

# Policy Brief on The Status of Alcohol And Drug Abuse Control in Kenya for the Period Between 1st January To 30th June 2020

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## Introduction

Alcohol and drug abuse has been recognized as a major public health problem globally. In Kenya, statistics show that 18.2% (4,913,254) of Kenyans aged 15 – 65 years are currently using at least one drug or substance of abuse. Alcohol continues to be the most widely used drug with a current usage of 12.2% (3,293,495). Statistics also show that 10.4% (2,807,569) of Kenyans have alcohol use disorders.

NACADA is mandated to coordinate a national response against alcohol and drug abuse as espoused in the NACADA Act 2012 and the Alcoholic Drink Control Act (ADCA) 2010. The Authority is also a member of the Inter-Agency Taskforce for Control of Potable Spirit and Combat of Illicit Brews as per the Gazette Notice of 10th July 2015. The Taskforce is mandated to inspect all the premises manufacturing alcoholic drinks and recommend measures of control including the closure of production premises.

To facilitate inter-agency collaboration and liaison among lead agencies responsible for alcohol and drugs demand reduction and supply suppression, the Authority convenes the National Technical Committee on Drug Trafficking and Abuse

(NTC). The committee membership is drawn from the Ministry of Interior and Coordination of National Government, Directorate of Public Health, Pharmacy and Poisons Board, State Department of Immigration and Registration of Persons, Government Chemist Department, Anti-Narcotics Police Unit, National Police Service, Kenya Prisons Service, Kenya Revenue Authority, Kenya Airports Authority, Kenya Ports Authority, State Law Office, Kenya Bureau of Standards and the National Intelligence Service. The committee facilitates establishing plans of action, strategies and collaboration in the development, implementation and enforcement of laws and policies relating to drug abuse control.

## Enforcement

Enforcement data in the reporting period shows that illicit alcohol accounted for the highest seizures followed by cannabis, heroin and lastly cocaine. Data shows that counties in Rift Valley and Nyanza regions accounted for the highest proportion of alcohol seizures during the reporting period. The data also shows an increasing demand for cannabis trafficked from Ethiopia with Isiolo, Marsabit and Garissa counties accounting for 61.2% of the total seizures of cannabis in Kenya during the reporting period.

## Illicit Alcohol Control

In the reporting period, data on illicit alcohol seizures shows that a total of 2,052,905 litres of illicit alcohol was seized nationally. County specific data showed that Uasin Gishu accounted for the highest seizures of illicit alcohol (346,496 litres) followed by Nyamira (239,605 litres), Nairobi (192,651 litres), Kakamega (166,061 litres), Elgeyo Marakwet (128,430 litres), Kericho (128,040 litres), Meru (119,164 litres), Homabay (114,264 litres), Nakuru (92,795 litres) and Migori (79,656 litres).

## Cannabis Control

Cannabis is the most widely used narcotic drug in Kenya. Cannabis is mostly trafficked by road.

During the reporting period, data on cannabis/ marijuana seizures shows that a total of 5,606 kgs of cannabis were seized nationally. Analysis of county specific data showed that Isiolo accounted for the highest seizures of cannabis/ bhang (2,023 kgs) followed by Marsabit (1,091.30 kgs), Garissa (315.0 kgs), Mombasa (258.46 kgs), Vihiga (205.65 kgs), Migori (195.13 kgs), Kisii (165.75 kgs), Kitui (145.80 kgs), Machakos (108.75 kgs) and Kirinyaga (105.90 kgs). Data also shows that 62,355 rolls, 1,408 plants, 1,848 brooms and 690 stones of cannabis were seized during the reporting period. The counties that reported cultivation were Siaya, Nandi, Meru, Murang'a, Trans Nzoia and Isiolo. Further a total of 1,804 persons were arrested for cannabis possession, cultivation and trafficking where 1,786 were Kenyans while 18 were foreigners. Out of the total arrests, 190 (10.5%) of the cases were finalized.

### Heroin Control

During the reporting period, data on heroin seizures shows that a total of 0.5151 kgs of heroin was seized nationally including 551 sachets and 54 pellets. The low seizures of heroin could have been attributed to the Covid 19 containment measures restricting international travels. Further, the law enforcement officers were engaged to enforce the Covid 19 guidelines especially the cessation of movement between counties. In terms of county specific data, Mombasa accounted for the highest seizures of heroin (0.4011 kgs, 257 sachets and 10 pellets) followed by Kilifi (0.074 kgs and 198 sachets), Nairobi (0.04 kgs and 86 sachets), Kwale (44 pellets) and Lamu (10 sachets). A total of 44 persons were arrested of whom 38 were Kenyans and 6 were foreigners. Of the total cases for heroin related offences, only 2 (4.5%) were finalized.

### Cocaine Control

During the reporting period, data shows that a total of 0.201 kgs of cocaine was seized in the country including 202 sachets. Data also showed that a total of 22 offenders were arrested of whom 20 were Kenyans and 2 were foreigners. None of the cases was finalized during the reporting period. The seizures for cocaine in Kenya were commonly reported in the Coast region, Nairobi

region and Jomo Kenyatta International Airport.

## Challenges in the Campaign Against Alcohol and Drug Abuse

The campaign against alcohol and drug abuse in Kenya during the period under review was faced by a number of challenges that include:

### Covid-19 related challenges

The country has witnessed unprecedented challenges associated with the Covid-19 pandemic necessitating the Government to issue containment measures leading to closure of learning institutions and ban of public gatherings. These measures disrupted the operations of major Authority's programs targeting learning institutions, communities and operations of treatment and rehabilitation centres.

### Access to treatment and rehabilitation services

The demand for treatment and rehabilitation in the country exceeds the available facilities resulting in a large unmet need for these critical services. Currently, there are only four operational public treatment and rehabilitation facilities. These are Mathari Teaching and Referral Hospital, Moi Teaching and Referral Hospital Eldoret, Kenyatta National Hospital and Coast General Hospital. Over 90 percent of the other facilities are privately owned; skewed in urban centres and majorly in Nairobi, Kiambu and Mombasa Counties; and are not affordable to the majority of Kenyans.

### Inadequate parental role modelling and parental monitoring

In the recent past, the country has witnessed an emerging trend of underage alcohol and drug abuse. In March 2020, the Government issued Covid-19 containment measures that led to the closure of bars and restaurants. The guidelines provided that alcohol could only be accessed from wines and spirit shops or supermarkets as a takeaway. This resulted to an alarming increase in the incidences of alcohol consumption within the home environment putting children at risk of exposure to negative influence by their parents or guardians. This situation is further complicated

by inadequate parental monitoring, parental relationship and parental attachment thereby exposing children to negative peer influences.

### Online alcohol sale

Following the Government's Covid-19 containment measures affecting bars and restaurants, there has been an upsurge of online sale of alcoholic drinks in the country thereby posing serious health and regulatory challenges. Due to the inadequate regulatory regime of the online alcohol sale platforms, there are potential risks of access to underage drinkers given that there are no structures for age verification. Online sale also hinders regulation of standards for alcoholic drinks thereby posing public health and safety concerns to consumers.

### Cannabis trafficking

The completion of Isiolo – Marsabit – Moyale road has facilitated easy movement of goods and services in the region. One of the unintended outcomes of the improved infrastructure is an upsurge of cannabis trafficking from Ethiopia. This has been further complicated by the long and porous border between Kenya and Ethiopia.

### Prosecution of narcotic drugs related offenders

The fight against drug trafficking has realized significant arrests of narcotic drugs offenders. On the other hand, there has been a challenge of delayed prosecution of narcotic drugs offenders. Other cases have been finalized with very lenient judgements. Delayed prosecution, release of offenders through bail and lenient judgements has led to an increase of repeat offenders.

### Recommendations

According to the report, alcohol and cannabis were the most widely seized substances of abuse in Kenya. Therefore, the report recommends the following:

- i. The Authority should invest more on media-based and social media programs to target parents, children and the general public with positive parenting skills, provision of safe spaces for children and sensitization on alcohol and drug abuse prevention, control and management;
- ii. The Authority should collaborate with the County Governments to accelerate the establishment, refurbishment and equipping of treatment and rehabilitation facilities.
- iii. The Authority with the support of the Ministry of Interior and Coordination of National Government and other partners should work towards implementing the Presidential directive to operationalize the Miritini NYS Camp as a model treatment and rehabilitation centre;
- iv. The Authority should engage the county governments to ring-fence resources acquired from liquor licensing and invest on establishing more treatment and rehabilitation facilities and implementation of demand reduction programs;
- v. The Authority should lobby for the proposed amendments in the Alcoholic Drinks Control (Amendment) Bill 2017 for regulation of online sale of alcoholic drinks;
- vi. NACADA should continue to undertake regular engagements with the County and Regional Security Committees of Eastern and North Eastern Regions in order to address the challenges of cannabis trafficking. However, there is need to invest more resources on facilitation and equipment needed by law enforcement agencies to control cannabis trafficking; and
- vii. The Government should propose amendments to the Narcotic Drugs and Psychotropic Substances (Control) Act, 1994 in order to enhance penalties of trafficking narcotic drugs including prescribing offences for state or public officers who aid or abet any offences under the Act.