

Czech Drug Policy: From legalisation plans to reform

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Since 1 January 2026, adults in Czechia have been allowed to grow and possess cannabis for their own use. This is legalisation, but a considerably more limited one than was planned – the proposals for licensed shops and cannabis clubs fell through, leaving three plants per person. Possession of small quantities of cannabis and limited cultivation for personal use had long been treated as minor offences, generally through administrative rather than criminal sanctions.

Under Act No. 270/2025, adults over 21 may now legally grow up to three cannabis plants for their own use, possess up to 100 grams at home and carry up to 25 grams outside the home. Higher quantities remain subject first to administrative sanctions and, beyond further thresholds, criminal liability (1).

Czechia has not, however, introduced any legal sale of cannabis. There are no licensed shops, no commercial production and no cannabis clubs. Unauthorised sale, distribution and supply remain illegal (1).

Plans for a commercial market fell through

The final reform was considerably more limited than the cannabis policy model discussed only a few years earlier. During 2023 and 2024, the Government's National Drug Policy Coordinator, Jindřich Vobořil, drew up a proposal for more far-reaching legalisation based on three pillars: personal home cultivation, cannabis clubs and sales in licensed shops (2, 3).

The Drug Policy Department of the Office of the Government also commissioned the Prague University of Economics and Business (VŠE) to carry out a socioeconomic analysis of the options. It estimated net benefits for all of them, largest for a commercial market, but the estimates were based on assumptions rather than observed outcomes – including taxation, how use would develop and the displacement of illicit supply (3, 4).

The commercial market never gained sufficient support. The Christian Democrats (KDU-ČSL), one of the governing parties, opposed a legal market, and the Office of the Government concluded that EU law made it difficult to implement (2, 3). The reform was therefore gradually reduced to the element around which the strongest political consensus could be built: personal cultivation and possession.

Part of a larger legislative package

The personal use provisions became part of a wider reform of Czech criminal law. The Chamber of Deputies adopted it in May 2025 by 142 votes to 16, and the Senate approved it in July (5, 6). The vote, however, concerned the whole package and therefore says little about support for legalisation as such. Once commercial cannabis sales were removed from the proposal, allowing adults to

cultivate a small number of plants and possess cannabis for themselves proved far less politically controversial than establishing a legal market. An amendment for a broader cannabis law with cannabis clubs was defeated the same day by 111 votes to 17 (7).

The law means that adults may legally possess small quantities of cannabis, but selling or giving cannabis to another person remains prohibited (1).

The legal question: EU law and the UN conventions do not point in exactly the same direction

Under the 1961 UN Single Convention on Narcotic Drugs, parties undertake, subject to the Convention, to limit the production, manufacture, possession and use of controlled drugs to medical and scientific purposes (8). The 1988 UN Convention against Illicit Traffic goes further in Article 3(2), requiring states, subject to their constitutional principles and basic concepts of their legal systems, to establish offences covering possession, purchase and cultivation for personal consumption when contrary to the earlier conventions (9).

The International Narcotics Control Board (INCB) has consistently held that legalisation of cannabis for non-medical use is inconsistent with the international drug control conventions, while acknowledging considerably greater flexibility for decriminalisation, depenalisation and alternatives to punishment. It has directed the same criticism at legal home cultivation in Germany and Luxembourg (10).

Czechia's transition from decriminalising possession to affirmatively permitting cultivation and possession is therefore inconsistent with the UN drug control conventions. This is different from simply reducing or removing criminal sanctions while continuing formally to prohibit the conduct.

The EU Framework Decision on illicit drug trafficking (2004/757/JHA) requires Member States to criminalise activities such as production, distribution, sale and cannabis cultivation when undertaken without right. However, it expressly excludes conduct from its scope when it is committed exclusively for the perpetrator's own personal consumption as defined by national law. This gives Member States greater room in relation to personal consumption than they have in relation to trafficking and supply (11).

The Schengen Convention (Article 71) similarly places strong obligations on participating states to prevent and punish illicit trafficking, illegal export and import, and the sale, supply and handing over of drugs, including cannabis (12).

This helps explain the shape of the Czech compromise. By legalising only cultivation and possession for personal use while continuing to prohibit unauthorised supply, the model creates less direct tension with EU trafficking law and Schengen obligations than a fully commercial national cannabis market would.

That does not resolve the wider question under the UN conventions. Nor does it mean that no EU-law issues could ever arise, particularly if cannabis cultivated legally for personal use were diverted into cross-border or domestic supply.

Public health: reform began from a high-use baseline

The public health context also deserves attention because Czechia did not introduce the reform in a low-use environment.

According to the Czech National Survey on Substance Use 2023, approximately 190,000 people – 2.1% of the population aged 15 and over – were estimated to fall into a high-risk category for cannabis-related problems. Approximately 36,000 used cannabis daily or almost daily, and 7.4% had used cannabis during the previous year (13).

In the European School Survey Project on Alcohol and Other Drugs (ESPAD) 2024, 24% of Czech 15- and 16-year-olds reported lifetime cannabis use (14). This was the highest prevalence among the 37 participating countries, twice the average, and Czechia has ranked highest in every ESPAD survey since 2011 (15–18). The share who had used cannabis at the age of 13 or younger was 4.1%, the second highest in the survey. Czechia and Slovenia also recorded the highest prevalence of high-risk cannabis use measured through the CAST screening instrument, at 5.9% against an average of 3.4% (15).

These figures preceded the 2026 reform. They cannot therefore be presented as consequences of legalisation.

Developments after legalisation must be compared with the trends that were present before the law changed. An evaluation needs to cover much more than whether arrests fall: youth and adult use patterns, high-risk use and cannabis-use disorders, age of initiation, treatment demand, potency, impaired driving, perceptions of harm, availability, diversion into the illicit market and social norms.

Three plants can produce more than the law allows

The law permits an adult to cultivate three plants but allows only 100 grams of cannabis to be stored at home. Cannabis yields vary widely, but three mature plants can easily produce substantially more than the permitted possession quantity (1).

In January 2026, National Drug Policy Coordinator Pavel Bém publicly highlighted this inconsistency (19). Bém is also a member of the Global Commission on Drug Policy, an international commission that advocates drug legalisation (20). He argued that the new arrangement should not really be called full cannabis regulation, but rather a partial decriminalisation of home cultivation that remained unfinished. He also indicated that an expert group would continue examining the issue (19).

A new government, a new direction

Czechia has had a new government since the law was adopted. The October 2025 election was won decisively by Andrej Babiš's populist movement ANO, with 34.5% of the vote. In December, a coalition government took office comprising ANO, the far-right SPD (Svoboda a přímá demokracie, Freedom and Direct Democracy) and the Eurosceptic Motoristé sobě (Motorists for Themselves). Together the parties hold 108 of the 200 seats in the Chamber of Deputies (21, 22). The legalisation of home

cultivation was enacted by the previous government, Petr Fiala's centre-right coalition. ANO, then in opposition, voted for the criminal law reform, while SPD voted against (5).

The new government has distanced itself from the previous policy. "We are not and will not be a government that legalises drugs", Babiš said in early June 2026 (23). Pavel Bém, whom Babiš himself had appointed coordinator in January, had to leave the post after five months (23). Responsibility for drug policy was moved from the Office of the Government to the Ministry of Health (24). According to Czech media, the shift was driven by the police, and Babiš has confirmed that he was influenced by Jakub Frydrych, head of the police's National Drug Headquarters (23).

In June, the government presented 18 measures across four laws, with deadlines running to 2027 and 2028. The focus is on the growing market for psychoactive products sold legally. The THC limit for technical hemp is to be lowered from 1% to 0.3%, and the government wants CBD added to the EU list of drug precursors and a ban on CBD in food. New substances are also to be scheduled more quickly (25). In September, the government adopted a first bill. It raises the age limit for kratom to 21 and bans online sales of kratom. It also prohibits the use of CBD and THCA – an acid in cannabis that converts to THC when heated – as raw materials. The bill now goes to parliament (26).

None of this affects the limits on home cultivation and possession, and the government has not proposed repealing legalisation. But less than a year after the law came into force, Czech drug policy is moving in the opposite direction in several areas.

What the Czech case shows

Czechia chose a different path from commercial legalisation in Canada or parts of the United States and also a different model from Germany's cultivation associations. Its reform permits individual cultivation and possession, but those who do not grow cannabis themselves have no legal way to buy it.

The Czech example also shows that legalisation proposals can shrink substantially during the legislative process. A debate that originally included legal retail eventually produced only home cultivation and possession.

From a public health perspective, the outcome should not yet be judged either a success or failure. The legislation has been in force for less than a year, and many relevant outcomes require longer observation. What can already be said is that the reform has been introduced against a background of comparatively high cannabis use and high-risk use among Czech adolescents, making prevention and monitoring especially important.

Legally, the Czech case may prove even more significant. It illustrates the gap between the few European countries that have legalised cannabis – Malta, Luxembourg, Germany and now Czechia – and the UN drug control conventions. None of them has introduced a commercial market (27–29). At the same time, it demonstrates that EU law provides Member States with more flexibility regarding personal consumption than regarding commercial supply and trafficking.

Conclusion

Czechia has taken a substantial step away from its previous decriminalisation model. Adults over 21 can now lawfully cultivate up to three cannabis plants and possess limited quantities for their personal use.

It is legalisation, albeit a limited one.

There is no legal retail market for non-medical cannabis, unauthorised supply remains prohibited, the legislation contains practical inconsistencies, and it conflicts with the UN drug control conventions.

The Czech case will be interesting to follow. The reform does not introduce a commercial cannabis market. The new government has, moreover, already set a different course. It is therefore too early to assess how the system will develop or what its longer-term consequences will be. The Czech approach also raises important questions about availability, enforcement, treaty obligations and public health that will be important to follow as the reform is implemented.

The most important part of the Czech story may consequently still lie ahead. The real test will not be whether the reform was politically popular in 2025, but what happens after 2026 to cannabis use, youth exposure, high-risk use, illicit supply and health outcomes.

That evidence should ultimately determine how the Czech experiment is judged – and what, if anything, other European countries should learn from it.

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