

## ARTICLE

# France: National Assembly Adopts Narcotrafficking Law

On April 1, 2025, the French National Assembly passed a [draft law to combat narcotrafficking](#) in France (the Narcotrafficking Law). The legislation enacts the recommendations of a 2024 Senate committee [report](#) calling for enhanced criminal penalties for drug crimes and the reorganization of the government departments that fight drug trafficking. The National Assembly approved the bill by a vote of 436-75, following the Senate's unanimous vote to [adopt the legislation](#) on February 4.

## New Prosecutor's Office for Organized Crime

At the core of the bill is the creation a National Anti-Organized Crime Prosecutor's Office (PNACO), modeled after the financial crimes and anti-terrorism prosecutor's offices. Article 2 of the law states that PNACO will handle high-level criminal cases and coordinate judicial action. Lawmakers specified that the office will be based in Paris and have an expanded jurisdiction. The provisions establishing PNACO will take effect on July 1, 2026. Lawmakers also adopted an [organic law](#) alongside the bill to establish the status of the public prosecutor leading the new office. (Arts. 1, 2.)

## Anti-Money Laundering Provisions

Several provisions of the bill address money laundering. Article 3 grants [prefects](#) the authority to temporarily close businesses or other premises, such as sandwich shops, corner stores, dry cleaners, and association offices, suspected of laundering drug money or facilitating drug trafficking. Lawmakers also extended this power to mayors. Additionally, mayors must be informed of closures ordered by prefects as well as drug trafficking and money laundering cases and their judicial outcomes.

The law expands the existing list of businesses that will be required to exercise vigilance and report suspicious transactions to Tracfin, the French financial intelligence service. These will include sellers and renters of luxury cars, yachts, and jets, and property dealers and real estate developers. Furthermore, cash payments for rental cars will be prohibited above a threshold that will be set by decree. (Art. 3.)

The law extends the presumption of money laundering contained in the [penal code](#) to transactions involving crypto-asset "mixers." The law defines mixers as crypto-assets with an integrated anonymization function, a common laundering tool among drug traffickers. Digital asset service providers will now be prohibited from using these mixers. (Art. 4.)

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The law makes the confiscation of assets mandatory for individuals convicted of holding assets without being able to justify their origin, unless the judge provides a specific justification for an exemption. At the Senate's initiative, the law also introduces an administrative procedure for freezing the funds of drug traffickers, modeled on existing counterterrorism measures. (Art. 4 bis.)

### Expansion of Investigative Techniques

The Narcotrafficking Law expands the powers of French intelligence services. Until December 31, 2028, they will be allowed to experiment with algorithmic techniques to detect internet activity that may indicate threats related to drug trafficking, arms and explosives trafficking, and associated money laundering. Before the Narcotrafficking Law, this technique has been limited to counterterrorism cases ([Law of July 30, 2021](#)), and to the prevention of foreign interference and threats to national defense ([Law of July 25, 2024](#)). (Art. 8.)

The new law extends the government's experimental satellite interception system for preventing particularly serious threats to public order, such as terrorism or organized crime, until the end of 2028. This experiment, included in the Law of July 30, 2021, was due to end on July 31, 2025. (Art. 8 bis.)

A "separate record" (*procès-verbal distinct*), also referred to as a "safe dossier" (*dossier coffre*), will allow certain information related to the use of special investigative techniques (e.g., using microphones) to be kept out of the criminal proceedings file. The only details withheld will be when and where the device was installed and the identities of those involved in its installation or removal. Deputies in the National Assembly restricted the use of this separate record to cases where a person's life or physical integrity, or that of their family or close associates, is at risk, following the [Conseil d'État's advisory opinion](#) to the government on March 13, 2025. They also provided legal remedies for the accused or the person under investigation. This measure is inspired by [Belgian Law](#); article 47septies of the Belgian Criminal Instruction Code refers to these records as "confidential reports" (*rapports confidentiels*). (Art. 14.)

### Measures Targeting Organized Crime and Corruption

The French penal code allows authorities to reduce the sentences of individuals who have attempted or committed a felony or misdemeanor, provided they helped prevent the offense or its consequences or identified accomplices. (Penal Code art. 132-78.) The Narcotrafficking Law amends this provision by introducing Article 132-78-1, which adds conditions to granting such benefits. These include the possibility of revising an individual's sentence if they make false statements that are discovered within 10 years for misdemeanors or 20 years for felonies, or in the event of a repeat offense. (Art. 14.)

The Narcotrafficking Law adds a provision to article 450-1 of the penal code stating that it is an offense to belong to a criminal organization. This amendment is inspired by anti-mafia provisions in [Italian law](#). (Art. 2.)

The French law also introduces Article 227-18-2 of the penal code, which makes the recruitment of minors by drug traffickers via online platforms or social networks punishable by up to seven years' imprisonment and a fine of 150,000 euros (about US\$171,000). If a person exploits vulnerable, coerced, or manipulated individuals for drug trafficking, the penalty will increase to up to 15 years' imprisonment and a fine of 10 million euros (about US\$11,400,000). (Art. 10.)

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Police will be allowed to hold drug “mules” in custody for up to 120 hours, compared to the current maximum of 96 hours. Additionally, mules will face an extra penalty of an air or sea travel ban in an effort to make them “unemployable” by drug traffickers. The law also treats the exploitation of mules by drug traffickers as equivalent to human trafficking. (Art. 11.)

The law introduces an administrative ban on entry to prevent drug dealers from frequenting drug trafficking areas. Tenants involved in drug trafficking will now be more easily evicted from their accommodations. Prefects will have the authority to instruct landlords to carry out these evictions. (Art. 24.)

Sellers of prepaid SIM cards will have to ask buyers for proof of identity. (Art. 12 bis.)

### **Solitary Confinement Provisions**

Drug dealers who continue to engage in trafficking while in prison will have their sentences extended with cumulative sentences and no possibility of consolidation. Prison authorities will also be authorized to use drones to prevent the air-borne delivery of prohibited items, such as drugs or cell phones. (Art. 10 bis.)

Additionally, a government amendment introduced during the examination of the bill by the National Assembly created anti-organized crime prison units (*quartiers de lutte contre la criminalité organisée*) where a strict detention regime will apply. This will include systematic full searches of prisoners after any physical contact with outsiders and separate visiting rooms, with some exceptions. The Minister of Justice will decide which prisoners will be assigned to these units for a renewable two-year period. (Art. 23 quinquies.)

To limit the number of detainee extractions from these anti-organized crime units, the law will require video hearings before judges during the judicial investigation phase and for decisions on pre-trial detention. (Art. 23.) The security of prison convoys will also be strengthened with cameras installed on board transport vehicles. (Art. 23 quarter.)

### **Amendments to the Original Proposed Bill**

Members of parliament removed the requirement for encrypted messaging services such as WhatsApp, Signal, and Telegram to implement technical measures allowing the intelligence services to access encrypted exchanges of drug traffickers and criminals. Currently, the law requires operators to provide the means for decryption but not the decrypted content itself. The members of parliament **determined** that this measure, which would have required backdoors for all communications, would be too much of a security risk.

### **Final Adoption**

On April 10, deputies and senators meeting in a joint committee **reached agreement** on a final version of the text. This text is expected to be definitively adopted by both assemblies on April 28 and 29. The committee retained most of the text but **introduced a limitation** on the incarceration period for the most dangerous drug traffickers held in the new prison units dedicated to combating organized crime. Their confinement will now be limited to one year, renewable.

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