source, the author looks for reliable data sources such as the official website of the organization or government, news sourced from trusted media, books, and articles or journals that have been accredited. In conducting analysis, the author selects and compiles data systematically, selects important parts, develops data into conjectures and provisional conclusions and repeats these processes to get more accurate conclusions and then describe them narratively to make them easier to understand. (Hasan, 2002)(Sugiyono, 2012)

4. Results and Discussion

4.1 International norms and rules

In particular, regulations that have a very significant impact on cannabis regulation globally are regulated in the United Nations *Single Convention on Narcotic Drugs* in 1961. The United Nations *Single Convention on Narcotic Drugs* in 1961 is an international agreement that regulates the production and supply of narcotics and drugs that have similar use effects. In this convention, cannabis (cannabis) is included in group I after *scheduling* on December 22, 2020. After the elimination of marijuana from group IV, marijuana is now included in group 1, which means that marijuana is no longer considered the most dangerous substance and is recognized for its medical benefits, but it must still have strict control.

The International *Narcotic Control Board* (INCB) provides an annual report press release that provides notes on the results of marijuana classification in 2022 as follows:

- a. The 1961 Single Convention on Narcotics still classifies marijuana as a substance or substance that is highly addictive and certainly vulnerable to abuse, and ensures that the use of non-medical or non-scientific marijuana is classified as a violation of the convention.
- b. Concerns related to trends in several countries that actually lead to consumption that has a negative impact.
- c. Concern about some cannabis industries that promote products to young people by providing new perceptions that are not appropriate because they tend to reduce risks.
- d. The possible impact of marijuana legalization may differ from country to country
- e. Concern about countries that have limitations to obtain materials for medical purposes.

From the INCB press release, it can be seen that the elimination of marijuana from group IV to group 1 does not actually classify that WHO supports the legalization of marijuana for recreational or commercial purposes because of the possibility and concern of its great abuse.

4.2 Implementation and Needs

Thailand is one of the countries that signed and agreed to abide by the provisions of the Single Convention on Narcotics 1961. The special liberalization of regulations governing marijuana in Thailand began in 2019, where this regulation relaxed the legality of marijuana for medical purposes, and abolished marijuana from group V (a prohibited substance from the previous law). (Alan Adcock. CMS, 2023). On June 9, 2022, the Ministry of Health of Thailand issued an official statement on the elimination of marijuana from the 2021 narcotics law, in addition to the Ministry of Health of Thailand also issued a statement that CBD with less than 0.2% THC on the condition that it must be grown in Thailand is no longer classified as a narcotic ingredient or substance.

The Ministry of Health of Thailand also granted a license that cannabis is under control based on the Protection and Promotion of Traditional Medicine Knowledge of Thailand Act 1999, this license then opened the commercialization of cannabis without having to have a permit. . In addition to the elimination of marijuana from the Narcotics Law, the Thailand government has also issued several additional regulations accompanying the legalization of marijuana, namely: (Alan Adcock. CMS, 2023)

- a. Prohibition of the sale of marijuana to children under the age of 20.

- b. Prohibition of marijuana use by pregnant and lactating women.
- c. Use/smoking marijuana in public places.
- d. Thai citizens can grow cannabis.
- e. Specifically, cannabis cultivation or production companies are only allowed for companies whose majority of shares are owned by Thailand companies.
- f. The provision of cannabis content in food and beverages must have approval and be licensed by the FDA in accordance with the Thailand Food Law.
- g. The cultivation of cannabis plants is divided into three classes, namely:
 - a) Small scales where the cultivation is no more than ten plants per household, for this scale is not taxed.
 - b) Medium scale for farmers with a land area of no more than 32,000 square meters, carry out additional bureaucracy and go through the tax process.
 - c) Large scales of more than 32,000 square meters will automatically be considered commercial cultivators and will be required to go through the FDA process and pay remuneration.

From the policy issued by the Thailand government, it can be seen that the Thailand government has legalized the use of marijuana for medical and commercial purposes. Although the legalization of this commercial is accompanied by strict regulations and controls, when compared to the 1961 single convention on narcotics and the press release from the INCB, Thailand actually still has the potential to enter into a violation of the convention because it legalizes marijuana for non-medical purposes.

4.3. Regional Impact and International Stability

Based on the policy analysis that has been carried out, the author finds several impacts caused by the legalization of marijuana carried out by the State of Thailand. This marijuana legalization policy not only has an impact on Thailand itself, but also affects countries in the regional region and has an impact on international stability.

4.3.1. Trade and economic dynamics

Thailand as the only country in Southeast Asia that legalizes marijuana for medical and commercial use, this condition can certainly open up new economic opportunities for this regional region. Countries around Thailand are likely to consider similar policies after seeing the potential economic benefits created by marijuana legalization. In addition to the economic potential, legalization of marijuana can also cause competition for medical marijuana products in the regional market.

4.3.2. Influence on regional policy

Thailand's state policy can be an example and can be used as a model for countries in the region that want to make considerations related to the legalization of marijuana. Thailand's decision to legalize marijuana can open up opportunities for regional countries to observe and learn new things that were previously considered taboo, which can certainly change perceptions and influence national policies throughout Southeast Asia on marijuana. The policy of legalizing marijuana in Thailand requires regional organizations, including ASEAN, to coordinate to ensure that the policy of legalizing marijuana in Thailand will not undermine the efforts of other countries in the region in controlling narcotics.

4.3.3. Security and Law Enforcement

The legalization of marijuana in Thailand has a big risk in the possibility of an increase in illegal marijuana trade that threatens countries in the regional region whose status still prohibits the use and circulation of marijuana. Regional law enforcement should step up law enforcement and coordinate to address the potential and possibility of illegal trafficking.

4.3.4. International Relations

Countries with strict anti-narcotics policies are likely to respond to Thailand's marijuana legalization policy as a challenge to the international narcotics regime. The different responses of countries regarding the legalization of marijuana can certainly affect Thailand's diplomatic relations, because this new policy of Thailand can open a global dialogue related to narcotics policy that can lead to reform or rejection. In addition to countries in the region, Thailand's policy in legalizing marijuana can also influence other countries outside the regional region to respond to the issue of marijuana legalization.

4.3.5. International Norms and Regimes

The legalization of marijuana in Thailand is likely to trigger changes in the international narcotics regime, including the potential revision of the 1961 Single Convention on Narcotic Drugs which could be reformed or even tightened, which will depend on the outcome of Thailand's policy implementation in the future.

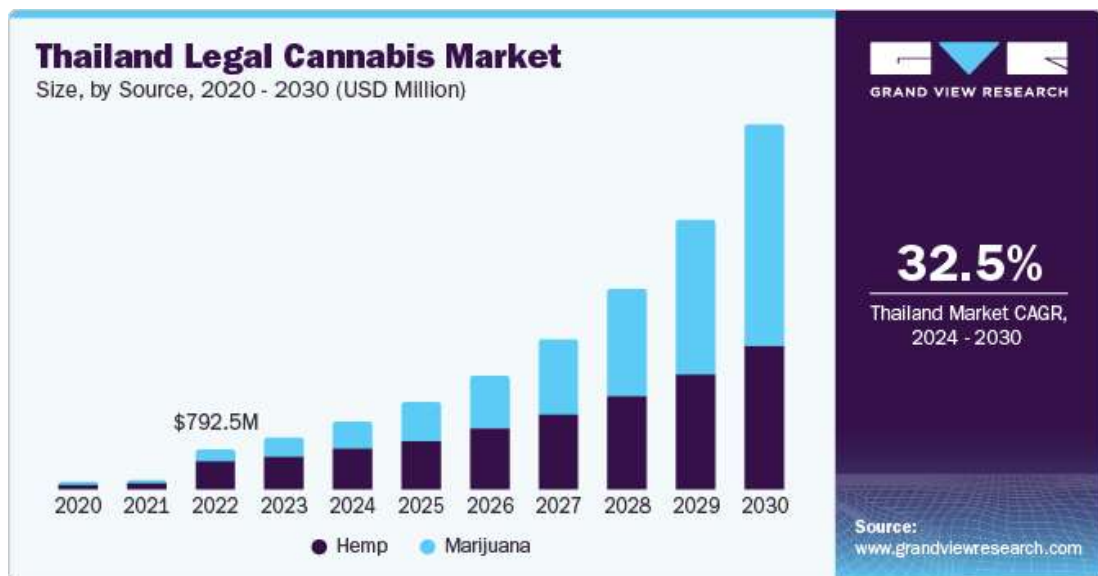
4.3.6. Research and Development

This cannabis legislation policy can make Thailand a new center for cannabis research and development. This can certainly make Thailand's position stronger in the global scientific community and attract pharmaceutical companies and scientists from all over the world to invest in Thailand. With the legalization of marijuana carried out by Thailand, it can increase medical marijuana research which opens up the potential for innovative and broader medical benefits for treatment.

4.4 Economic Importance

The legalization of marijuana in Thailand has provided enormous benefits to the economy of Thailand. According to Grand View Research, the legal cannabis market in Thailand in 2023 has reached USD 1.02 billion and this amount is expected to increase by 32.5% from 2024 to 2030. . Here is a graph released by Grand View Research regarding the increase in legal cannabis market revenue in Thailand:(Grand View Research, 2024)

Graph 1. Thailand Legal Cannabis Market



Source: (Grand View Research, 2024)

From the graph, it can be seen how the development of the legal marijuana market in Thailand continues to increase and has huge prospects for the future period. This increase is the result of the high demand for new products that require Canabinoid, such as beauty products, beverages and food. The development of the legal marijuana market clearly provides great benefits to the economy of Thailand because it directly provides many new jobs for Thailand citizens.

In addition to the available jobs in new industries, the legalization of marijuana also attracts the interest of foreigners who make Thailand a cannabis tourism destination. This makes Thailand's tourism on the rise, this tourism opportunity will certainly increase the country's foreign exchange and open opportunities for citizens to open businesses that can support the tourism sector. The Thailand government in its law also provides opportunities for citizens who want to cultivate cannabis plants in accordance with applicable regulations. With many people opening new businesses and cultivating cannabis plants, the state imposes taxes on state revenue. This tax provision has been regulated by the Thailand government by adjusting the size of the business and the capacity of the cultivation carried out.

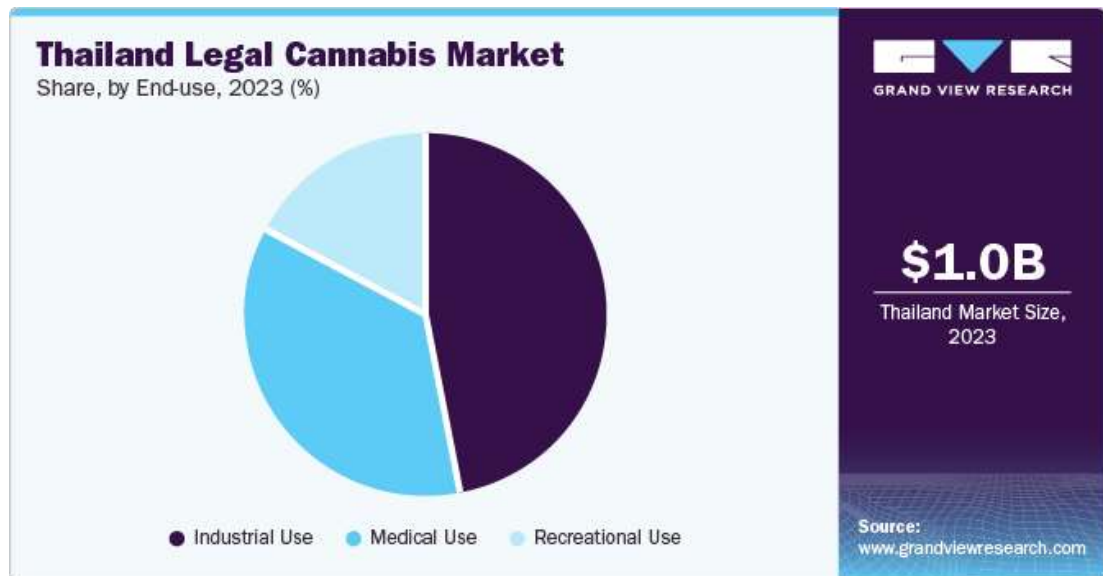
4.5 Public Health Interest

Thailand's public health policy seeks to provide equal access to every patient who needs medical marijuana, considering the high demand for medical marijuana, one of the reasons for the high demand for medical marijuana is the high number of cancer patients. According to data from the Global Cancer Observatory, in 2020 Thailand had a record of 190,636 cancer patients. . In addition to cancer patients, many patients with other diseases need cannabinoids for pain management therapy. (Grand View Research, 2024)

The medical usefulness of marijuana has been recognized by the 1961 Single Convention on Narcotic Drugs, it is clear that medical use is indeed a benefit of the supposed legalization of marijuana. The challenges from the realm of public health actually come from the abuse of marijuana which is still included in addictive substances, for this reason it needs to be underlined related to the use of marijuana for non-medical purposes that cause many concerns and risks such as abuse factors, addiction and the impact of hallucinogens that can

endanger the safety of its use. The following is a percentage chart from Grand View Research that illustrates a comparison of the percentage of legal marijuana use in Thailand in medical, industrial and recreational use:

Graph 2. Legal marijuana use in Thailand



Source: (Grand View Research, 2024)

In the graph, it can be seen that the percentage of cannabis use for industry is the largest commodity with a market revenue of 46.9% in 2023. . In the industrial realm, it may not be a problem if the government can coordinate these industries to comply with the correct policies and prevent illegal crimes that are vulnerable to occur in the industrial market. (Grand View Research, 2024)

4.6. Analisis Cost – Benefit

Based on the data that has been collected on the benefits of marijuana legalization carried out by the State of Thailand, namely:

- Economic benefits through tax revenue, job creation, tourism sector, industry and foreign investment.
- Public health benefits with the creation of alternative treatments and developments in the medical world, as well as a reduction in medical costs because marijuana is cheaper than chemical drugs.
- It can be an example and reference for other countries that want to implement the same policy.

Meanwhile, the risks that may arise from the legalization of marijuana in Thailand:

- Violation of the 1961 Single Convention on Narcotics because the Thailand country allows the use of non-medical marijuana.
- The potential for increased use may lead to mental health problems or addiction.
- The risk of crime, black market, and illegal trafficking.

5. Conclusion and Recommendations

Thailand's decision to legalize marijuana is driven by a combination of medical, economic, social, political, and cultural factors. With legalization, Thailand hopes to improve public health, boost economic growth, reduce the burden on law enforcement, and recognize the tradition of using cannabis in medicine. The legality of the use of cannabis for commercial purposes other than medical and scientific use strictly regulated by the Single Convention on Narcotics of 1961 can be considered an offence. Therefore, even though Thailand has legalized marijuana, they must still ensure that the use and distribution of marijuana remains within the medical and scientific framework recognized by the convention. Any use of cannabis outside of this scope, especially for recreational or non-medical commercial purposes, has the potential to violate the provisions of the international convention. The benefits of legalizing marijuana in Thailand can be recognized based on its economic benefits, improved public welfare and medical use. However, the risks of potential increased use that threaten public health and social risks such as criminality and illegal trade must also be recognized and properly addressed.

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