

**Priority question for written answer P-000874/2024
to the Commission**

Rule 138

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Subject: Compatibility of Germany's partial legalisation of cannabis with EU law

The German Federal Government has passed the partial legalisation of cannabis with its parliamentary majority in the Bundestag¹.

The Schengen Convention, read in conjunction with Council Framework Decision 2004/757/JHA², requires that Member States 'undertake as regards the direct or indirect sale of narcotic drugs and psychotropic substances of whatever type, including cannabis, and the possession of such products and substances for sale or export, to adopt in accordance with the existing United Nations Conventions, all necessary measures to prevent and punish the illicit trafficking in narcotic drugs and psychotropic substances'³.

The International Narcotics Control Board (INCB) has expressed concerns and made observations regarding health risks and increasing levels of consumption in countries that have legalised cannabis for non-medical use. The INCB warns of the potentially serious risks to the health of users, including negative health effects and psychotic disorders. It also points to an increase in cannabis-related health problems and the quadrupling of hospital admissions for cannabis-related psychotic disorders worldwide. What is more, legalisation movements are said to contravene the United Nations Single Convention on Narcotic Drugs, 1961⁴.

1. Is Germany's new law compatible with EU law?
2. What is the Commission's assessment of the health risks posed by the use of cannabis? What predictions does the Commission make with regard to these risks following legalisation in Germany?
3. Does the Commission intend to recommend that the other Member States do the same, or will it advise them against following Germany's example?

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¹ <https://www.bundestag.de/dokumente/textarchiv/2024/kw08-de-cannabis-990684>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004F0757>

³ <https://curia.europa.eu/juris/document/document.jsf?docid=79389&doclang=EN>

⁴ <https://news.un.org/en/story/2023/03/1134377>