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Legal framework workbook 2026

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When responding to the workbook, please be certain to use the fields associated with each question to allow the EMCDDA to identify the relevant parts.

T0. Summary

Please provide an abstract of this workbook (target: 500 words) under the following headings:

- Summary of T.1.1.1 on the characteristics of drug legislation and national guidelines for implementation within your country (are offences criminal; what is the range of possible penalties; are there alternatives to punishment)?
- Summary T1.1.2: on how do the penalties vary by drug / quantity / addiction / recidivism?
- Summary T1.1.3: are there distinct laws for controlling NPS?

- In France, the regime applicable to the use of drugs and trafficking was established by Law no 70-1320 of 31 December 1970 on health measures to fight drug addiction and combat the trafficking and use of poisonous substances. The provisions of this law were since codified in the French Public Health Code (CSP in French). The penalties incurred by the perpetrators of drug-related offences depend on the severity of the offences committed (see T1.1.1). The illicit use of narcotic drugs (Art. L.3421-1 of the Public Health Code) is subject to criminal penalties, ranging from a criminal fixed fine (AFD) up to a fine of €3 750 and one year's imprisonment, whereas narcotics trafficking is punishable by sentences that may exceed 10 years' imprisonment (Art. 222-34 et seq. of the Penal Code), as are related offences (money laundering, failure to justify resources consistent with one's lifestyle, etc.). The criminalisation of drug use is reflected in a wide range of responses: some suspend or cancel prosecution but are still sanctions, such as alternatives to prosecution or fixed penalty notices; others result in legal proceedings, which may lead to a fine or other types of sentence (or even, sometimes, imprisonment).
- Although French law makes no distinction between drugs as some countries do, it distinguishes between the illicit sale and supply of narcotics to a person for their personal use and other situations. Repeated offences are more severely sanctioned (see T1.1.2).
- There are no specific laws regulating new psychoactive substances (NPS). The rationale for classifying a NPS on the list of narcotics is both individual (each prohibited substance is named on the list) and generic (see T1.1.3).
- The main development in France in 2025 was the adoption of the Law of 13 June 2025 seeking to get France out of the drug trafficking trap. This law establishes a specialised Public Prosecutor's Office at national level: the National Organised Crime Public Prosecutor's Office (PNACO), in addition to the two existing national specialised Public Prosecutor's Offices: the National Anti-Terrorism Public Prosecutor's Office and the National Financial Public Prosecutor's Office. Certain provisions of the drug trafficking law, such as the introduction of a strict prison regime or the offence of membership in a criminal organisation, are inspired by the Italian model and its anti-mafia legislation (see T3).

T1. National profile

T1.1. Legal framework

The purpose of this section is to summarise the basic penalties and other responses to the offences of use, possession for personal use, supply (including production) of illicit drugs.

T1.1.1. Please describe the characteristics of drug legislation and national guidelines for implementation within your country (are offences criminal; what is the range of possible penalties; are there alternatives to punishment)?

In France, narcotics-related offences are classed as crimes or offences according to their severity and the penalties incurred.

- **The illicit use of narcotics**

The illicit use of any substance or plant classed as a narcotic is an offence that will result in penalties that may go up to one year in prison and a fine of €3 750 (Art. L.3421-1 of the Public Health Code).

By virtue of the principle of opportunity applicable in French law, the facts must be considered on a case-by-case basis in order to adopt a penal response adapted to the local specificities and to each individual situation, taking into particular consideration the nature of the product used, its quantity, and the personality and criminal record of the individual.

Apart from a case being dropped, there are three possible responses to an offence under the legislation on narcotic drugs: a fixed fine (AFD in French), which is issued directly by the security forces without the need for a judge's approval; alternatives to prosecution which are decided by the public prosecutor; and legal proceedings which lead to the decision of a judge.

1/ Criminal fixed fine (AFD)

Introduced by the law of 18 November 2016 (known as the Urvoas Act) and extended to cover the use of narcotics by law No. 2019-222 of 23 March 2019 establishing the 2018–2022 justice programme, the criminal fixed fine (AFD) has been added to the system of criminal responses to illegal drug use since its nationwide introduction on 1 September 2020. This fine is set at an amount of €200 (reduced to €150 and increased to €450 depending on the time taken to pay) and could rise to €500, according to the President of the Republic's announcement on 16 December 2025 in Marseille, as this measure has been included in the RIPOST Bill (see T3.4). It is issued by the police, without recourse to a magistrate, to people caught using a narcotic or being in possession of small quantities. This payment puts an end to legal proceedings but is considered a criminal conviction and is recorded as such in the criminal record. Article L.3421-1 of the Public Health Code provides that any illegal use of narcotics (provided the person is of legal age and this is the only offence recorded) may be subject to a fixed-amount administrative fine. In practice, it is reserved for situations in which the use does not appear to require the referral of the user to a health facility. Criminal policy instructions issued by the Public Prosecutor, specifying the nature and quantities of products that may be affected by the procedure, provide a framework for the action of law enforcement officers.

2/ Alternatives to prosecution

For all offences, including narcotics use, the law provides for alternatives to prosecution: instead of referring the case to court, the public prosecutor requires the person to comply with one or more measures. If the individual carries out the measures, the public prosecutor closes the case with no further action. However, non-compliance, even partial, may result in a summons to appear before the court with a view to a ruling.

Alternatives may or may not be recorded in the criminal record.

Measures not recorded in the criminal record are provided for in Article 41-1 of the Criminal Procedure Code. As far as narcotics use is concerned, they mainly consist of the following:

- a reminder of the law by a judicial police officer or by a delegate of the public prosecutor;
- referral to a healthcare, social or professional organisation: in this context, the person is invited to contact a treatment structure; they may also be required to complete a training course at a healthcare, social or professional organisation, in particular a course to raise awareness of the dangers of drug and alcohol use, carried out at their own expense;
- a court-ordered treatment measure.

The measures recorded in the criminal record are fixed penalty notice measures, described in Article 41-2 of the Criminal Procedure Code. A fixed penalty notice measure, proposed by the public prosecutor, must be accepted by the individual and approved by a judge. In this context, the following may be ordered: a fixed penalty fine; unpaid community service for a maximum of 60 hours; court-ordered treatment; or attendance at an awareness-raising course on the dangers of drug use at the user's expense.

3/ Proceedings and court trials

If alternatives to prosecution fail, or if the defendant's personality or the seriousness of the offence warrants it, the public prosecutor may decide to prosecute. These proceedings can take several procedural forms, which result in a conviction if the defendant is found guilty. The most common procedural routes used for drug offences are:

- a penal order, a simplified procedure allowing the individual to be tried without appearing in court. The individual can only be sentenced to a fine, and no prison sentence can be pronounced in this context;
- a guilty plea procedure (CRPC in French), as set out in Articles 495-7 to 495-16 of the Criminal Procedure Code. This allows the prosecutor to propose one or more sentences to an individual who admits the facts of which they are accused. It involves a public hearing during which the sentence proposed by the prosecutor and accepted by the individual must be approved by the presiding judge. A guilty plea implies that criminal proceedings have been initiated. A prison sentence and/or a fine may be imposed (Article 495-8). These sentences may be suspended or conditional, with a number of obligations (e.g. compulsory drug treatment or court-ordered treatment).

The judge or the court may also impose alternatives to imprisonment, such as court-ordered treatment, a drug awareness course, community service, suspension of driving licence, a ban on carrying out certain activities, the obligation to wear an electronic bracelet.

- **Road homicide** (created by the Law of 9 July 2025 establishing the offence of road homicide and aimed at combating road violence)

The bill was tabled on 17 October 2023. The Law of 9 July 2025 introduces three new road traffic offences that are not classified as "involuntary", as this terminology is considered inappropriate in the context of road traffic and is particularly distressing for victims and their families. These new offences,[1] distinct from involuntary manslaughter or unintentional harm to a person's physical integrity, are:

1. Road homicide (Art. 221-18), punishable by seven years' imprisonment and a fine of €100 000.

2. Road traffic injuries resulting in more than three months of temporary incapacity for work (Art. 221-19), punishable by five years' imprisonment and a fine of €75 000.
3. Road traffic injuries resulting in temporary incapacity for work of three months or less (Art. 221-20), punishable by three years' imprisonment and a fine of €45 000.

These new offences may be applied only if at least one of the aggravating circumstances listed in Articles 221-18, 221-19 and 221-20 of the Penal Code can be established. These aggravating circumstances include, in particular: drunkenness, drug use, refusing to submit to a blood alcohol or saliva test, and the misuse or excessive use of psychoactive substances (for example, the misuse of nitrous oxide or the excessive consumption of prescription drugs). If at least two aggravating circumstances are present, the sentence incurred will be increased to 10 years' imprisonment and a fine of €150,000.

[1] https://www.vie-publique.fr/loi/292845-creation-dun-homicide-routier-securite-routiere-loi-du-9-juillet-2025, accessed on 26 May 2026.

- **Driving under the influence of drugs**

Driving under the influence of drugs, regardless of the quantity consumed, is an offence punishable by 2 years imprisonment and a fine of €4 500 (Art. L235-1 et seq. of the French Traffic Code). It is accompanied by an automatic loss of 6 points of the driving license.

This offence is accompanied by additional penalties which may also be imposed on the driver at fault (suspension or cancellation of the driving licence, day-fine, community service, road safety and/or drug awareness course, etc.).

In the event of an accident, the fact of having used drugs constitutes an aggravating circumstance. The penalties for accidents and associated damage resulting in total inability to work of up to three months are increased to three years' imprisonment and a fine of €45 000 (Article 222-20-1 of the Penal Code).

It is worth noting that cannabis test positivity is likely to last for up to several weeks depending on the person, and that the law does not establish a threshold, above which an offence has been committed. Similarly, some CBD users are likely to produce a positive THC test result, given that it is a legal substance in France. This reality is currently sparking numerous debates in France (see T3) (Willeman *et al.* 2023).

Furthermore, the law establishing the offence of road homicide increases the sentences incurred for driving under the influence of narcotics: the administrative suspension of the driving licence is now automatic.

- **Drug trafficking** (Art. 222-34 et seq. of the French Penal Code

Drug trafficking covers several offences which are punished differently:

- directing a criminal group with the aim of illicitly producing, manufacturing, importing, exporting, transporting, possessing, offering, transferring, acquiring or using drugs is a crime punishable by life imprisonment and a fine of 7.5 million euros (article 222-34 of the Penal Code);
- the illicit production and/or manufacture of drugs are also crimes, punishable by 20 years' imprisonment and a fine of 7 500 000 euros, which may be increased to 30 years of imprisonment if committed by an organised gang (article 222-35 of the Penal Code) ;
- the illicit export and/or import of drugs is punishable by a maximum of 10 years' imprisonment and a fine of 7 500 000 euros, which may be increased to 30 years if committed by an organised gang (article 222-36 of the Penal Code);

- the illicit transport, possession, supply, transfer, acquisition or use of drugs (trafficking) are offences punishable by 10 years' imprisonment and a fine of 7 500 000 euros (article 222-37 of the Penal Code);
- Equivalent penalties are provided for in the event that drugs are issued through fictional prescriptions or convenience, or in order to facilitate, by any means whatsoever, illicit drug use (Art. 222-38 of the Penal Code);
- the illicit transfer or offer of drugs to a person for personal consumption is an offence punishable by 5 years' imprisonment and a fine of 75 000 euros, with the prison sentence being increased to 10 years when the drugs are, in particular, offered or sold to minors (article 222-39 of the Penal Code). In practice, according to the principle of opportunity, prosecutors and courts take into account the quantity detained and the circumstances of the offence in order to qualify the facts as criminal.

These offences may also lead to the confiscation of all or part of the offender's property or property at his freewill, even if it has not been bought from the proceeds generated by drug trafficking.

A specific investigation regime for drug trafficking cases (Art. 706-80 to 706-106 of the Criminal Procedure Code) is also provided for: extension of police custody to 96 hours with the magistrate's authorisation, night-time searches, sound recordings, controlled deliveries.

- **Other offences related to drug trafficking**

Drug trafficking acts also constitute the customs offence of smuggling, importing or exporting drugs without declaration which, under Article 414 of the Customs Code, is punishable by:

- A prison sentence of a maximum of 10 years;
- The confiscation of the object of fraud, the means of transport and the objects used to conceal the fraud;
- The confiscation of property and assets which are the direct or indirect product of the offence;
- A Customs fine of up to 10 times the value of the fraudulent goods.

Furthermore, the laundering of money from drug trafficking (Article 222-38 of the Penal Code) is punishable by 10 years' imprisonment and a fine of 7 500 000 euros. The maximum sentence is increased to 20 years for laundering of drug production/manufacture and 30 years for importing or producing drugs in an organised gang.

Finally, Article L.321-6 of the Penal Code makes it an offence not to be able to justify resources corresponding to one's lifestyle, or not to be able to justify the origin of property held, while being in habitual relationships with one or more persons engaged in the commission of crimes or offences, in particular relating to drug trafficking, and providing the latter with a direct or indirect profit. The penalty is 3 years' imprisonment and a fine of 75 000 euros.

All these penalties, which are not exhaustive, may be accompanied by various measures involving deprivation or restriction of liberty, professional bans, residence bans or inadmissibility for foreigners.

- **Cannabidiol (CBD) legislation**

Products containing CBD are exempt from the general ban on narcotics, regardless of their form, if they comply with the conditions set by the legislative order of 30 December 2021, issued pursuant to Article L. 5132-8 of the Public Health Code (CSP). This legislative order, repealing the order dated 22 August 1990, has extended the scope of exceptions to the

general ban on products derived from hemp: it authorises the cultivation, import, export and industrial use of hemp (or *Cannabis sativa* L.) under the following cumulative conditions:

- Products containing CBD must be derived from plant varieties:
  - listed in the Common Catalogue of Varieties of Agricultural Plant Species or in the Official Catalogue of Species and Varieties of Cultivated Crops in France,
  - and with a THC content of 0.3% or less.
- Regarding their cultivation, only active farmers as defined by current European and national regulations may grow hemp flowers and leaves in France. Only certified seeds may be used. The sale of plants and the practice of taking cuttings are prohibited. Crops do not have to be declared to any authority, except in the case of active farmers wishing to obtain Common Agricultural Policy (CAP) subsidies.
- Hemp extracts, as well as products containing them, must have a THC content of 0.3% or less.

As a result, certain products incorporating hemp extracts and raw parts of the hemp plant, including the flowers and leaves, are permitted under narcotics law if they comply with the conditions listed above. Otherwise, they are subject to penal policy for combating narcotics (the penalties incurred are described here in French).

It is prohibited to drive after consuming legal cannabidiol (CBD, with a THC content of no more than 0.3%).

In May 2026, the health authorities declared that foodstuffs containing cannabidiol must be withdrawn from the market (Ministère de l'Agriculture, de l'Agro-alimentaire et de la Souveraineté alimentaire 2026).

- **Legislation on tobacco and alcohol**

The Bill on the Simplification of Economic Life was passed by the Senate and then by the National Assembly in 2024. In April 2026, the text was referred to the Constitutional Council. The Constitutional Council examined an amended and expanded version of the government's original text (the number of articles increased from 28 to 84 following the debates). By Decision no. 2026-903 DC of 21 May 2026, the Law on the Simplification of Economic Life was held to be partly unconstitutional. The Constitutional Council struck down 25 articles (in whole or in part) that were contrary to the Constitution. These included Articles 74 and 76: Article 74 (struck down) provided for an exemption in municipalities with fewer than 3 500 inhabitants: a category 4 establishment could be opened if no establishment of this category was already operating. Article 76 (struck down) of the referred Law allowed spirit production sites open to the public, and museum or educational spaces dedicated to the production of spirits, to hold a category 4 licence. Law no. 2026-403 of 26 May 2026 on the Simplification of Economic Life was published in the Official Journal on 27 May 2026.
See the Prevention workbook for more information.

- **The role of the criminal justice response to drug law offences and addiction in custody in the 2026 Finance Bill**

The annex to the Finance Bill (Premier ministre 2025) sets out the budget for the prison authorities and its contribution to the production of knowledge on addictive behaviours among individuals under judicial supervision. The document reports on training activities for prison staff on these subjects. The funds from the "Narcotics" support fund[1] of the Interministerial Mission for Combating Drugs and Addictive Behaviours (MILDECA) are

[1] A fund financed by the seizure of criminal assets; consisting of the proceeds from the disposal of property confiscated in criminal proceedings in drug cases.

listed, as well as those allocated to security measures as part of efforts to tackle narcotic trafficking (pages 70 to 75).

T1.1.2. How do the penalties vary by drug / quantity / addiction/recidivism?

According to Articles 132-9 and 132-10 of the Penal Code, sentences may be doubled in the event of a subsequent offence, although this does not specifically concern drug law offences (DLO).

T1.1.3. What, if any, legislation within your country is designed to control New Psychoactive Substances (NPS)?

There are no specific laws regulating new psychoactive substances (NPS). The legal framework relating to narcotics applies to NPS, as soon as they are included on the list of substances classified as narcotics. The rationale for classifying a NPS on this list is both individual (each substance is named) and generic: it "starts with a basic molecular structure (not necessarily psychoactive) and stipulates the variants affected by the ban" (Martinez 2013). The decision is taken by the director of the French National Agency for Medicines and Health Products Safety (ANSM).

By the Decision of 16 January 2026 of the ANSM, the following additions were made to the list of substances classified as narcotics (Article L. 5132-7 of the Public Health Code):

- 2-methylmethcathinone or 2-MMC or 2-(methylamino)-1-(2-methylphenyl)propan-1-one (also known as ortho-mephedrone)
- N-ethylnorpentedrone or NEP or 2-(ethylamino)-1-phenylpentan-1-one.

T1.1.4. ***Optional****. If available provide information in a separate paragraph on other topics relevant to the understanding of the legal framework for responding to drugs in your country, such as: drug driving, workplace regulations, drug testing, precursor control, organised crime legislation relevant to drug trafficking, issues focused on minors. Regulatory aspects of treatment and harm reduction are also of interest.*

T1.2. Implementation of the law

The purpose of this section is to

- Summarise any available data on the implementation of legislation.
- Provide any additional contextual information that is helpful to understand how legislation is implemented in your country.

T.1.2.1. Is data available on actual sentencing practice related to drug legislation? Please provide a summary and a link to the original information or state if no information is available.

In 2025, the classification used by the statistical department of the Ministry of Justice was revised, reducing the number of statistical categories of drug-related offences from seven (Use / Import-export trafficking / Possession, acquisition, use of drugs / Trade, transport of drugs / Supply and sale of drugs / Assisting others in drug use / Other offences) to two categories: Use / Trafficking. Any offence that does not constitute Use is classified as Trafficking.

In 2024, 71 040 convictions recorded (entered in the criminal record) involved at least one drug-related offence, distributed as follows:

- 28 215 convictions for trafficking only;
- 32 892 convictions for use only;
- 9 933 convictions for use and trafficking.

A total of 148 900 offences related to drug use and/or trafficking were penalised.

Source: *Références Statistiques Justice*, 2025 edition (Ministère de la Justice 2026a) (drug-related offences are in chapter 14.1), SG, SSER, statistical file of the National Criminal Record for Natural Persons.

Note: The 2024 convictions are provisional; 22% of those handed down by the courts for drug-related offences are estimates.

Convictions for a principal offence of drug use resulted in the imposition of 17 335 sentences. The most common sentence was a fine (70% of principal sentences). Half of the fines imposed (wholly or partly unsuspended) amounted to €300 or less. Prison sentences were imposed in 9% of convictions, partially suspended in more than four out of ten cases (45%). The average custodial sentence imposed was 4.0 months.

Convictions for narcotic trafficking as the principal offence resulted in 35 950 sentences. These were primarily custodial sentences, either fully or partially served (49% of principal sentences), or suspended sentences (35% of principal sentences). The average unsuspended term for custodial sentences that were wholly or partly unsuspended was 13.4 months. Fines accounted for 2.3% of principal sentences. Of these, 91% included a custodial component. Half of the fines that were wholly or partly unsuspended amounted to €500 or less.

Of the individuals with final convictions for narcotics trafficking, 26% committed legal recidivism, while 26% reoffended. These rates were 14% and 38% respectively for illicit drug use. Legal recidivism and repeat offending are concepts defined by the French Penal Code. They refer to situations in which an individual who has been finally convicted commits a further offence (Articles 132-8 to 132-10 of the Penal Code for legal recidivism and Article 132-16-7, paragraph 1, for repeat offending).

With regard to use, a significant proportion of the offences committed are sanctioned prior to prosecution in court. In terms of police activity, criminal fixed fines represent around 68% of those questioned about use, reaching nearly 196 400 in 2024 (SSMSI 2025). At the level of the public prosecutor's office, among criminal responses (judicial prosecutions or alternatives to prosecution), in 2024 alternative measures to prosecution accounted for 16% of the measures taken against perpetrators of drug use offences (of which 25% were drug warnings and approximately 21% referrals to a health and social facility). 3 459 fixed penalty notices relating to infringement of use were successfully handed down in 2024. At the level of the trial courts, fines represent the majority of judgements: they represent 70% of convictions for use in 2023 compared to 11% resulting in custodial sentences.

T.1.2.2. Is data available on actual sentencing practice related to legislation designed to control NPS? Please provide a summary and a link to the original information or state if no information is available.

Actual court practices on the penal response to NPS cannot be documented at present. They may have recourse to the article on inciting use, but no detailed statistics according to type of substances are available. Furthermore, when suspect goods are detected by the services, particularly Customs, in order to remove it from the market, the substance may

be assimilated to a "medication by function". The public prosecutor may decide to initiate an investigation and, if appropriate, to prosecute the offenders in court..

T1.2.3. Optional. If possible, discuss why implementation might differ from the text of laws (e.g. political instructions, resource levels, policy priorities).

The practical application of the law may vary depending on local specificities, as well as the activity of each court, its caseload, and the practice of each public prosecutor, in accordance with the principle of prosecutorial discretion.

Thus, in order to harmonise the criminal justice policy applied within the jurisdiction of their Court of Appeal, the Court of Appeal prosecution offices may decide on the guidelines to be followed by local public prosecutors' offices. They may then encourage them to favour immediate hearing for certain offences or decide to use the criminal fixed fine (AFD) scheme only for specific types or quantities of narcotic substances.

Local public prosecutor's offices also issue general guidelines to the investigation services within their jurisdiction to guide them in case management. Depending on the offence in question, the profile of the suspect, and the quantity or type of narcotic substances found, they determine the appropriate procedure to follow (placement in police custody, search, referral to court or not, etc.).

At national level, the Keeper of the Seals, Minister of Justice, may also issue general criminal policy guidelines to the public prosecutor's offices through Directives. This was notably the case with the General Policy Directive of 27 January 2025, through which the Minister called on public prosecutors to implement a firm criminal justice policy in the fight against criminal organisations and drug trafficking. The Directive also proposed treating certain proceedings from the perspective of combating human trafficking, where people are forced to commit the offences and crimes arising from drug trafficking, particularly where the exploitation of a minor by the network is reported. It also urged public prosecutors' offices to prioritise the fight against money laundering and the financial gains generated by this form of crime, notably by favouring asset investigations conducted jointly by investigative services and interministerial research groups, and by systematically implementing seizures and confiscations, particularly before a court order, with the allocation of confiscated assets to investigative and judicial services.

Similarly, the Minister of Justice, by means of the Directive of 24 April 2025, instructed the principal public prosecutors (*procureurs généraux*) and the public prosecutors (*procureurs de la République*) to systematically seize the mobile phones of drug users, since these devices enable users to contact dealers. The aim is to confiscate the instrument of the offence, pursuant to Article 131-21 of the Penal Code, on the grounds that, by using them, drug users sustain the trafficking.

Finally, prefects and mayors play a role in the local enforcement of the law, including in situations where there is a legal vacuum. This is, for example, the case when they issue local legislative orders to regulate the use or circulation of nitrous oxide within their jurisdiction.

T2. Trends

The purpose of this section is to provide a commentary on the context and possible explanations of trends in legislation and the implementation of the legislation within your country.

T2.1. Please comment on any changes in penalties and definitions of core offences (offences of use, possession for personal use, supply (including production) of illicit drugs) in the legal framework since 2000.
If possible discuss the possible reasons for change (e.g. political philosophy, changes in the drug situation, public debate, policy evaluation).

The framework of the French policy for combating illicit drugs is set forth in the 1970 French law on narcotics [Loi n°70-1320 relative aux mesures sanitaires de lutte contre la toxicomanie et à la répression du trafic et de l'usage illicite des substances vénéneuses]. Only a few legislative changes have occurred since (see below). Beyond the modifications of the law, the orientations of the penal policy for combating drug use and traffic have been regularly redefined and have led to a quasi-systematization of the penal response to the use of narcotics (see T1.1.1).

The law of 9 March 2004 [Loi n°2004-204 portant adaptation de la justice aux évolutions de la criminalité] allows to reduce by half sentences handed down to offenders in particular for trafficking offences if, "by having informed the administrative or legal authorities, the offender has made it possible to put an end to the offence and possibly identify other guilty parties". This possibility for "penitents" to get a reduced sentence for trafficking is a new feature in the French penal process.

The "delinquency prevention law" of 5 March 2007 [Loi n°2007-297 relative à la prévention de la délinquance] provided for a wider range of law enforcement measures that could be taken against drug users:

- It introduced a new penalty: a mandatory awareness course on the dangers of drug and alcohol use (article 131-5-1 of the Penal Code), mandatory and paying (€450 maximum, the amount of a third-class contravention). Its aim is to make offenders fully aware of the danger and harm generated by the use of narcotic substances, as well as the social impact of such behaviour. The drug awareness course may be proposed by the authorities as an alternative to prosecution and to fixed penalty notice. An obligation to complete the drug awareness course may also be included in the criminal ruling as an additional sentence. It applies to all individuals over the age of 13.
- It also broadens the scope of application of the court-ordered treatment measure provided for in Articles L. 3413-1 to L. 3413-4 of the Public Health Code: previously an alternative measure to prosecution, court-ordered treatment can now be ordered at all stages of criminal proceedings as a means of enforcing a sentence. The application directive issued by the Ministry of Justice on 16 February 2012 [Circulaire CRIM 2012-6/G4 relative à l'amélioration du traitement judiciaire de l'usage de stupéfiants] invites the legal authorities to systematically envisage a drug treatment order when circumstances reveal that the suspect needs treatment.
- This law also makes it possible to use the penal order, a simplified procedure allowing the person to be judged without appearing before the court, for the offence of drug use.

In addition, the Law of 5 March 2007 makes being under the influence of drugs an aggravating circumstance for the crime of rape (Art. 222-23 of the Penal Code) and several offences: violence (Art. 222-11 and 222-13 of the Penal Code), sexual assaults other than rape (Art. 222-27 and 222-29 of the Penal Code), sexual offences against a minor of fifteen years of age or under (Art. 222-5 of the Penal Code).

Law no. 2019-222 of 23 March 2019 programming and reforming the 2018-2022 justice programme introduces various measures to improve the effectiveness of the criminal response to drug offences. In addition to the creation of the criminal fixed fine (see T.1.1.1),

it extends the possibility of using the penal orders for offences involving the supply and transfer of drugs for personal use, while repealing the probation order and the penal transaction, which were very rarely used. These measures are alternatives to prison that simplify and speed up the criminal response.

The Senate commission of inquiry on the impact of drug trafficking in France and the measures to be taken to address it delivered its findings on 14 May 2024. The creation of new criminal procedure tools to combat drug trafficking was a key focus of the work of this inquiry commission, which aimed to anticipate the law against drug trafficking enacted on 13 June 2025[2] (Commission des lois 2025).

The text of the Law of 13 June 2025 seeking to get France out of the drug trafficking trap originated in a bill tabled on 12 July 2024, followed by an agreement reached in a joint committee on 10 April 2025. It was subsequently passed by the Senate and the National Assembly on 28 and 29 April 2025 respectively. Finally, the Decision of the Constitutional Council was delivered on 12 June 2025, holding the law to be partly contrary to the Constitution. The Directive of 28 July 2025 sets out the criminal provisions arising from this law. This law (which came into force on 5 January 2026) established the National Organised Crime Prosecutor's Office (PNACO), whose purpose is to handle high-level criminal phenomena (Ministère de la Justice 2026b). The PNACO is governed by Organic Law no. 2025-531 of 13 June 2025 establishing the status of the Public Prosecutor for Organised Crime.

The Drug Trafficking Law strengthens the fight against money laundering.[1] It allows prefects to temporarily close businesses suspected of laundering the proceeds of drug trafficking or organising such laundering. Places of worship, associations and meeting venues may be closed only if such closure is strictly necessary, appropriate and proportionate. Professionals and persons carrying out an activity referred to in Article 4 of the law, who are subject to due diligence obligations, must report any suspicious transaction to TRACFIN.

The law establishes a procedure for freezing the assets of dealers, modelled on the existing counter-terrorism procedure. It extends investigative and intelligence powers by extending the experimental satellite interception scheme aimed at preventing particularly serious breaches of public order; by allowing infiltration by civilians and remote activation of fixed and mobile devices under certain conditions (subject to reservations expressed by the Constitutional Council); by providing a procedure ensuring the anonymity of specialised investigators and interpreters; and by creating a separate record, also known as the "strongbox file" (*dossier coffre*), which allows certain information on the use of special investigative techniques to be excluded from the criminal file where disclosure could place a person in serious danger. (The Constitutional Council struck down provisions that would have exceptionally allowed a conviction to be handed down based on evidence placed in the strongbox file).

The Drug Trafficking Law amended Articles 450-1 to 450-5 of the Penal Code by creating an offence punishing membership of a criminal organisation, inspired by Italian anti-mafia legislation (Thin 2026). The recruitment of minors by drug-trafficking networks on social media is punishable by seven years' imprisonment and a fine of €150 000.

The law provides for an exceptional extension of police custody for mules in the overseas territories to 120 hours and introduces an additional sentence (a ban on flying or boarding a ship). The law establishes administrative exclusion orders from dealing hotspots and enables prefects to require landlords to apply to the courts for the eviction of tenants involved in narcotic trafficking activities (Article 62).

2

In prisons, the implementation of the Drug Trafficking Law notably led to the opening of two high-security prisons in Vendin-le-Vieil in July 2025 and in Condé-sur-Sarthe in October 2025.[3] The law sets out measures to combat the continuation of trafficking from prison by providing for longer sentences for trafficking in custody, the installation of cameras in prison convoys, and the use of drones in prison settings to prevent the introduction of prohibited items.

Decree No. 2025-620 of 8 July 2025 on units dedicated to the fight against organised crime, on the anonymity of prison authority staff, and amending the Penitentiary Code provided for the creation of high-security prisons with a strict custody regime inspired by the Italian model (visiting rooms with separation barriers, systematic strip searches after any contact with a person from outside the prison, restricted access to telephones) and guarantees the anonymity of prison officers assigned to these units.

Decree no. 2025-935 of 8 September 2025 designating the National Directorate of Judicial Police as the lead agency in the fight against organised crime made this service the coordinating body for the interministerial actions of the services involved in the fight against organised crime, which was declared an "absolute interministerial priority"[4] in April 2026 by the Minister of the Interior, Laurent Nuñez.

The status of "repentant offender" (*repenti*) has been revised by regulation (Decree no. 2026-224 of 30 March 2026 concerning the status of collaborators with justice and the protection of persons referred to in Articles 706-62-2 and 706-63-1 of the Code of Criminal Procedure). It has been extended to include violent crimes. In return for their cooperation, these persons are granted a reduction in their sentence.

Decree No. 2025-1330 of 26 December 2025, setting out the arrangements for applying Articles 706-75-3 and 706-75-4 of the Code of Criminal Procedure, introduced by Article 30 of Law no. 2025-532 of 13 June 2025 aiming to get France out of the drug trafficking trap, gave exclusive and concurrent jurisdiction to the sentence enforcement courts of Paris and the specialised interregional courts to make decisions concerning persons convicted of an offence falling within the scope of these articles. This decree continues the specialisation of the criminal justice chain in trafficking proceedings. The Paris sentence enforcement courts and the specialised interregional courts are the only ones authorised to take certain decisions regarding the enforcement of sentences (exclusive jurisdiction), and all of them are competent to do so (concurrent jurisdiction).

Decree no. 2025-1406 of 30 December 2025 on the removal of content intended for the illicit transfer or offer of narcotic drugs and the blocking or de-listing of sites disseminating such content extended the provisions of the Law of 21 June 2004 on confidence in the digital economy: messages containing offers of narcotic drugs may be removed and sites enabling their diffusion may be blocked.

In connection with this law, Decree no. 2025-1412 of 30 December 2025 amending the decree on the compensation scheme for members of the judiciary and drawing the consequences of the creation of the National Organised Crime Prosecutor's Office for members of the judiciary extended the scope of the specific allowance to judges in the National Organised Crime Prosecutor's Office and to judges of the Paris Court of Appeal Prosecutor's Office.

T2.2. Please comment on how the implementation of the law has changed since 2000. If possible discuss the possible reasons for change (e.g. new guidelines, availability of alternatives to punishment)

The number of individuals charged (suspects, see T5.2) with drug law offences by the national gendarmerie and police has been rising since 2016. In 2024, 290 400 persons were suspected of drug use and 52 300 of narcotic trafficking by the police and gendarmerie. The Ministerial Statistical Department for Internal Security (SSMSI) has published an initial overview of drug trafficking and drug use offences by type of substance involved since 2016 (Robert 2025).

In 2024, the main drug consumed was overwhelmingly cannabis: cannabis was involved in 92% of cases of suspected drug use and 78% of cases of suspected trafficking and 78% of those suspected of trafficking. More than three-quarters of the cannabis cases involved resin. Cocaine came next, accounting for 43% of persons suspected of narcotic trafficking and 10% of those suspected of use. Heroin was involved in nearly 8% of persons suspected of trafficking, compared with 2% for use. For MDMA/ecstasy, 6.3% of persons suspected of trafficking and 1.9% of those suspected of use involved this substance.

The overview also shows how often different substances were combined in drug trafficking and drug use in 2024. The combination of cannabis and cocaine was the most common, as these substances accounted for a significant proportion of the types of substances involved in proceedings against individuals for drug use and narcotic trafficking. Ecstasy is closely associated with polydrug use and multi-substance trafficking in combination with other synthetic drugs and hallucinogens (notably ketamine and LSD). Indeed, in proceedings for a single narcotic trafficking or drug use case, a person may be suspected in respect of several narcotic substances at once. This does not apply to procedures involving a criminal fixed fine (AFD): persons suspected of drug use are eligible for a criminal fixed fine only if they are found in possession of a single drug (unless otherwise instructed by the principal public prosecutor's offices). Thus, in 2024, persons suspected of narcotic trafficking were charged in respect of an average of 1.4 narcotic substances, compared with 1.1 narcotic substances for those suspected of the use of narcotic substances, and in particular, 1.2 substances for those suspected of drug use outside the criminal fixed fine procedure. Overall, 31% of persons suspected of narcotic trafficking were charged for several narcotic substances.

Trends by type of substance involved in drug trafficking or use since 2016 are contrasting: the number of persons suspected of cocaine or ecstasy trafficking is growing much faster than for other substances. The increase is also more pronounced for new synthetic drugs (ketamine, cathinones, etc.). The introduction of the criminal fixed fine procedure in September 2020 has affected trends by type of substance involved in drug use offences. The three narcotic substances eligible for the issuance of a criminal fixed fine are cannabis, cocaine and ecstasy-MDMA; the number of individuals charged for these three substances has been increasing since 2020. The number of suspects for heroin has been falling since 2016, as this substance is not eligible for a criminal fixed fine. Profiles vary by substance, but most of those implicated are young men: three-quarters are under thirty.

To cope with the high volume of investigations, the use of alternative measures to prosecution (drug warnings, referral to a health and social centre, treatment order, etc.) became increasingly systematic during the 2000s and 2010s (see T2.1). Cases closed after alternative measures accounted for 16% of the total imposed on drug users in 2024 (compared to 44% in 2019). This decrease is a result of the widespread introduction of criminal fixed fines for offences in 2020, which also had an impact on drug warnings, which fell from 41 026 in 2019 to 2 076 in 2024. The decline in treatment orders, which began in the 2010s, is continuing (425 in 2024 compared to 2 530 in 2012), as is the case for treatment referrals (1 763 in 2024 compared to 9 721 in 2012). Conversely, there has been a significant increase in awareness courses (around 13 000 in 2022 compared to 6 609 in 2018) (Obradovic *et al.* 2021).

The work of V. Gautron and I. Obradovic (Gautron and Obradovic 2023) nevertheless shows that these measures are not used in the same way in the various territories. They

show that the choice of these measures is guided by motivations related with the management of the flow of criminal cases. In the most congested jurisdictions, for example, drug warnings are used for larger quantities of the seized product than in rural jurisdictions. The number of mandatory awareness course on the dangers of drug use pronounced in a given jurisdiction also depends on the number of social and health structures existing on the territory. Similarly, the article by Choquet and Mainaud (Choquet and Mainaud 2018) shows that criminal measures are not used in the same way depending on the offenders' profiles. In particular, they show that minors involved in drug trafficking are prosecuted more than 4 times out of 10 in a court of law, while minors who just use drugs are subject to alternative prosecution procedures almost 9 times out of 10.

In 2024, 129 593 suspects were dealt with in cases handled by public prosecutors' offices (of which 111 782 were in prosecutable cases). In 8 889 cases, suspects had their cases discontinued without further action on grounds of inexpediency of prosecution. The penal response rate stood at 92%. A total of 20 138 suspects successfully completed an alternative measure (14 075 of whom were involved in a case of drug use only). Most of suspects were prosecuted before a criminal court, with trafficking cases accounting for the vast majority of referrals to the examining magistrate. (Ministère de la Justice 2026a).

In 2024, offences for driving under the influence of alcohol or after the use of narcotic drugs made up the largest group of suspects in road traffic offences: 188 035 (this also applied to convictions related to road traffic cases) (SSER 2026).

Furthermore, the penal response to these cases of use is characterised by the increasingly frequent recourse to court convictions during the 2000s. Although the number of annual convictions remained below 5 000 in the 1990s, these increased more than seven-fold between 2000 and 2019 (more than 35 000 convictions for a drug use offence). Convictions have, however, been on the decline since the appearance of the criminal fixed fine: they are about 18 000 in 2023. The implementation of a financial penalty prior to court proceedings, immediately applicable by law enforcement, has automatically reduced the number of people brought before the courts. Since its widespread adoption in September 2020, the criminal fixed fine (AFD in French) has seen significant growth. The Statistical Department of the Ministry of Justice recorded nearly 200 000 suspects subject to an AFD in 2024. This represents 5% of all offences recorded by the national police and gendarmerie in the course of the year (SSMSI 2025).

According to an earlier report published by the Ministry of the Interior statistical office in March 2022 (Fumat *et al.* 2022), the implementation of criminal fixed fines has led to a sharp increase in suspects for the use of narcotics (+39%), which has been accompanied by a significant reduction in the proportion and volume of minors and also women. In 2024, this trend was confirmed as police and gendarmerie services reported over 290 000 suspects for drug use. The number of minors suspected of drug law offences fell overall between 2016 and 2025 (-37%). This decline affected only suspects for drug use (-58% compared with +55% for trafficking), demonstrating the impact of the criminal fixed fine on use (Guillonneau 2026).

Among convictions for use, custodial sentences are declining, in contrast to a growing share of fines. Fines accounted for nearly 70% of convictions for drug use as the principal offence in 2025, representing just over 12 000 persons (RSJ 2025), compared with 42% twenty years earlier (2000); the median unsuspended amount is €300 (RSJ 2025).

This increase in fines, can be explained by the transformation of the procedural routes for dealing with drug use since Law No. 2007-297 of 5 March 2007 on the prevention of criminality, which opens up the possibility of using the penal order for ordinary users. This simple procedure that is quick to implement only allows fines to be imposed.

Lastly, fixed penalty notices accepted and enforced for offences against the legislation on poisonous substances, narcotics and doping products remain pronounced to a limited extent, amounting to almost 3 864 in 2024.

Furthermore, schemes inspired by the problem-solving justice model in English-speaking countries have become increasingly widespread in France in the last ten years. This new model is based on the idea of returning the defendant to the centre of the judicial process, with the aim of identifying priorities and achievable objectives with their cooperation to resolve the key issues that are keeping them in a cycle of crime (housing, employment, addictions, family conflicts), and promoting collaboration between stakeholders in the judicial, health and medico-social fields. This system has been implemented in a large number of countries and has been extensively and precisely validated scientifically, with research having shown its effectiveness in preventing reoffending compared to traditional models.

Since 2015, numerous public prosecutor's offices or sentence enforcement services have implemented schemes inspired by this model. Many of these schemes have received and continue to receive financial support from MILDECA. Today, more than forty different schemes are listed throughout France, including overseas territories. An evaluation of the French pilot schemes inspired by the problem-solving justice concept, led by Professor Martine Evans, has been underway since the end of 2022. The findings of this research, funded by credits from the "Narcotics" support fund, will be communicated in June 2025 to the interministerial working group involving representatives from the DGS, DACG and DAP as well as MILDECA.

T3. New developments

The purpose of this section is to provide information on any notable or topical developments observed in legislation, the implementation of legislation, evaluation, and the political position on drug legislations **since your last report**.
T1 is used to establish the baseline of the topic in your country. Please focus on any new developments here.
If information on recent notable developments have been included as part of the baseline information for your country, please make reference to that section here. It is not necessary to repeat the information.

T3.1. What, if any, laws have changed in the last year?
Please use the following table to structure your answer, providing the title of the law, a hyperlink if available and a short summary of the change and explanatory comments.

The Law of 24 February 2025 banning disposable electronic vaping devices amended the Public Health Code. Breaches of the prohibitions set out in the articles of the Public Health Code are punishable by a fine of €100 000. This law forms part of the National Tobacco Control Programme 2023–2027 (Ministère de la Santé et de la Prévention 2023), which includes a measure on “the ban on single-use/disposable vaping substances (puffs)” under “Action no. 20: protecting the environment from pollution caused by tobacco and vaping products”.

This National Tobacco Control Programme 2023–2027 and French regulations on tobacco, electronic cigarettes and alcohol are presented in the “Prevention” Workbook.

The JOANA Plan for securing school transport (Ministère de l'Intérieur and Ministère des transports 2025), named after a young girl who died on 30 January 2025 and whose coach driver involved in the accident tested positive for cannabis, aims to strengthen collective vigilance to ensure children’s safety. This action plan, presented on 30 April 2025, forms

part of the fight against drug trafficking and use, according to statements made by the Minister attached to the Minister of the Interior, François-Noël Buffet. The plan revolves around five main areas, each comprising a set of measures.

1. Improving awareness, prevention and screening to combat narcotics: requires employers to carry out one random test per year on public transport and school transport drivers, and screening during the mandatory medical examinations for the renewal of heavy goods vehicle licences (every 5 years); incorporates modules on the risks associated with addictive behaviours into professional driver training; and encourages companies operating school transport services to implement prevention plans and training on combating addiction.
2. Increasing safety in collective transport vehicles: within four years, the aim is to equip new school transport vehicles with an ignition interlock device to ensure that anyone who has consumed narcotics cannot drive. This solution requires technical development before it can be brought into operation.
3. Listening to, involving and empowering users: by displaying a visible telephone number in school transport vehicles to facilitate the reporting of any risky behaviour or situation in these vehicles and within the school environment.
4. Strengthening the applicable penalties: by creating the offences of road homicide and road injury, increasing sentences and, in particular, making administrative suspension of the driving licence systematic following a finding of the offence of driving after drug use (created by the Law of 9 July 2025 creating the offence of road homicide and aiming to combat road violence, see T1.1.1).
5. Strengthening enforcement capacity: by developing new methods for detecting and verifying drug, especially new substances (ketamine, nitrous oxide).

The Interministerial Mission for Combating Drugs and Addictive Behaviours (MILDECA) is continuing to deploy its LIMITS programme (Limiting the involvement of minors in narcotics trafficking). Thirty municipalities or inter-municipal bodies are being supported by MILDECA to prevent minors' participation in narcotic trafficking through local action plans. Funding for new projects and for projects selected in 2024 totalled €4.8 million drawn from the fund fed by the proceeds of the sale of assets confiscated in criminal proceedings in drug cases.

In February 2026, a day of discussions was held between the Criminal Matters and Pardons Directorate and MILDECA on problem-solving justice and the enhanced individual support scheme. A summary report outlines guidelines for professionals on the scientific conditions required for the effectiveness of problem-solving courts in dealing with offenders suffering from addiction (Herzog-Evans et al. 2021).

The Decree of 15 January 2025 on various provisions relating to inland waterway transport and navigation sets out the procedures for immobilising vessels in the event of an offence against alcohol or drug regulations. The provisions concerning the penalties incurred by waterway users for alcohol or drug use are addressed in Article 5 of Chapter II.

The Council of State's Decision of 26 March 2025 regarding the legality of the prohibition on the sale of plants and the propagation of certain varieties of cannabis confirmed the legality of this prohibition.

T3.2. How was the law implemented in the last year? What, if any, changes have occurred? Please provide sentencing or other outcome data, or provide the link to any relevant reports or information.

T3.3. Has there been an evaluation of the law in the last year, or other indications as to its effects? Please specify and provide links to the original report.

The Court of Account has provided an assessment of the implementation of criminal fixed fines (Cour des comptes 2026). This report is the result of an investigation conducted following a referral by the Finance Committee of the National Assembly.

Criminal fixed fines cover 91 offences, of which only 14 are implemented and 16 are being trialled. Between 2019 and 2024, the number of criminal fixed fines issued increased ninefold, rising from 57 300 to 499 900. This increase is particularly marked for drug use offences, with the criminal fixed fine rate rising from 26% to 76% in five years. These figures show how heavily internal security forces use criminal fixed fines. For drug use offences, the criminal fixed fine procedure has strengthened enforcement by increasing the number of penalties, as intended. The judicial authorities therefore have a lighter workload, but they face a growing number of challenges, which does not have a positive net effect on court workload. For offences relating to drug use, the number of challenges was multiplied by 49 between 2021 and 2024. Within the framework of criminal fixed fines, law-enforcement officers are not equipped with drug screening tests. Possession of a substance eligible for a criminal fixed fine is sufficient to constitute the offence, even if the person has not actually consumed it.

The Defender of Rights and the Marseille Public Prosecutor's Office have emphasised that one of the main difficulties with criminal fixed fines for drug use arises where legal CBD is involved. The General Directorate of the National Police has instructed its officers to request a receipt from the shop where the individual obtained legal CBD, even though individuals are under no legal obligation to keep one and the case may be closed without further action. The Court of Accounts recommends weighing all substances seized by the police so as to remain within the fixed local thresholds, and concurs with the Conseil d'État on the need to use tests for narcotic substances.

Alongside criminal fixed fines for road traffic offences, criminal fixed fines issued for drug offences are among the most frequently issued. The geographical distribution of these fines is highly concentrated in certain départements. The rate of immediate payment is 0.7% for criminal fixed fines for illicit drug use. The overall payment rate is 34.6%. The amount varies by offence; for illicit drug use it is €200. Criminal fixed fines at the increased amount stage have a recovery rate of around 20% for drug use offences. The Court of Accounts highlights discrepancies between the law and the guidelines for implementation (*doctrines d'emploi*). The guidelines for implementation issued by the Directorate for Criminal Affairs and Pardons (DACG) are becoming increasingly detailed due to the lack of harmonisation and the complexity of offences within the scope of criminal fixed fines.

Annex no. 5 of this report by the Court of Accounts (page 107) provides a comparative overview between European countries regarding the existence of criminal fixed fine schemes and the treatment of driving without a licence, drug use, and unlicensed street vending. The United Kingdom is cited as an example that could inform the French debate on criminal fixed fines and their arrangements.

In response to this assessment, the Senate adopted a government amendment to the RIPOST bill aimed at facilitating the recovery of criminal fixed fines, while taking account of the payment schedule proposed by the offender who has admitted the offence (see T3.4 for further information on the RIPOST bill).

T3.4. ***Optional****. Summarise any major political discussions in the last year relating to legislation or its implementation that you feel is important in understanding the current legal framework within your country.*

- **Questions to the Government from members of the National Assembly**

On 11 February 2025, at the National Assembly, written questions no. 3878 and no. 3879 concerned the synthetic drug known as “pète ton crâne”, raising concerns about a “proliferation” and a “threat [to] young people”. The government’s reply to the second question explained that synthetic cannabinoids are addressed within the framework of efforts to combat narcotic trafficking, as well as in the actions and initiatives undertaken on this issue.

“The future of medicinal cannabis” (in the words of the Member of Parliament) was the subject of question no. 5609 and a response in 2025. The medicinal cannabis trial in France, under the aegis of the National Agency for Medicines and Health Products Safety, began in 2021 for a period of two years. The trial was extended to the end of 2024 to assess the effectiveness and feasibility of the medical use of cannabis for approximately 3 000 patients suffering from severe conditions. To ensure continuity of care for patients treated during the trial and still under treatment, a transitional period ran from 1 January 2025 to 31 March 2026.

- **Bills and draft legislation**

Passed by the National Assembly at first reading on 29 January 2025, the bill to restrict the sale of nitrous oxide to professionals and strengthen prevention measures against diverted use seeks to extend the ban on the sale of nitrous oxide to all individuals (already prohibited for minors since the Law of 1 June 2021). It provides for MILDECA to carry out public health monitoring of trends in the use of this gas and to conduct prevention activities in partnership with schools and with partners in community education, youth and the health and social care sector.

The bill to strengthen the fight against the misuse of nitrous oxide was passed by the Senate on 6 March 2025. The text aims to penalise the misuse of nitrous oxide in line with the Law of 1st June 2021 by creating an offence of misuse of nitrous oxide, punishable by one year’s imprisonment and a fine of €3 750; an offence of possession of nitrous oxide by a minor, punishable by a fine of €7 500; and by aligning the penalty for the offence of inciting a minor to misuse nitrous oxide with that provided for directly inciting a minor to excessive alcohol consumption. The text provides for a ban on sales between 10 p.m. and 5 a.m., with the introduction of a traceability system based on deposit schemes, and restricts sales to private individuals to professionals holding an official authorisation.

Bill no. 2540 to restrict the sale of nitrous oxide to professionals holding an official authorisation, passed by the Senate, was tabled in the National Assembly on 26 February 2026.

The bill to strengthen security, administrative detention and the prevention of terrorist risks includes law enforcement activities designed to enhance everyday security, including a ban on the sale of nitrous oxide to private individuals. It was passed by the Senate on 20 May 2026.

The RIPOST Bill (Immediate Responses to Phenomena Disrupting Public Order, Security and the Peace of Our Fellow Citizens) was approved by the Council of Ministers on 26 March 2026 (Ministère de l'Intérieur 2026; Tubiana-Rey and Fédération Addition 2026) and subsequently passed by the Senate, with amendments, on 26 May 2026.[5] This bill imposes harsher penalties on organisers of illegal raves: organising such an event is now a criminal offence punishable by two years' imprisonment and a fine of €30 000. Following examination tin the Parliament, the threshold for the number of participants requiring the event to be declared to the Prefect was lowered to 250 people. It also creates an offence of participating in such events, subject to a criminal fixed fine of €300. At present, there is no criminal penalty for participants in such events, and organisers may receive a fine for a misdemeanour. This bill increases the amount of the criminal fixed fine for illicit drug use to €500 (currently €200) and provides for an additional penalty of suspension of a driving or boating licence for up to three years for such offences. It creates an offence of inhaling nitrous oxide outside a medical setting, punishable by one year’s

[5] “Vie publique” web page, accessed on 28/05/2026.

imprisonment and a fine of €3 750. The criminal fixed fine will apply to this offence (at €200). The RIPOST bill restricts the hours of sale of nitrous oxide and Increases the penalties for sales that breach legal requirements (six months' imprisonment and a fine of €7 500) and introduces a criminal fixed fine of €500. This bill establishes a regime of administrative closure for establishments selling nitrous oxide in breach of the regulations. Transporting nitrous oxide without legitimate reason is now punishable by two years' imprisonment and a fine of €7 500.

The new offence of driving after use of, or while manifestly under the influence of, a substance impairing alertness would carry up to three years' imprisonment and a €9,000 fine. This bill introduces adapts the powers and tools available to the internal security forces: use of drones and video surveillance; simplification of pseudonymisation (anonymity of police officers and gendarmes in criminal proceedings, for example, when drawing up a record, in order to prevent pressure or reprisals); visual inspection of vehicle boots extended to law enforcement officers; increase in the duration of police custody to 72 hours for offences related to organised financial crime; and the conduct of searches of vehicle boots and luggage in border areas carried out without a warrant, etc. This bill reflects the principle that every drug user contributes to the criminal chain and that measures must be introduced to make them accountable. Senators have increased the crackdown on misuse of nitrous oxide by introducing a penalty in the form of a fine for abandoning aluminium canisters on the public highway.

The CBD taxation proposal in the 2026 Finance Law was withdrawn. Article 23 provided for the taxation of CBD, a ban on online sales of inhalable products, and the restriction of sales exclusively to authorised tobacconists.

- **National Assembly information reports**

Two reports have addressed the issues of use and narcotic trafficking, providing an overview of the topics and putting forward recommendations: the information report of 10 July 2025 on assessment of mental health care for people under judicial supervision(Corneloup and Leboucher 2025), and the information report of 17 February 2025 aimed at assessing the effectiveness of the policy to combat trafficking (Léaument and Mendes 2025).

The first report described a crisis across three public services: health, justice and prison. How the criminal justice system deals with illness is a societal issue. A failure upstream in the judicial process can lead to a lack of treatment. Psychiatry and child psychiatry are in a state of particularly acute crisis. The report also calls for more integrated care upstream, bridging addiction medicine and psychiatry. The report recalled that, since 2022, criminal irresponsibility has been excluded where the individual has voluntarily consumed psychoactive substances very shortly before the act and with the intention of committing an offence. The report noted that individuals with mental disorders have more limited access to sentence adjustments (semi-custody, home detention under electronic monitoring, external placement, or parole). Court-ordered treatment have increased despite the shortage of healthcare professionals. The lack of facilities both before and after criminal proceedings restricts access to treatment. For minors, as for adults, professionals confirm that treatment obligations and modules are often not implemented due to a lack of necessary resources. The report criticised the institutional fragmentation that results in insufficiently coordinated actions in these areas. In places of detention, the report noted that the circulation of cannabis and mobile phones is relatively tolerated in order to ease tensions.

The second information report was produced during the same period as the parliamentary review of the Law of 13 June 2025, the report and the law both referred to the need for a comprehensive strategy, but they differ on the response to the fight against narcotics trafficking. While the Law of 13 June strengthened enforcement powers, the report, for its part, proposed alternative measures such as decriminalisation of use.

The regulatory document subjected to amendments / Initial version of the text	The amended regulatory document / Current version of the text		
Title. Hyperlink	**Title. Hyperlink**	**Summary of change**	**Comments**

T4. Additional information

The purpose of this section is to provide additional information important to understanding drug legislation in your country that has not been provided elsewhere.

T4.1. ***Optional****. Please describe any additional important sources of information, specific studies or data on the legal framework. Where possible, please provide references and/or links.*

T4.2. ***Optional****. Please describe any other important aspect of the legal framework that has not been covered in the questions above. This may be additional information or new areas of specific importance for your country (e.g. money laundering, tobacco, alcohol legislation, new/changing organisations/structures, regulations related medical or industrial cannabis, and regulatory framework of opioid substitution treatment).*

Decree no. 2025-898 of 5 September 2025 on the ban on oral nicotine products prohibited nicotine pouches, which are placed between the upper lip and gum and come in various flavours, following the alert issued by the National Agency for Food, Environmental and Occupational Health and Safety (ANSES). This alert concerns the development of dependence following the use of these pouches. Such use may also, in some cases, result in acute or even severe nicotine poisoning syndromes. This decree prohibits nicotine lozenges, beads, liquids and gums (there is no ban on chewing tobacco or on drugs and medical devices used for smoking withdrawal).

T5. Sources and methodology

The purpose of this section is to collect sources and bibliography for the information provided above, including brief descriptions of studies and their methodology where appropriate.

T5.1. Please list notable sources for the information provided above.

Legislative sources used are mainly the Public Health Code and the Penal Code. All information provided herein is based on permanent monitoring of legislation by the OFDT and on the following data:

- *Etat 4001*, Ministry of the Interior (for data on accused individuals).
- Database of suspects for crimes and offences, and database of narcotic substances recorded by the police and gendarmerie, Ministerial Statistical Office of the Ministry of the Interior.
- National criminal record, Ministry of Justice (for convictions).

- Cassiopée, “Application chain supporting the information system focused on criminal proceedings and minors”, Ministerial Statistical, Studies and Research Office of the Ministry of Justice.

Choquet, L.-H. and Mainaud, T. (2018). Le traitement judiciaire des infractions liées aux stupéfiants commises par des mineurs. Infostat Justice. Ministère de la Justice (158). Available: https://www.justice.gouv.fr/sites/default/files/2023-05/stat_Infostat_158.pdf [accessed 29/05/2026].

Commission des lois (2025). L'essentiel sur... la proposition de loi visant à sortir la France du piède du narcotrafic. Sénat, Paris. Available: https://www.senat.fr/lessentiel/ppl23-735.pdf [accessed 10/06/2025].

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T5.2. Where studies or surveys have been used please list them and where appropriate describe the methodology?

The **data relating to arrests** was originally derived from État 4001, a crime and offence recording tool shared by the national police and gendarmerie. This register lists 107 categories of offences, including drug law offences, based on complaints received or according to findings made by law-enforcement services from intervention reports. Since 2016, the Ministerial Statistical Department for Internal Security (SSMSI) of the French Ministry of the Interior has relied on the "suspect database" to address indexing and recording issues specific to État 4001, modifying the number of indexes listing drug-related offences. The data presented here are derived from this new database. The series relate to the accused and not the victims. They refer to any person against whom there are grounds to believe that they have participated or attempted to participate in the commission of an offence, i.e. suspects. Indictments, which are the decision of the investigating judge, are not recorded by the Ministry of the Interior.

Data on **convictions** were extracted from the National Criminal Record (CJN). The CJN records all crimes and offences punishable by law in a given year. The data presented here exclude convictions for criminal acts, as these represent too small a number. They therefore solely relate to the category of punishable offences.

Convictions recorded in the CJN may apply to one or more offences. Convictions for multiple offences are common in drug-related cases (almost half on average). Only the main offence (the most serious) is retained, in other words the one determining the court's decision.

In the National Criminal Record (CJN), a conviction refers to an individual, however this person may be convicted several times in the same year. The number of convictions recorded in the CJN is therefore often higher than the number of people convicted.

In the **Cassiopée statistical file**, the cases taken into account are those whose main nature relates to a drug law offense. Data from Cassiopée are at the orientation stage. The unit of measurement is the suspect-case: a suspect involved in several cases will be counted as many times as the number of cases in which they are suspected.

The data presented here do not include fixed penalty notices. These are arrangements allowing the Public Prosecutor, under certain conditions, to offer a person who admits to

having committed an offence an alternative to imprisonment, in exchange for the discontinuance of proceedings.

A recording delay means that the data remain provisional for two years and only become final after three years. Uncertainties linked to data entry problems and double counting are estimated to generate around 2% errors, according to estimates.

The series presented here describe, each in its own field, the responses provided by the services and administrations to drug-related offences. These statistics thus reflect the activity of the services responsible for combating drug law offences. The evolution of the data may reflect variations in the activity of the services and may also indirectly show changes in supply and demand for narcotics. Year-on-year variations should in any case be interpreted with caution and by cross-referencing information from multiple sources.