

The Legalisation of Cannabis in Germany: National Ambitions Versus International Obligations

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I. Introduction

Germany's recent legislative developments concerning the legalisation of recreational cannabis represent a notable policy shift. However, by introducing the Cannabis Act (CanG),¹ which largely entered into force on 1 April 2024,² and associated measures such as the establishment of cultivation associations and the initiation of regional pilot projects with commercial supply chains,³ Germany risks potentially violating its commitments under longstanding global conventions. The International Narcotics Control Board (INCB) has expressed reservations even before the CanG entered into force, cautioning that measures permitting the use of cannabis for non-medical purposes would contravene the United Nations narcotic drug conventions.⁴ This raises a pressing question: Do Germany's policy ambitions concerning cannabis, as embodied in the CanG, align with its international obligations, or do they undermine the integrity of the global drug-control regime?

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¹ Act on the Controlled Handling of Cannabis and Amending Other Provisions (Cannabis Act) (*Gesetz zum kontrollierten Umgang mit Cannabis und zur Änderung weiterer Vorschriften (CanG)*), 27 March 2024, *Bundesgesetzblatt* (BGBl.) I Nr. 109.

² Art. 15 CanG.

³ Tagesschau, *Cannabis-Verkauf soll in Geschäften getestet werden*, 30 October 2024, available at <https://www.tagesschau.de/inland/gesellschaft/cannabis-freigabe-100.html>.

⁴ International Narcotics Control Board (INCB), 'Report 2023', UN Doc. E/INCB/2023/1, January 2024, at para. 184.