

## Cannabis policy in Kenya: A call for an informed and inclusive national debate

Neil Carrier (University of Bristol), Bernice Apondi (independent), Clemence Rusenga (University of Bristol) and Gordon Omenya (Kenyatta University and University of Bristol)

### About the research

African countries have seen major shifts in cannabis policy and debate in recent years. Countries, such as Ghana and Zimbabwe, have lifted some criminal sanctions and created legal markets for medicinal and industrial uses, while South Africa has also legalised the private production for personal use. Elsewhere, including Kenya and Nigeria, cannabis prohibition remains in place, though debate about such policy has grown strong. These shifts are in line with reforms in other parts of the world, yet cannabis policy in Africa has important and understudied local dynamics.

The *Cannabis Africana: Drugs and Development in Africa* research project, based at the Universities of Bristol and Cape Town, studies the impact of changing policies and what they mean for the rights and lives of people in the cannabis trade.

As part of the project, and in partnership with VOCAL-Kenya, a health and human rights NGO focused on drug use and drug policy, a policy workshop was held in Nairobi, Kenya on July 5th 2023. It engaged key policy makers and practitioners relating to drug control in Kenya, as well as members of civil society, legal practitioners and community groups. The workshop discussions as well as the project findings are the basis of this policy brief.



Image credit: Gernot Klantschnig

### Key findings

1. Cannabis consumption in Kenya has a long history, particularly in western Kenya where smoking cannabis has particular cultural significance as a social activity and where it also has medicinal uses.
2. Legal prohibition is ineffective in curbing cannabis trade and use. Cannabis is consumed by people from all social strata despite harsh penalties possible for those arrested under the Narcotics and Psychotropic Substances Control act of 1994. However, prohibition has stigmatised and marginalised consumers, and enables extortion by law enforcement officers complicit in the trade. Workshop participants were particularly concerned about arbitrary arrests and offender profiling in relation to cannabis.
3. Cannabis production, transportation and trade offer livelihoods for many people in East Africa amidst economic hardship and high cost of living. Supply networks criss-cross the region. While there is some production in Kenya, the country imports much cannabis from Tanzania, Uganda and Ethiopia, the latter providing 'shash', a variety that has become popular in the last two decades. Recently, new hybrid varieties are being sold in Nairobi at a premium price.
4. Debate about cannabis policy has grown strongly over the last decade. Legal regulation is supported by some to combat stigma and make cannabis production and trade more legitimate, but there are concerns that a legal market will erode the value of cannabis. There is concern too that cannabis laws are hindering the development of medicinal cannabis and non-psychoactive hemp as an industry.
5. The discussions at the Nairobi workshop highlighted the appetite for more policy debate, and the need for inclusion of a range of voices in such debates to guide change and prevent potential benefits being restricted to wealthy segments of society.

## Policy recommendations

The following recommendations emerge from the workshop and the implications of the project findings:

1. Government agencies such as NACADA (the National Authority for the Campaign Against Alcohol and Drug Abuse), policymakers, and civil rights groups should form a taskforce to assess the current situation regarding cannabis and cannabis policy and create platforms for informed national debate about the way forward.
2. International drug policy organisations, the United Nations, African Union, and local and international researchers should support the sharing of information with Kenyan policymakers and other stakeholders on the experience of other countries with cannabis policy change, offering insight into the challenges and opportunities such change brings.
3. Academics and research funding bodies should develop more research on cannabis in Kenya that can underpin balanced debate on policy. Research should focus not just on psychoactive cannabis, but also on industrial hemp and its potential benefits as a crop.
4. The media should be encouraged to generate balanced coverage of cannabis and cannabis policy informed by research.
5. It is important that policymakers, advocates, police, the judiciary and others take into account the religious, social and cultural importance of cannabis to Kenyan communities, and particularly its importance for livelihoods. Government agencies should promote proportionate sentencing in relation to cannabis offences and consider alternatives to prison especially for petty offences.

## Methodology

The *Cannabis Africana* project is the first empirical study to examine the nexus between cannabis, cannabis policy and livelihoods across four African countries, as well as in the wider regional context. In Kenya the project has principally worked in western Kenya and Nairobi, conducting interviews and ethnographic research, as well as researching the history of cannabis in Kenya through archival research. The project is funded by the UK Economic and Social Research Council (ESRC) and Arts and Humanities Research Council (AHRC).

## Further information

<https://cannabisaficana.blogs.bristol.ac.uk/>

<http://www.vocal-kenya.org/>

Twitter: @CannabisAfrican

The Conversation: [Cannabis policy changes in Africa are welcome. But small producers are the losers](#)

The Conversation: [Cannabis is illegal in Nigeria but provides a living for families](#)

Rusenga, C., Klantschnig, G., Carrier, N., & Howell, S. (2024). 'Business as usual? Cannabis legalisation and agrarian change in Zimbabwe.' *The Journal of Peasant Studies*, 51(4), 982–1001



Image: Cannabis cigarette in Kenya. Credit: Neil Carrier

## Contact the researchers

Neil Carrier: [neil.carrier@bristol.ac.uk](mailto:neil.carrier@bristol.ac.uk)

Bernice Apondi: [apondibernice@protonmail.com](mailto:apondibernice@protonmail.com)

Clemence Rusenga:  
[clemence.rusenga@bristol.ac.uk](mailto:clemence.rusenga@bristol.ac.uk)

Gordon Omenya: [gomenya30@yahoo.com](mailto:gomenya30@yahoo.com)