

	Global Journal of Arts Humanity and Social Sciences				
	ISSN: 2583-2034				
	Abbreviated key title: Glob.J.Arts.Humanit.Soc.Sci				
	Frequency: Monthly				
	Published By GSAR Publishers				
Journal Homepage Link: https://gsarpublishers.com/journal-gjahss-home/					
Volume - 5	Issue - 10	October 2025	Total pages 820-838	DOI: 10.5281/zenodo.17276869	

Examination of the Tanzania's Legal Framework in Mainstreaming Agricultural Domestic Support Principle as a Strategy to Curb Cannabis Cultivation

By

Sigfrid Marco Lutambi¹

¹LL.M Student, Faculty of Law, Mzumbe University, Morogoro, Tanzania.



Article History

Received: 25- 09- 2025

Accepted: 04- 10- 2025

Published: 06- 10- 2025

Corresponding author

Sigfrid Marco Lutambi

Abstract

The problem under this study is the continuing rise of cannabis cultivation in Morogoro region of Tanzania, regardless of the presence of legal framework for criminalization of the cultivation. The main research question under this study is to what extent the Tanzania's legal framework mainstreams the principle of agricultural domestic support, as articulated under international trade law, particularly the Agreement on Agriculture, in addressing cannabis cultivation in Morogoro Region. In this study, domestic support measures are legal and policy measures that intends to diversify the cannabis cultivation into food and or cash crops. Using a qualitative legal research approach, the study employed doctrinal analysis to assess international legal instruments and domestic statutes, law books, journal articles, policy documents under documentary review method of data collection to explore legal challenges. Through thematic and content data analysis techniques, the findings indicate that the principle of domestic support is impartially domesticated in Tanzania as evidenced through unclear legal mandates, insufficient funding, and weak community engagement limiting the effectiveness of current interventions. The paper recommends legal amendments to empower institutions with preventive mandates, enhance inter-sectoral coordination, and prioritise agricultural domestic support in the Mvomero and Kilosa districts of Morogoro Region.

Keywords: Cannabis cultivation, criminalisation, agricultural domestic support principle, legal framework, Morogoro, Tanzania

1.0 Introduction

Cannabis cultivation has persisted in Tanzania, particularly in Morogoro Region, despite of eradication and criminalisation strategies.¹ Reportedly, Tanzania has been seizing, destroying, arresting and sentencing the producers of the drug in the region, as criminal measures.² In this region, *cannabis* seems to flourish

instead of other food and cash crops, which could have offered local farmers a legal source of income.³ These arguments introduced a room for this study to consider a non-criminal measure or principle of "agricultural domestic support" as a way forward. Domestic support principle is governed by the World

¹ *The Guardian*. (2024, August 27). *DCEA Burns 1,165 Acres Cannabis Farms at Mikumi*. *The Guardian*. Retrieved November 15, 2024 from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.

² Drug Control and Enforcement Authority (DCEA). (2023). *Taarifa ya Hali ya Dawa za Kulevya ya Mwaka 2023*. DCEA. See

also section 60 of the *Economic and Organised Crime Control Act [CAP. 200 R.E. 2023]*, among Tanzania laws. See also, *Republic v. Azizi Rashid Abdallah Economic Case No. 24 OF 2023, High Court of Tanzania at Dar es Salaam Registry (Unreported)*, and *Republic V. John Mwaseba Mwasikili, Economic Case No. 3841 OF 2024, High Court of Tanzania at Morogoro (Unreported)*.

³ Yusuph, K., & Negret, I. (2016). *Adolescents and Drug Abuse in Tanzania: History and Evolution*. *Advances in Research*, 7(2), pp.1–10.



Trade Organisation (WTO).⁴ Tanzania is one among the WTO member states and has to ratify and domesticate this principle.⁵ As a dualist state, Tanzania requires that any international treaty or principle, even after ratification, must undergo legislative transformation before it attains domestic legal force.⁶ For certainty, the country has ratified and domesticated both the United Nations (UN) framework on narcotics control and the WTO principle of agricultural domestic support into national laws.⁷ Therefore, the principle may be domesticated and implemented fully as a complement to criminalisation in the named region.

This paper is organised into sections which includes its introduction, background to the problem sections. Moreover, it covers the methodology, conceptual and theoretical framework of the study, critical examination of the legal framework, conclusion and recommendations, acknowledgement and reference sections.

2.0 Background to the Problem

It is documented that Tanganyika (now Tanzania Mainland) had *cannabis* gardens established as early as between the 18th and 19th centuries.⁸ Early cultivators employed various agricultural and processing practices.⁹ Initially, drying the plant's flowers for consumption, labour stimulant and for medicinal purposes.¹⁰ However, at that time, the drug was not considered harmful to human health.¹¹ In the East African Great Lakes region, particularly south of Lake Victoria, the crop is commonly referred to as "bhangi" a term attributed to early Swahili contact.¹² Historical accounts, such as those from explorer John Speke in the

1850s, note its production and use among Arab and Swahili communities along the coast.¹³ A practice that endures to this day.

Tanganyika subsequently fell under colonial rule from the 1890s to the 1960s, under German and later British rule.¹⁴ Initially, colonial administrations permitted the cultivation of certain narcotic crops.¹⁵ But by 1925, these practices were broadly restricted following international mandates, placing *cannabis* under global regulatory control.¹⁶ Despite its initial legality, colonial authorities in Tanganyika systematically reduced the production capacities of narcotic crops.¹⁷ Restricting cultivation and exerting control over agricultural practices involving restricted crops.

However, after independence, illicit cultivation in Tanzania can be traced since the establishment of the Drug Control Commission (DCC) in 1997.¹⁸ The reasons for prohibition were because of its negative impact on human health, as explained earlier. In 2015, Tanzania enacted the law to establish the Drug Control and Enforcement Authority (DCEA).¹⁹ The authority is given the mandate to seize, arrest, and destroy narcotic drug farms in Tanzania.²⁰ However, the DCC had not fulfilled the mentioned mandate; thus, a new authority was established.²¹ Despite the illegal status of *cannabis* and the mentioned administrative measures, it is still widely cultivated in rural areas of Tanzania, particularly in Morogoro Region.²² The region has fertile soil suitable for crop cultivation and dense forests that favour illicit cultivation.²³

⁴ See Article 6 (2) of the WTO Agreement on Agriculture of 1994.

⁵ Cosmas, J. (2019). Harmonising Tanzania Legal Framework with WTO Trade Rules: How well is Tanzania Faring? *The Law School of Tanzania Journal*, 2(2), pp.109–120.

⁶ See Article 63(3)(e) of the Constitution of the United Republic of Tanzania, 1977 (as amended).

⁷ The first schedule of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023]. The schedule domesticates the Single Convention on Narcotic Drugs of 1961, the 1971 Convention on Psychotropic Substances, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Also, see the Fertilizers Act, (Act No. 9 of 2009), National Irrigation Act [CAP. 435 R.E. 2023], Seeds Act, [CAP. 308 R.E. 2023], Tanzania Agricultural Research Institute Act, (Act No. 2 of 2016), among Tanzania laws.

⁸ Du Toit, B. M. (1976). *Man and Cannabis in Africa: A study of diffusion*. *African Economic History*, 1(1), pp.17–35.

⁹ Duvall, C. S. (2019). *A brief agricultural history of cannabis in Africa, from prehistory to canna-colony*. *EchoGéo*, 47. p. 3

¹⁰ Du Toit, B. M. (1976). *Man and Cannabis in Africa: A study of diffusion*. *African Economic History*, 1(1), pp.17–35.

¹¹ Duvall, C. S. (2016). *Drug Laws, Bioprospecting and the Agricultural Heritage of Cannabis in Africa*. *Space and Polity*, 20(1), pp.10–25.

¹² Duvall, C. S. (2016). *Drug Laws, Bioprospecting and the Agricultural Heritage of Cannabis in Africa*. *Space and Polity*, 20(1), pp.10–25.

¹³ Du Toit, B. M. (1976). *Man and Cannabis in Africa: A study of diffusion*. *African Economic History*, 1(1), pp.17–35.

¹⁴ Robert, K. (2021). *Contextual Behaviours of Drug Users and Abusers Among Secondary School Students That Hinder Academic Performance in Kahama Municipality*. *Tanzania Education Review*, 12(2), pp.33–45.

¹⁵ Duvall, C. S. (2019). *A brief agricultural history of cannabis in Africa, from prehistory to canna-colony*. *EchoGéo*, 47. p. 4

¹⁶ Ravindra, B. M., et al. (2024). *Cannabis Sativa: A Therapeutic Medicinal Plant—Global Marketing Updates*. *World Journal of Biology Pharmacy and Health Sciences*, 17(2), pp.170–180. Also see the Geneva Opium Convention, 1925.

¹⁷ See the Geneva Opium Convention, 1925.

¹⁸ See section 4 of the Drugs and Prevention of Illicit Traffic in Drugs Act Chapter 95 of 1997. This Act was repealed on 2015-09-15 by Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹⁹ The Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

²⁰ The Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

²¹ See section 5 of the Drugs and Prevention of Illicit Traffic in Drugs Act Chapter 95 of 1997, (repealed).

²² The Citizen. (2021, April 11). *Revealed: Tanzania's Six Top Regions in Marijuana Growing*. *The Citizen*. Retrieved November 15, 2024 from the World Wide Web:

<https://www.thecitizen.co.tz/tanzania/news/national/revealed-tanzania-s-six-top-regions-in-marijuana-growing--2696302>.

²³ *ibid*.



In particular, on 30th August 2024, approximately 1,165 acres of cannabis have been reported to be cultivated in Morogoro Region. Specifically, in Kilosa district, at Mafumbo, Nyarutanga and Lujenge villages of the district.²⁴ It is further reported that, in Mvomero district of the same region, 100 hectares of the drug were cultivated in the year 2024.²⁵ Furthermore, the cultivation is mostly effected along the banks of the Mbakana, Misigiri, and Mgeta rivers, near and within the Mikumi National Park reserve area.²⁶ With the increasing cultivation, it has led to its designation as “green gold” due to favourable prices in neighbouring countries, like Kenya, Mozambique, Malawi and Ethiopia.²⁷ This situation leads to the continuation of human health burdens, like mental and respiratory disorders in the region.²⁸ This proves that criminal measures alone are not working to curb *cannabis* cultivation successfully, hence the examination of the WTO agricultural domestic support principle to curb the same cultivation.²⁹

However, Tanzania, being a developing country, has legal permission under the WTO Agreement on Agriculture (AoA) rules to discourage illicit cultivation in the country.³⁰ Specifically, through the WTO AoA, domestic support rules for agriculture which must be provided through government agricultural subsidies within public policy frameworks.³¹ Notably, the WTO AoA principle of agricultural domestic support is domesticated in Tanzania laws.³² Thus, the study intended to examine the extent to

which the principle is implemented to curb *cannabis* cultivation in the named region. With regard to the foregoing arguments, the researcher was therefore inspired to examine Tanzania’s legal control of *cannabis* cultivation under criminal measures. The discussion extends to reflect WTO AoA principle of agricultural domestic support, as a means to diversify cannabis cultivation into food and or commercial crops to complement criminal ones.

3.0 Materials and Methods

The study adopted a qualitative legal research design. Primary sources and Secondary sources relevant to curbing cannabis cultivation in Tanzania are analysed qualitatively. Data collection method which has been used is documentary review. This method has been employed to collect data by reviewing both primary and secondary sources, as noted above. Primary sources, these include convention, legislation, case laws, were complemented by secondary sources of data.³³ Secondary sources typically consist of scholarly works, including legal books, journal articles, and other relevant literature on *cannabis* cultivation.³⁴

The above-mentioned sources were collected from the Mzumbe University library, the DCEA website, the Ministry of Agriculture website, website of the Judiciary of the United Republic of Tanzania. Moreover, from online libraries and databases, including Research4Life, Jstor, and Google Scholar.

Data Analysis has been conducted through thematic and content review and legal interpretation, linking statutory provisions to the principle of agricultural domestic support.

However, legal texts like conventions, statutes, and case laws are analysed and interpreted via the black-letter method of legal text interpretation. This method refers to a systematic approach that involves careful analysis of legal sources to interpret and comprehend legal principles, rules, doctrines, and their practical implications.³⁵

4.0 Conceptual and Theoretical Framework

This section describes the theoretical foundation of the problem under the study and unpacks the constitutive elements of relevant terms and concepts. In particular, three terms and one legal concept are relevant to this study as described below. Also, two legal

²⁴ The Guardian. (2024, August 27). DCEA Burns 1,165 Acres Cannabis Farms at Mikumi. The Guardian. Retrieved November 15, 2024 from the World Wide Web:

<https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.

²⁵ Xinhua. (2020, June 9). Tanzanian Police Discover 100 Hectares of Cannabis in Anti-Narcotics Crackdown. Xinhua Net. Retrieved November 15, 2024 from the World Wide Web:

http://www.xinhuanet.com/english/2020-06/09/c_139126991.htm.

²⁶ Magulimali, H. (2024, August 26). Authorities Destroy Cannabis Farms in Morogoro Operation. Media Wire Express. Retrieved November 15, 2024 from the World Wide Web:

<https://mediawireexpress.co.tz/authorities-destroy-cannabis-farms-in-morogoro-operation/>.

²⁷ Yusuph, K., & Negret, I. (2016). Adolescents and Drug Abuse in Tanzania: History and Evolution. *Advances in Research*, 7(2), pp.1–10.

²⁸ Drug Control and Enforcement Authority (DCEA). (2023). *Taarifa ya Hali ya Dawa za Kulevya ya Mwaka 2023*. DCEA. p. 12.

²⁹ Brink, L., & Orden, D. (2023). *Agricultural Domestic Support under the WTO: Experience and Prospects*. Cambridge University Press. P.5.

³⁰ See Para. 1.1.

³¹ Annex 2 of the Agreement on Agriculture, 1994

³² The Tanzania legal framework on domestication of AoA domestic support, provides provisions on fertilizers, agricultural research investigation, irrigation support to farmers. For instance, the

Fertilizers Act, of 2009, Tanzania Agricultural Research Institute Act, No. 10 of 2016, Local Government (District Authorities) Act, [CAP. 287 R.E. 2023].

³³ Khoa, B. T., Hung, B. P., & Hejsalem-Brahmi, M. (2023). *Qualitative Research in Social Sciences: Data Collection, Data Analysis and Report Writing*. *International Journal of Public Sector Performance Management*, 12(4), pp.355–370.

³⁴ Khoa, B. T., Hung, B. P., & Hejsalem-Brahmi, M. (2023). *Qualitative Research in Social Sciences: Data Collection, Data Analysis and Report Writing*. *International Journal of Public Sector Performance Management*, 12(4), pp.355–370.

³⁵ Aryal, A. (2024). *Black-letter Methodology in Public Health Research*. *Nepal Journal of Public Health*, 1(1), pp.83–92.



theories, namely, deterrent and rehabilitation, are identified as relevant in this study.

4.1 Conceptual Frameworks

This part defines the terms and describes a concept applied in this study. With respect to terms, among relevant terms defined below are inclusive: *cannabis*, *cannabis* cultivating communities, robust legal framework. With respect to the concept, this study has identified a single legal concept which is the WTO agricultural subsidies measures. Structurally, it begins with the definitions of terms followed by description of a concept.

Cannabis is a widely known psychoactive plant with a complex chemical composition which has been used for centuries in both recreational and medicinal contexts.³⁶ Its natural phytochemical properties classify it as a narcotic substance under international and domestic drug control laws.³⁷ This narcotic is among other controlled substances such as cocaine, heroin, and khat.³⁸ The plant's psychoactive properties contribute to substance abuse and dependency, which can lead to a range of mental health issues, including anxiety, depression, and cognitive impairments. Chronic use has also been associated with respiratory problems, cardiovascular issues, and impaired brain development.³⁹

Cannabis Cultivating Communities, these are villages that have recently been reported to continue cultivating *cannabis* within Mvomero and Kilosa districts of Morogoro Region. For certainty, these are: Nyarutanga, Mafumbo, Luale and Lujenge villages, near Mgeta, Mbakana, Misigiri rivers of Mvomero and Kilosa districts of Morogoro Region.⁴⁰ In particular, on 30th August 2024, approximately 1,165 acres of cannabis have been reported to be cultivated in Morogoro Region. Specifically, in Kilosa district, at Mafumbo, Nyarutanga and Lujenge villages of the district.⁴¹ It is further reported that, in Mvomero district of the same region, 100 hectares of the drug were cultivated in the year 2024.⁴²

³⁶ Mtewa, A. G., et al. (2024). *Approaches in the conservation of cannabis species and their chemical products*. In A. G. Mtewa, P. S. Chikowe, & M. F. Zihlangu (Eds.), *Cannabis and khat in drug discovery* (pp. 1–15). Elsevier: pp.1-2.

³⁷ Raineri, L., & Strazzari, F. (2023). *The Data That We Do (Not) Have: Studying Drug Trafficking and Organised Crime in Africa*. *Trends in Organized Crime*, 26(3), pp.358–374.

³⁸ Drug Control and Enforcement Authority (DCEA). (2024). *Taarifa ya Hali ya Dawa za Kulevya ya Mwaka 2024*. DCEA. p.6.

³⁹ Malabadi, R. B., Kolkar, K. P., & Chalannavar, R. K. (2023). *Δ9-Tetrahydrocannabinol (THC): The Major Psychoactive Component is of Botanical Origin*. *International Journal of Botany Studies*, 5(2), pp.44–52.

⁴⁰ *ibid*

⁴¹ *The Guardian*. (2024, August 27). *DCEA Burns 1,165 Acres Cannabis Farms at Mikumi*. *The Guardian*. Retrieved November 15, 2024 from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.

⁴² Xinhua. (2020, June 9). *Tanzanian Police Discover 100 Hectares*

Furthermore, the cultivation is mostly effected along the banks of the Mbakana, Misigiri, and Mgeta rivers, near and within the Mikumi National Park reserve area.⁴³

Criminal measures to curb the cultivation in these communities were expected to be deterrent and successful ones, but it has been proved otherwise. Complementary, the Tanzania government is legally permitted under the WTO framework to encourage the transformation of illicit cultivating communities into cultivating legal crops like maize and beans in those communities via publicly funded agricultural subsidies.⁴⁴ The domesticated agricultural domestic support principle is expected to transform or permanently moving *cannabis* cultivating communities into legal cultivation of crops in those districts.

Robust legal framework, according to this study, it is that which provides for *cannabis* cultivation criminalisation and agricultural domestic support efforts to legal cultivation, aligned with the WTO AoA principles. Integrating strict regulation of illicit cultivation.⁴⁵ But fostering economic growth through agricultural domestic support.⁴⁶ The framework which enforces penalties for illegal activities such as *cannabis* cultivation, trafficking, and possession.⁴⁷ This shift from *cannabis* production to the lawful cultivation of crops and other derivatives supports the transformation of agriculture in the country.⁴⁸ It is offering farmers viable alternatives to illegal cultivation (*cannabis*) and contributing to rural development in the named region above.

The framework that aligns with the WTO AoA by supporting domestic agricultural policies that encourage sustainable farming practices.⁴⁹ Additionally, that addresses public health concerns

of Cannabis in Anti-Narcotics Crackdown. Xinhua Net. Retrieved November 15, 2024 from the World Wide Web: http://www.xinhuanet.com/english/2020-06/09/c_139126991.htm.

⁴³ Magulimali, H. (2024, August 26). *Authorities Destroy Cannabis Farms in Morogoro Operation*. *Media Wire Express*. Retrieved November 15, 2024 from the World Wide Web: <https://mediawireexpress.co.tz/authorities-destroy-cannabis-farms-in-morogoro-operation/>.

⁴⁴ See Article 6 (2) of the Agreement on Agriculture, 1995.

⁴⁵ Brink, L., & Orden, D. (2023). *Agricultural Domestic Support under the WTO: Experience and Prospects*. Cambridge University Press. p.5.

⁴⁶ Rensburg, J. V. V. (2019). *The WTO Agreement on Agriculture and Its Impact on Least Developed Countries in Africa*. Retrieved October 17, 2024 from the World Wide Web: <http://rgdoi.net/10.13140/RG.2.2.35802.36801>. p.20.

⁴⁷ See section 11 of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

⁴⁸ Surono, A., & Hidayat, M. N. (2019). *Special and Differential Treatment in The WTO Agreement on Agriculture and The Benefits for Developing Countries*. *Academic Journal of Interdisciplinary Studies*, 8(3), pp.115–126.

⁴⁹ Rensburg, J. V. V. (2019). *The WTO Agreement on Agriculture and Its Impact on Least Developed Countries in Africa*. Retrieved



related to *cannabis* use by implementing education, harm-reduction strategies, and rehabilitation programs.⁵⁰ In this way, the framework ensures that the said cultivation management contributes to both public well-being and economic development.⁵¹ Therefore, enhancing the agricultural sector's capacity to support the elimination of the said cultivation in the named region.

WTO Agricultural subsidies Measures, under this study, are described to mean, transforming or permanently moving *cannabis* cultivating communities into legal cultivation of crops in Mvomero and Kilosa districts of Morogoro Region, Tanzania.⁵² Legal crops include those which are sanctioned for lawful production and trade, as expounded above.⁵³ The WTO framework, of which Tanzania is a member, supports these efforts to enhance sustainable agricultural practices.⁵⁴ The rise in restricted crop cultivation has negatively impacted Tanzanians' human health, particularly in Morogoro Region.⁵⁵ As resources could be redirected toward legal crops to foster faster trade development. However, the high market value of *cannabis* compared to legal alternatives poses a significant challenge.⁵⁶ Effective transformation could address this issue, aligning Tanzanian agricultural practices with WTO trade rules and driving economic growth.

Notably, the WTO AoA domestic support measures are provided under public policy frameworks, through budget allocations, by avoiding price support measures, which are prohibited.⁵⁷ The AoA categorises domestic subsidies into three boxes: the Green Box (*de minimis*), Blue Box, and Amber Box.⁵⁸ However, this study focuses on the Green Box, which permits subsidies that cause

minimal or no trade distortion.⁵⁹ Examples of Green Box subsidies include: adequate funding for agricultural research, pest and disease control, training and education, market access, fertiliser supply, seed supply, and water supply infrastructures for legal cultivation in *cannabis* cultivating communities.⁶⁰ These Green Box subsidies are exempt from reduction commitments.⁶¹ Allowing Tanzania, as a developing country, to support its agricultural sector up to 10% of trade-distorting impacts.⁶² These rules can be adopted by the Tanzanian government to curb *cannabis* cultivation in addition to criminalisation in Morogoro Region.

4.2 Theoretical Framework

This study draws upon the two legal theories namely; deterrent and rehabilitation. These theories reflect the criminal nature of *cannabis* cultivation since it is criminalized in Tanzania. However, their description is relevant to signal that domestic support principle is vital to complement criminal measures to curb *cannabis* cultivation.

Deterrent theory, is grounded in classical criminology, posits that individuals will refrain from committing unlawful acts if they perceive the punishment to be certain, swift, and severe.⁶³ Proponents of the theory contend that individuals decide whether to comply with or contravene the law upon weighing the potential benefits against the attendant legal sanctions of their conduct.⁶⁴ Nonetheless, the commission of offences may persist notwithstanding the proper discharge of governmental functions. In this regard, Hobbes posited that the sanction imposed for an offence must outweigh the advantage derived from its commission.⁶⁵ Punishment, therefore, operates as an instrument of deterrence against breaches of the social contract and serves to preserve the binding relationship between the State and its citizens under a functional legal order.⁶⁶

October 17, 2024 from the World Wide Web:

<http://rgdoi.net/10.13140/RG.2.2.35802.36801>. p.22.

⁵⁰ Sevigny, E. L., Greathouse, J., & Medhin, D. N. (2023). *Health, Safety, And Socioeconomic Impacts of Cannabis Liberalization Laws: An Evidence and Gap Map*. *Campbell Systematic Reviews*, 19(2), e1362. p.8.

⁵¹ Khakimov, S. A., Gulyamov, D. E., & Salimova, M. R. (2024). *The role of narcotics and psychotropic substances in society*. *Web of Medicine: Journal of Medicine, Practice and Nursing*, 2(4), pp.58–61.

⁵² Rensburg, J. V. V. (2019). *The WTO Agreement on Agriculture and Its Impact on Least Developed Countries in Africa*. Retrieved October 17, 2024 from the World Wide Web: <http://rgdoi.net/10.13140/RG.2.2.35802.36801>. p.20.

⁵³ Kanyangemu, A., Kundu, K. K., & Sumit. (2019). *Trade Performance of Agricultural Commodities of Tanzania*. *Indian Journal of Economics and Development*, 15(3), pp.427–435.

⁵⁴ Cosmas, J. (2019). *Harmonising Tanzania Legal Framework with WTO Trade Rules: How well is Tanzania Faring?* *The Law School of Tanzania Journal*, 2(2), pp.109–120.

⁵⁵ *Drug Control and Enforcement Authority (DCEA)*. (2024). *Taarifa ya Hali ya Dawa za Kulevy ya Mwaka 2024*. DCEA. p.22.

⁵⁶ Duvall, C. S. (2019). *A brief Agricultural History of Cannabis in Africa, from Prehistory to Canna-colony*. *EchoGéo*, 47. p.3.

⁵⁷ See Article 6 of the WTO Agreement on Agriculture, 1994.

⁵⁸ *Ibid*, Article 6

⁵⁹ Dubey, S. (2015). *Understanding WTO Provisions for Trade in Agriculture*. *International Journal of Trade & Commerce*, 4(1), pp.89–97.

⁶⁰ Annex 2 of the WTO Agreement on Agriculture, 1994.

⁶¹ Surono, A., & Hidayat, M. N. (2019). *Special and Differential Treatment in The WTO Agreement on Agriculture and The Benefits for Developing Countries*. *Academic Journal of Interdisciplinary Studies*, 8(3), 115–126.

⁶² *ibid*. p.121.

⁶³ Singh, D. S. K. (2025). *Revisiting Theories of Punishment in the 21st Century: A Critical Analysis of Retribution, Deterrence, Rehabilitation, and Restorative Justice in Contemporary Legal Systems*. *The Infinite*, 2(1), pp.45–60.

⁶⁴ Bentham, J. (1948). *An introduction to the principles of morals and legislation (with an introduction by W. Harrison, Ed.)*. New York: Macmillan. P5

⁶⁵ Nagin, D. S. (1998). *Criminal deterrence research at the outset of the twenty-first century*. In M. Tonry (Ed.), *Crime and justice: A review of research* (pp. 1–42). Chicago: University of Chicago Press.

⁶⁶ *ibid*



The jurisprudential roots of deterrence as a penal theory are traceable to the writings of classical philosophers, notably Thomas Hobbes (1588–1678), Cesare Beccaria (1738–1794), and Jeremy Bentham (1748–1832).⁶⁷ Collectively, these thinkers challenged the prevailing legal doctrines that had shaped European jurisprudence for centuries, as well as the metaphysical conceptions of criminality upon which such doctrines were grounded. Moreover, as proponents of the social contract, they laid the intellectual foundation for the contemporary theory of deterrence within criminological discourse.⁶⁸

In the context of *cannabis* cultivation control, particularly under Tanzanian law, deterrence has been the primary model guiding enforcement policy.⁶⁹ The law adopts a punitive posture, emphasising arrest, prosecution, and incarceration as primary tools to suppress the cultivation in the country.⁷⁰ For example, a person legally proved to cultivate *cannabis* in Tanzania, upon conviction is liable to imprisonment for a term of not less than thirty years.⁷¹

Rehabilitation theory, focuses on correcting the root causes of criminal behaviour through targeted support aimed at reintegration and reform.⁷² The theory has consistently remained a subject of considerable debate within criminological and penological discourse.⁷³ In its plain sense, rehabilitation denotes the process of facilitating an offender's reintegration into society or restoring an individual to a prior lawful and socially acceptable status.⁷⁴ The theory emerged during the Jacksonian era of the late 19th century, when reform advocates advanced the view that offenders should be confined in solitude, thereby compelled to engage in penitential reflection upon their transgressions, with the aim of achieving moral reformation and personal transformation.⁷⁵ In the latter half

of the 19th century, the penitentiary system was supplanted by the reformatory model, which sought to rehabilitate offenders through the provision of educational and vocational instruction.⁷⁶

In theory, it aligns closely with restorative justice principles and modern public health approaches to drug control.⁷⁷ The primary objective is to transform the individual in a way that enables their reintegration into society as a responsible and constructive citizen.⁷⁸

The theory emphasises supportive measures such as educational programs, skill-based training, psychological support, treatment for substance dependence, and the development of essential life skills aimed at minimising the chances of future offending.⁷⁹ Within the Tanzanian legal system, however, the theory is implemented on *cannabis* cultivation control within the Morogoro region to offenders of *cannabis* cultivation.⁸⁰

5.0 Legal Framework on Curbing Cannabis Cultivation in Tanzania

This part critically discusses the key statutory instruments that constitute the legal framework applicable to the suppression of *cannabis* cultivation, while promoting agricultural domestic support as the complement to criminal measures. These includes international instruments, the Constitution of the United Republic of Tanzania, and principal legislation governing both measures.⁸¹

⁷⁶ *ibid*

⁷⁷ *ibid*.

⁷⁸ Singh, D. S. K. (2025). *Revisiting Theories of Punishment in the 21st Century: A Critical Analysis of Retribution, Deterrence, Rehabilitation, and Restorative Justice in Contemporary Legal Systems. The Infinite*, 2(1), pp.45–60.

⁷⁹ Singh, D. S. K. (2025). *Revisiting Theories of Punishment in the 21st Century: A Critical Analysis of Retribution, Deterrence, Rehabilitation, and Restorative Justice in Contemporary Legal Systems. The Infinite*, 2(1), pp.45–60.

⁸⁰ See Drug Control and Enforcement Authority (DCEA). (2024). *Taarifa ya Hali ya Dawa za Kulevya ya Mwaka 2024*. DCEA. p.22. Also, section 4 (2) of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023]

⁸¹ Constitution of the United Republic of Tanzania, 1977. Principal legislations, including; the Drug Control and Enforcement Act [CAP. 95 R.E. 2023], Economic and Organised Crime Control Act [CAP. 200 R.E. 2023], Government Chemist Laboratory Authority Act, (CAP. 177 R.E. 2023), Criminal Procedure Act [CAP. 20 R.E. 2023], Police Force and Auxiliary Services Act, (Cap. 322 R.E. 2023) and, Forest Act [Cap. 323 R.E. 2023], for criminal measures to curb *cannabis* cultivation in Tanzania. For non -criminal measures these laws are relevant; Fertilizers Act, (Act No. 9 of 2009), National Irrigation Act [CAP. 435 R.E. 2023], Plant Health Act, No. 4 of 2020, Seeds Act, [CAP. 308 R.E. 2023], Tanzania Agricultural Research Institute Act, (Act No. 2 of 2016), Local Government (District Authorities) Act, [CAP. 287 R.E. 2023], and Environmental Management Act, [CAP. 191 R.E. 2023], The Local Government Finances Act [CAP. 290 R.E. 2023], Budget Act [CAP.

⁶⁷ Vold, G. B., Bernard, T. J., & Snipes, J. B. (2002). *Theoretical criminology* (5th ed.). Oxford, UK: Oxford University Press. P8

⁶⁸ Bentham, J. (1948). *An introduction to the principles of morals and legislation* (with an introduction by W. Harrison, Ed.). New York: Macmillan. P5

⁶⁹ See the Drug Control and Enforcement Act [CAP. 95 R.E. 2023]

⁷⁰ *Ibid*

⁷¹ *Ibid*, section 11 (1) (d)

⁷² Ehrlich, I. (1981). *On the usefulness of controlling individuals: An economic analysis of rehabilitation, incapacitation, and deterrence. American Economic Review*, 71(3), pp.307–322.

⁷³ Cullen, F. T., & Gendreau, P. (2000). *Assessing correctional rehabilitation: Policy, practice and prospects. Policies, Processes and Decisions of the Criminal Justice System. Criminal Justice*, 3, 109–175.

⁷⁴ Khan, A. S., Bashir, S., & Khan, F. S. (2023). *The role of punishment theories in developing effective penal laws: A comparative study of retributivism, deterrence, rehabilitation, and restorative justice. International Review of Basic and Applied Sciences*, 11(2). P77

⁷⁵ Cullen, F. T., & Gendreau, P. (2000). *Assessing correctional rehabilitation: Policy, practice and prospects. Policies, Processes and Decisions of the Criminal Justice System. Criminal Justice*, 3, 109–175.

In addition to the above principal legislations, several subsidiary legislations and policies provide operational detail and regulatory guidance in both measures to curb *cannabis* cultivation in the country, particularly in Morogoro region.⁸² Together, these Acts, subsidiary legislations, and policies form the foundation upon which criminal measures, non-criminal measures, and institutional mandates, intersect to provide responses to curbing *cannabis* cultivation in Tanzania.

5.1 International Criminal Legal Framework on Curbing *Cannabis* Cultivation

The regulation of *Cannabis* cultivation at the international level is grounded in a series of multilateral treaties and conventions aimed at controlling its cultivation, distribution, and use, under the UN framework on narcotics control.⁸³

These instruments establish binding obligations for member states, providing a unified approach to combating illicit activities associated with the substance.⁸⁴ Moreover, addressing its potential for medical and scientific use.⁸⁵ For certainty, Tanzania is a signatory to all of the mentioned conventions, which are under the UN framework on narcotic drug control.⁸⁶ It is as expounded below.

The Single Convention designates *cannabis* as a Schedule I substance, subjecting it to the strictest level of international control.⁸⁷ It mandates that the cultivation of the drug for purposes other than medical or scientific research must be prohibited.⁸⁸ Additionally, it requires states permitting medical cultivation to establish national agencies tasked with regulating and overseeing production, ensuring compliance with international obligations.⁸⁹ The 1972 Protocol amended the Convention to emphasise the importance of prevention, treatment, and rehabilitation for individuals involved in drug-related activities.⁹⁰ It reinforced the obligations of member states to limit *cannabis* use to strictly

medical and scientific purposes, aligning with the principles of public health and safety.⁹¹

Furthermore, the Convention on Psychotropic Substances,⁹² although primarily it focuses on synthetic psychotropic substances, this Convention complements the 1961 framework by guiding substances with psychoactive effects.⁹³ *Cannabis* cultivation is indirectly referenced through its interaction with these broader regulatory principles, particularly where synthetic cannabinoids fall under psychotropic classification.⁹⁴ The Convention imposes controls on manufacturing, distribution, and use to prevent misuse while ensuring accessibility for legitimate medical and scientific needs.⁹⁵ This examination highlights the stringent international legal obligations imposed on member states to regulate *Cannabis* cultivation, balancing public health considerations with controlled utilisation for scientific and medical purposes.

At the same framework, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,⁹⁶ provides a comprehensive legal framework for combating the illegal production of narcotic drugs, including *Cannabis* cultivation.⁹⁷ The Convention aims to strengthen international cooperation and enforcement mechanisms to address illicit activities associated with controlled substances.⁹⁸ Central to the Convention is the obligation for state parties to criminalise the cultivation, production, manufacture, possession, and distribution of *cannabis* when undertaken for non-medical and non-scientific purposes.⁹⁹ Additionally, Article 12 addresses the control of precursor chemicals and equipment used in *cannabis* cultivation and processing, requiring states to monitor and regulate their trade to prevent their diversion for unauthorised purposes.¹⁰⁰ Furthermore, it obligates states to implement measures for the confiscation and forfeiture of proceeds derived from illegal *cannabis* activities, with the aim of undermining and dismantle the financial incentives driving such operations.¹⁰¹

The 1988 Convention strengthens the global regulatory framework for *Cannabis*.¹⁰² It complements earlier treaties, such as the 1961

439 R.E. 2020].

⁸² See the Drug Control and Enforcement (General) Regulations, 2023, Seeds Regulations, 2007 (G.N. No. 37 of 2007), Fertilizer Regulations, (Government Notice No. 350 of 2011). Also, National Agricultural Policy, 2013, the National Drug Control Policy, 2024, and the National Irrigation Policy, of 2010.

⁸³ See the Single Convention on Narcotic Drugs of 1961, the 1971 Convention on Psychotropic Substances, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

⁸⁴ Article 4 of the the Single Convention on Narcotic Drugs of 1961.

⁸⁵ Ibid, Article 4 (c)

⁸⁶ See the First Schedule of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

⁸⁷ See Schedule I of the Single Convention on Narcotic Drugs of 1961.

⁸⁸ Ibid, Article 28

⁸⁹ Ibid, Article 23

⁹⁰ UNODC, (2013). *The international drug control conventions*. New York, NY: United Nations. p.30

⁹¹ UNODC, (2013). *The international drug control conventions*. New York, NY: United Nations. p.30

⁹² Convention on Psychotropic Substances of 1971.

⁹³ See First Schedule of the Convention on Psychotropic Substances of 1971.

⁹⁴ Ibid

⁹⁵ Ibid, Article 5.

⁹⁶ United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

⁹⁷ See the Preamble of United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

⁹⁸ Ibid, Article 2

⁹⁹ Ibid, Article 3

¹⁰⁰ See the Preamble of United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

¹⁰¹ Ibid.

¹⁰² Eisenlohr, L. S. (2024). *International narcotics control*. London,



and 1971 Conventions, by filling enforcement gaps and fostering collaboration among states to tackle transnational challenges.¹⁰³ Collectively, these measures represent a comprehensive approach to suppressing illicit *cannabis* cultivation while promoting sustainable development in affected regions.

However, collectively, the above conventions face significant legal deficiencies that have inadvertently fueled the push for legalisation in some countries.¹⁰⁴ The rigid classification of *cannabis* as a Schedule I and IV substance under the 1961 Convention imposes strict controls while failing to accommodate the cultivation prohibition of the drug, with no chances for medicinal and recreational purposes, like in Tanzania.¹⁰⁵ This inflexibility, coupled with ambiguous distinctions between legal and illicit uses, leaves countries grappling with enforcement challenges and policy incoherence.¹⁰⁶ The 1971 Convention excludes natural *cannabis* but inadequately addresses the rise of synthetic cannabinoids, resulting in inconsistent regulation and enforcement gaps.¹⁰⁷ The 1988 Convention overlooks socio-economic drivers of illicit cultivation, such as poverty and the lack of alternative livelihoods, offering insufficient support for sustainable economic transitions.¹⁰⁸ Therefore, the conventions fail to reconcile the cultural and traditional cultivation of *cannabis* in some regions, creating tensions between international obligations and local realities.

This linkage underscores the potential synergy between the UN's narcotics control framework and the WTO's trade mechanisms. Together, these frameworks create a pathway for sustainable economic transformation. Allowing countries like Tanzania to combat illicit cultivation while promoting agricultural domestic support and compliance with international legal obligations under the UN framework.

5.2 Domestic Criminal Legal Framework on Curbing Cannabis Cultivation

Tanzania being a dualistic state follows the rules under dualism doctrine on ratification and domestication of international principles into national laws.¹⁰⁹ These rules requires that the proposal for ratification is first referred to the appropriate

Parliamentary Committee for examination before being presented to the National Assembly for debate and approval.¹¹⁰

In this procedure, every treaty or agreement requiring ratification and domestication, must be accompanied by a formally prepared Resolution (Azimio la Bunge), which outlines the key matters relating to the subject under consideration.¹¹¹ The Chief Parliamentary Draftsman bears the duty of ensuring that such resolution documents are accurately prepared by the Parliamentary Draftsman and duly submitted to the speaker and later to the National Assembly for the ratification and domestication processes.¹¹²

These procedures have been followed to domesticate the UN framework on narcotic control. Tanzania has aligned its domestic legal framework with international obligations, under the UN framework on narcotics control to which it is a party.¹¹³ For certainty, the country governs *cannabis* cultivation via specific legislation and its regulations.¹¹⁴ The laws criminalise the cultivation, possession, and trade of *cannabis*.¹¹⁵ Moreover, establishes the DCEA, tasked with seizing illicit drugs, arresting offenders, and destroying illegal crops.¹¹⁶ However, despite these measures, the said cultivation persists, particularly in the fertile and remote areas in Mvomero and Kilosa districts of Morogoro Region, as explained earlier. The discussion that follows provides a critical examination on Tanzania domestic legal framework to curb *cannabis* cultivation under criminal measures.

Importantly, the Drug Control and Enforcement Act,¹¹⁷ is a primary piece of legislation in Tanzania that addresses the control, enforcement, and prevention of drug abuse and trafficking within the country.¹¹⁸ While the Act applies to a broad range of controlled substances, it also addresses the regulation of *cannabis*, which is classified as a narcotic drug under Tanzanian laws.¹¹⁹ The Act outlines a legal framework to combat the cultivation, trafficking, and abuse of drugs, to protect public health and maintain social order.¹²⁰

UK: Routledge. p.5.

¹⁰³ *ibid.*

¹⁰⁴ Eliason, A., & Howse, R. (2020). *Towards Global Governance: The Inadequacies of the UN Drug Control Regime*. *AJIL Unbound*, 114, pp.291–296.

¹⁰⁵ Mead, A. P. (2014). *International control of cannabis*. In R. G. Pertwee (Ed.), *Handbook of cannabis* (pp. 44–62). Oxford University Press. p.3.

¹⁰⁶ Eisenlohr, L. S. (2024). *International narcotics control*. London, UK: Routledge. p.5.

¹⁰⁷ *ibid.*

¹⁰⁸ Mead, A. P. (2014). *International control of cannabis*. In R. G. Pertwee (Ed.), *Handbook of cannabis* (pp. 44–62). Oxford University Press. p.4.

¹⁰⁹ See Article 63(3) (e) of the Constitution of the United Republic of Tanzania, 1977.

¹¹⁰ Rules 107 and 108 of the Parliamentary Standing Orders of Tanzania, 2023

¹¹¹ *Ibid*, rule 110

¹¹² *Ibid*, rule 109 (1)

¹¹³ See the First Schedule of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹¹⁴ See the Drug Control and Enforcement Act [CAP. 95 R.E. 2023], Economic and Organised Crime Control Act [CAP. 200 R.E. 2023], and the Drug Control and Enforcement (General) Regulations, 2016 (Government Notice 173 of 2016).

¹¹⁵ Section 11 of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹¹⁶ *Ibid*, sections 3 and 4

¹¹⁷ The Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹¹⁸ *Ibid*, section 1.

¹¹⁹ *Ibid*

¹²⁰ Mhando, H. B., Sahini, M. G., & Makangara, J. J. (2023).



Notably, one of the key objectives of the Act is to regulate and prohibit the illegal cultivation and trafficking of *cannabis*.¹²¹ It establishes stringent penalties for individuals found guilty of producing or distributing drugs unlawfully.¹²² These penalties includes lengthy prison sentences of not less than thirty years, and substantial fines, or both, depending on the scale of the offence.¹²³ The Act treats illicit cultivation as a serious criminal activity, especially when it occurs in protected areas like forest reserves or conservation zones.¹²⁴

This regulation is part of Tanzania's broader effort to curtail illegal drug production and trafficking within its borders.¹²⁵ However, the function of DCEA's collaboration with other national authorities is too general, as it does not specify how the collaboration will be done.¹²⁶ This has resulted in poor coordination among DCEA, the Ministry of Agriculture, the Police force, GCLA and Morogoro local Government Authorities. The Ministry of Health of Tanzania collaborates with DCEA by providing education on the negatives of *cannabis* use.¹²⁷ Likewise, the Ministry of Agriculture is expected to provide adequate agricultural subsidies to support by encouraging legal cultivation practices within the *cannabis* cultivating communities of Morogoro, as expounded earlier. Tanzania plans to have a healthy society by 2050, but with these legal inadequacies, it cannot be attained.¹²⁸

Furthermore, the Economic and Organised Crime Control Act,¹²⁹ plays a critical role in Tanzania's legal framework for addressing serious economic crimes, including those linked to the illicit drug issues, including *cannabis* cultivation.¹³⁰ It establishes the High Court of the United Republic of Tanzania, specialising in serious

crimes.¹³¹ Through its Corruption and Economic Crimes Division, it is given the exclusive jurisdiction to hear and determine cases arising under the Act, including those related to the illicit cultivation.¹³² The division ensures that individuals involved in such activities face appropriate legal consequences.¹³³ However, the media show that some farmers in Morogoro Region are not afraid of legal consequences, as they continue cultivating *cannabis*.¹³⁴ Furthermore, the law outlines specific punishments for individuals convicted of these serious offences.¹³⁵ According to the Act, those found guilty of economic crimes, including the illegal cultivation of *cannabis* for trafficking purposes, are subject to imprisonment for a term of not less than twenty years.¹³⁶ This substantial prison sentence highlights the severity with which Tanzania addresses crimes that have a detrimental impact on its social and economic fabric.¹³⁷

Therefore, the Act provides a legal framework for prosecuting economic crimes, including *cannabis* cultivation, that undermine Tanzania's economic stability. The expounded Division of the High Court is tasked with ensuring that those involved in such serious crimes face appropriate and severe penalties, including lengthy prison terms and asset forfeiture. Through these legal measures, the Act seeks to deter the cultivation and trafficking of the drug. While reinforcing the country's commitment to combating organised crime and protecting public welfare.

Under legal procedure, the Criminal Procedure Act,¹³⁸ addresses *inter alia* the conditions under which accused persons, particularly those charged with *cannabis*-related offences, such as cultivation, are not eligible for bail while awaiting trial or appeal.¹³⁹ This provision is critical in regulating the bail process for individuals involved in the illegal production of the drug, a controlled

Chemical Profiling of Cannabis Sativa from Eleven Tanzanian Regions. Heliyon, 9(6), e15892. p.8.

¹²¹ Section 11 of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹²² Ibid, section 27

¹²³ Ibid.

¹²⁴ Yusuph, K., & Negret, I. (2016). *Adolescents and Drug Abuse in Tanzania: History and Evolution. Advances in Research, 7(2), pp.1–10.*

¹²⁵ Sensi Seeds. (2021, May 26). *Cannabis in Tanzania – The Laws, Local Uses and other info. Sensi Seeds. Retrieved November 15, 2024 from the World Wide Web: <https://sensiseeds.com/en/blog/countries/cannabis-in-tanzania-laws-use-history/>.*

¹²⁶ See section 4 (3) of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023]

¹²⁷ Drug Control and Enforcement Authority (DCEA). (2023). *Taarifa ya Hali ya Dawa za Kulevy ya Mwaka 2023. DCEA. p.32.*

¹²⁸ Tanzania Development Vision (TDV), 2050.

¹²⁹ Economic and Organised Crime Control Act [CAP. 200 R.E. 2023]

¹³⁰ Ibid, para. 23 of the First Schedule. A person commits an offence under this paragraph who commits an offence under section 15, 16 or 23 of the Drugs Control and Enforcement Act [CAP. 95 R.E. 2023].

¹³¹ Ibid, section 3

¹³² ibid

¹³³ Ibid, section 61 (1).

¹³⁴ The Guardian. (2024, August 27). *DCEA Burns 1,165 Acres Cannabis Farms at Mikumi. The Guardian. Retrieved November 15, 2024 from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.*

¹³⁵ Ibid, section 61 (2) of the Economic and Organised Crime Control Act [CAP. 200 R.E. 2023]

¹³⁶ See section 11 (1) of the Drugs Control and Enforcement Act [CAP. 95 R.E. 2023]. Also, the Guardian. (2024, August 27). *DCEA Burns 1,165 Acres Cannabis Farms at Mikumi. The Guardian. Retrieved November 15, 2024 from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.*

¹³⁷ Raineri, L., & Strazzari, F. (2023). *The Data That We Do (Not) Have: Studying Drug Trafficking and Organised Crime in Africa. Trends in Organized Crime, 26(3), pp.358–374.*

¹³⁸ Criminal Procedure Act [CAP. 20 R.E. 2023]

¹³⁹ Ibid, section 151 (5) (ii) and (iii)



substance in Tanzania.¹⁴⁰ For certainty, a person arrested and awaiting trial or appeal for *cannabis* cultivation is not permitted to be granted bail if the Director of Public Prosecutions (DPP) certifies that releasing the individual could jeopardise the safety or interests of the Republic.¹⁴¹ This certification, which must be issued in writing, acts as a safeguard to ensure that individuals accused of such offences do not undermine national security or public order if released from custody.¹⁴²

In conclusion, the Act provides legal procedures on illegal *cannabis* cultivation by preventing the accused from being granted bail in cases where there is a significant risk that they may pose a threat to public safety or contribute to further drug trafficking. Critically, people cannot stop cultivating *cannabis*, only because upon arrest, they will be denied the right to bail. It is because they are lacking legal agricultural income from allowed crops like maize and beans, if compared to *cannabis* income.

In maintaining law and order, the Police Force and Auxiliary Services Act,¹⁴³ establishes and mandates the police to maintain law and order, prevent and detect crime, and apprehend offenders throughout the United Republic of Tanzania.¹⁴⁴ Given the seriousness of *cannabis* cultivation as both a criminal and social problem, the police are legally empowered to support DCEA in conducting investigations, search and seize and arrest offenders involved in the cultivation.¹⁴⁵ The joint operations thus create a synergy where the police provide operational support while the DCEA ensures adherence to national drug control policies and strategies.

However, despite the legal roles and powers of the Police under Cap. 322, the effectiveness of this collaboration in eliminating *cannabis* cultivation in Morogoro faces several challenges.¹⁴⁶ The Police Force's generalist mandate, which involves handling a wide array of crimes beyond drug-related offences, sometimes limits its specialised focus on *cannabis* eradication.¹⁴⁷ Moreover, the Act primarily addresses the general duties, powers, and disciplinary measures for police officers without specifically articulating frameworks for inter-agency cooperation or resource sharing with

bodies like the DCEA.¹⁴⁸ This gap leads to fragmented efforts, duplication of roles, or even corruption in operations.

For scientific approval of cultivated *cannabis*, the Government Chemist Laboratory Authority Act,¹⁴⁹ establishes the GCLA.¹⁵⁰ It mandates the authority to play a crucial forensic role by providing scientific analysis and laboratory reports on seized *cannabis*, which are considered final and conclusive.¹⁵¹ The law includes a Police Force representative on the GCLA Board.¹⁵² This ensures institutional cooperation and shared decision-making in forensic matters, including those related to illicit drugs. However, the collaborative efforts face operational challenges that stem from institutional overlaps and legal gaps. While the GCLA possesses the technical expertise to analyse and confirm *cannabis* samples, it relies on the DCEA and the Police Force for seizure, submission of samples, and enforcement actions.¹⁵³ The absence of clear, binding inter-agency protocols may lead to duplication, inefficiency, or even compromised evidence handling in court.

For the essence of protecting natural forests, the Forest Act,¹⁵⁴ serves as the principal legislation governing the management, protection, and sustainable use of forest resources in Tanzania.¹⁵⁵ Its core objective is to ensure the conservation of forest biodiversity, regulate forest exploitation, and promote participatory forest management.¹⁵⁶ A key legal feature of the Act is its focus on environmental protection and sustainability.¹⁵⁷ The Minister is empowered to declare forest reserves and regulate activities therein.¹⁵⁸ The Act also prohibits unauthorised harvesting, cultivation, or clearing of land in reserved forest areas.¹⁵⁹ Making *cannabis* cultivation within forest zones and near the Mikumi National Park of Morogoro Region an explicit offence.¹⁶⁰

The law imposes both civil and criminal liabilities for such unlawful land use, including fines, imprisonment and forfeiture of tools or produce involved in the offence.¹⁶¹ But the cultivation continues in the forested area of Misigiri, Mbakana and Mgeta river banks.¹⁶² This shows that, despite these deterrent enforcement provisions, the Act is still inadequate to curb the said cultivation

¹⁴⁰ Filbert, N., & Shadrack, J. (2024). *Tanzanian Criminal Law*. Humboldt-Universität zu Berlin. Retrieved October 20, 2024 from the World Wide Web: <https://edoc.hu-berlin.de/handle/18452/29760>. p.20.

¹⁴¹ *ibid*

¹⁴² *ibid*.

¹⁴³ *Police Force and Auxiliary Services Act (Cap. 322 R.E 2023)*

¹⁴⁴ *Ibid*, sections 3, 4 and 5 (1)

¹⁴⁵ See section 4 (3) of the *Drug Control and Enforcement Act [CAP. 95 R.E. 2023]*.

¹⁴⁶ United Republic of Tanzania. (2022). *National Drug Control Master Plan 2022/23–2026/27*. Drug Control and Enforcement Authority. Retrieved November 15, 2024 from the World Wide Web: <https://www.dcea.go.tz/storage/app/uploads/public/63a/1cf/984/63a1cf984d07c076531598.pdf>. p.24.

¹⁴⁷ *ibid*

¹⁴⁸ See section 5 (1) of the *Police Force and Auxiliary Services Act (Cap. 322 R.E 2023)*.

¹⁴⁹ *Government Chemist Laboratory Authority Act [CAP. 177 R.E. 2023]*

¹⁵⁰ *Ibid*, section 4

¹⁵¹ *Ibid*, section 5 (1)

¹⁵² *Ibid*, Section 7(2)(a)

¹⁵³ *Ibid*, section 5 (1)

¹⁵⁴ *Forest Act [Cap. 323, R.E. 2023]*

¹⁵⁵ *ibid*

¹⁵⁶ *Ibid*, Section 3

¹⁵⁷ *Ibid*, section 18

¹⁵⁸ *Ibid*, Section 5

¹⁵⁹ *Ibid*, Sections 13–14

¹⁶⁰ See Para 3.0 above

¹⁶¹ *The Drug Control and Enforcement Act [CAP. 95 R.E. 2023]*.

¹⁶² See Para 3.0 above

via deterrent measures alone. Furthermore, it does not address the socio-economic causes that lead farmers to exploit forest lands for illegal cultivation. Thus, WTO agricultural domestic support measures are of the essence to complement the deterrent ones.

With regard to DCEA operations, the Drug Control and Enforcement (General) Regulations,¹⁶³ provides a comprehensive framework to support the implementation of the Act in Tanzania.¹⁶⁴ These regulations aim to strengthen the control of narcotic drugs while aligning with international conventions and standards.¹⁶⁵ Strict compliance with international conventions ensures that illicit cultivation is compromised.¹⁶⁶

Notably, the regulations are lacking in reality, for providing that where cultivated *cannabis* is found by DCEA officers, it should be destroyed under legal and scientific approval.¹⁶⁷ Under which, the said approval must consist physical presence of the following government officials: the chief government chemist, a judge or magistrate, a representative of the Commissioner General of DCEA, the inspector general of police, the representative from the national environmental council, and the director of public prosecutions.¹⁶⁸ Consequently, the ward agricultural officers are excluded, to the extent that they are not concerned with cultivation practices in their jurisdictions. This leads to poor coordination between the DCEA and local governments.¹⁶⁹

Furthermore, the regulations lack specific regulations on how the DCEA's function of collaboration with the Tanzania police force and the local Government authorities is to be done.¹⁷⁰ For instance, the local Government authorities oversee the cultivation practices at the village level, where DCEA officers are not there. The poor framing of the said function causes the continuation of *cannabis* cultivation in some Morogoro rural villages.

5.3 Legal Framework_ Agricultural Domestic Support Measures

This section covers the establishment of WTO framework and its agreement on agriculture, which establishes the principle of agricultural domestic support. Furthermore, it covers the discussion of the principle, its ratification and domestication and legal framework in Tanzania.

5.3.1 The WTO Legal framework

This framework emanates from the agreement establishing the WTO.¹⁷¹ The agreement which provides for the binding nature of the WTO agreements to all member states, Tanzania inclusive.¹⁷² Under this study one agreement is discussed; the AoA.¹⁷³

The AoA provides mechanisms that can discourage the said cultivation in developing countries, including Tanzania.¹⁷⁴ It is by promoting sustainable agricultural domestic support and market access for legal crops.¹⁷⁵ This aligns with the principles of the UN conventions, particularly the 1988 Convention, which emphasises alternative development programmes as a means to transforming communities away from the cultivation of narcotic plants like *Cannabis*.¹⁷⁶ The AoA provisions on domestic support and special treatment for developing countries enable governments to allocate resources toward agricultural domestic support initiatives.¹⁷⁷ Including those designed to replace narcotic cultivation with profitable, legitimate crops in the affected regions.¹⁷⁸

5.3.2 The Principle of Agricultural Domestic Support

It is one which encourages countries, especially developing ones, to shift from the cultivation of illicit to economically legal crops as sustainable alternatives.¹⁷⁹ It is established under the WTO AoA and permits governments to provide subsidies such as agricultural extension services without violating trade rules.¹⁸⁰ In this study, these measures are: adequate funding for agricultural research, pest and disease control, training and education, market access, fertiliser supply, seed supply, and water supply infrastructures for legal cultivation in *cannabis* cultivating communities.¹⁸¹ It aims to promote rural development, enhance food security, and reduce dependence on unlawful or high-risk crops.¹⁸² Under the principle, WTO member states are allowed to encourage the substitution of illicit cultivation, such as *cannabis*, with legitimate, economically viable crops through domestic support measures.¹⁸³ These include the provision of targeted subsidies and agricultural extension

¹⁷¹ Article 1 of the Agreement Establishing the World Trade Organization, 1994

¹⁷² Ibid, Article 2 (2)

¹⁷³ Agreement on Agriculture, 1994

¹⁷⁴ Article 6 (2) of the Agreement on Agriculture, 1994.

¹⁷⁵ Brink, L., & Orden, D. (2023). *Agricultural Domestic Support under the WTO: Experience and Prospects*. Cambridge University Press. p.15

¹⁷⁶ See Article 2 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

¹⁷⁷ Rensburg, J. V. V. (2019). *The WTO Agreement on Agriculture and Its Impact on Least Developed Countries in Africa*. Retrieved October 17, 2024 from the World Wide Web:

<http://rgdoi.net/10.13140/RG.2.2.35802.36801>. p.23.

¹⁷⁸ *ibid*.

¹⁷⁹ Article 6 (2) of Agreement on Agriculture, 1995

¹⁸⁰ Ibid, Article 6 and Annex 2

¹⁸¹ Ibid, Annex 2

¹⁸² *ibid*

¹⁸³ Ibid, annex 2

¹⁶³ The Drug Control and Enforcement (General) Regulations, 2023

¹⁶⁴ The Drug Control and Enforcement Act [CAP. 95 R.E. 2023].

¹⁶⁵ See regulation 3 of The Drug Control and Enforcement (General) Regulations, 2023

¹⁶⁶ Ibid, regulation 11

¹⁶⁷ Ibid, regulation 14 (1) and (4)

¹⁶⁸ *ibid*

¹⁶⁹ Sensi Seeds. (2021, May 26). *Cannabis in Tanzania – The Laws, Local Uses and other info*. Sensi Seeds. Retrieved November 15, 2024 from the World Wide Web: <https://sensiseeds.com/en/blog/countries/cannabis-in-tanzania-laws-use-history/>.

¹⁷⁰ See section 4 (3) of the Drug Control and Enforcement Act [CAP. 95 R.E. 2023]

services.¹⁸⁴ Tanzania, classified as a developing country, is afforded policy space to implement such support up to 10% of trade-distorting impact, without being deemed trade-distorting.¹⁸⁵ However, this opportunity remains largely underutilised due to the absence of comprehensive and enforceable domestic legal frameworks that integrate and operationalise the principle of agricultural domestic support.¹⁸⁶

The legal framework in Tanzania remains weak in domesticating and implementing the principle of agricultural domestic support as mandated under the AoA.¹⁸⁷ While the National Agriculture Policy (2013) recognises the need for productivity enhancement and poverty alleviation, it falls short of establishing enforceable rights or obligations that align with the principle under the WTO AoA.¹⁸⁸

The policy's non-binding nature, coupled with the absence of a dedicated law on agricultural extension services, renders transformation efforts fragmented and underfunded.¹⁸⁹ Thus, illicit *cannabis* cultivation remains rampant and unchallenged in Morogoro Region.¹⁹⁰

The WTO agricultural domestic support principle is domesticated into Tanzania agricultural laws. It is by following the procedure under item 5.2 above.

5.3.3 Legal Framework_ Agricultural Domestic Support Measures in Tanzania

This section provides for the discussion of laws domesticating the WTO agricultural domestic support principle in the country. Specifically, on; adequate funding for agricultural research, pest and disease control, training and education, market access, fertiliser supply, seed supply, and water supply infrastructures, by offering viable economic substitutes to local farmers in the named region.

To ensure fertilisers supply, the Tanzania Fertilizers Act,¹⁹¹ establishes a legal framework for the regulation of the manufacture, importation, distribution, and use of fertilisers in

Tanzania.¹⁹² It directly impacts agricultural productivity and rural livelihoods.¹⁹³ One of the key mechanisms embedded within this Act is the facilitation of agricultural subsidies aimed at making fertilisers more accessible to farmers. Particularly smallholders who dominate the agricultural sector in regions like Morogoro.¹⁹⁴

By enhancing access to affordable fertilisers through subsidies, farmers can be incentivised to shift from the illicit cultivation of *cannabis* to legally and economically beneficial crops such as maize, rice, or horticultural products.¹⁹⁵ Such legal agricultural transformation reduces the financial appeal of *cannabis* cultivation, thus contributing to national drug control efforts.¹⁹⁶

However, the Act does not explicitly link this agricultural domestic support measure to *cannabis* control policies. Suggesting a need for policy harmonisation that aligns agricultural subsidies and extension services directly with national anti-drug strategies. Particularly in high-risk areas such as Mvomero and Kilosa districts of Morogoro Region.¹⁹⁷

In particular to agricultural research regulation, the Tanzania Agricultural Research Institute Act,¹⁹⁸ provides a legislative basis for promoting agricultural transformation, offering a developmental alternative to the punitive approach used to curb *cannabis* cultivation.¹⁹⁹ Although the Act does not expressly address *cannabis*, several of its provisions can be strategically applied to redirect illegal *cannabis* cultivation into lawful and economically viable agricultural practices.²⁰⁰ It is because of the TARI's core functions, including conducting applied and strategic research, setting national agricultural priorities, advancing agricultural skills, and mobilising research funding.²⁰¹ These mandates are central to developing and promoting alternative crops in Morogoro, where *cannabis* cultivation is prevalent. The law establishes the National Agricultural Research Consultative Forum (NARCF), which facilitates stakeholder deliberation on national research directions and provides an opportunity to prioritise crop substitution strategies that align with the needs of *cannabis*-reliant communities.²⁰²

However, despite these strengths, the Act lacks express provisions linking agricultural research to national drug control efforts and does not prioritise agricultural interventions in areas with high

¹⁸⁴ Brink, L., & Orden, D. (2023). *Agricultural Domestic Support under the WTO: Experience and Prospects*. Cambridge University Press. p. 5.

¹⁸⁵ Article 6 (5) of the Agreement on Agriculture, 1994

¹⁸⁶ Daudi, J. M. S. (2024). *Performance of Agriculture Extension Services under Local Government Authorities in Tanzania: A review*. *Sumerianz Journal of Agriculture and Veterinary*, 7(1), pp.30–36.

¹⁸⁷ *ibid.*

¹⁸⁸ National Agricultural Policy, 2013. P 9-10

¹⁸⁹ *Ibid*, p.14

¹⁹⁰ The Guardian. (2024, August 27). *DCEA Burns 1,165 Acres Cannabis Farms at Mikumi*. The Guardian. Retrieved November 15, 2024 from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.

¹⁹¹ Tanzania Fertilizers Act, No.9 of 2009.

¹⁹² *Ibid*, see Part IV

¹⁹³ *ibid*

¹⁹⁴ *ibid*

¹⁹⁵ Thadey, P., & Mallya, E. (2022). *Politics and agricultural policy implementation in Tanzania*. *Journal of Politics and Policy*, 4(1), pp.32–50.

¹⁹⁶ *ibid*

¹⁹⁷ See the Tanzania Fertilizers Act, of No.9 2009

¹⁹⁸ Tanzania Agricultural Research Institute Act, No. 10 of 2016

¹⁹⁹ *ibid*

²⁰⁰ *Ibid*, Section 4(2)(a), (e), (g), and (h)

²⁰¹ *ibid*

²⁰² Section 13(1)(a)–(d)



levels of illicit cultivation.²⁰³ Furthermore, the absence of targeted financial incentives or research grants aimed at illicit crop replacement represents a missed opportunity. Nevertheless, the Act already domestically incorporates many elements of the WTO AoA agricultural domestic support, and if strategically implemented, it can support a sustainable shift away from *cannabis* cultivation by providing lawful, economically viable alternatives rooted in science and policy coordination.²⁰⁴

To regulate seeds and seedlings supply, the the Seeds Act,²⁰⁵ is a key legislative instrument in regulating Tanzania's seed industry and has several provisions that support agricultural domestic support as a lawful, developmental alternative to illicit *cannabis* cultivation.²⁰⁶ It establishes the National Seeds Committee (NSC), a technical body responsible for advising the government on seed policy, legislation, coordination, and plant variety approvals.²⁰⁷ This structure is essential for guiding and integrating agricultural domestic support strategies, especially in high-risk areas dependent on illicit crops.

Furthermore, it empowers the Minister, upon the Committee's advice, to approve and list new plant varieties in a national catalogue, offering legal grounds for encouraging economically viable and ecologically appropriate alternatives to *cannabis* cultivation.²⁰⁸ It regulates the importation, exportation, and sale of seeds, creating a controlled legal framework that ensures quality standards for legal crops, in line with international trade norms.²⁰⁹ In addition, it establishes the Tanzania Official Seed Certification Institute (TOSCI).²¹⁰ TOSCI plays a vital role in ensuring certified seed production, field inspection, testing, and varietal performance evaluation.²¹¹ These mechanisms enhance trust in new crops introduced under transformation programs. The law creates a regulated environment for seed dealers, processors, and testing laboratories, fostering a commercially viable and transparent seed supply chain, essential for promoting alternative crops.²¹²

However, despite its strengths, the Act is silent on direct linkages between seed regulation and national drug control policies, and it does not explicitly prioritise transformation in areas impacted by *cannabis* cultivation. Also, it lacks targeted incentives or fast-track mechanisms for approving and distributing seeds for substitution crops in the *cannabis*-dominant region (Morogoro). Nevertheless, by laying a strong foundation for seed quality, variety registration, and certification, the Act supports the WTO-AoA-aligned goal of agricultural domestic support and can be harnessed within existing

legal frameworks as a viable instrument to redirect illicit *cannabis* cultivation into lawful, economically productive activities.

Regulation of pesticides supply is put under the Plant Health Act,²¹³ which establishes a legal framework for the protection of plant health, regulation of plant pests, and control of diseases.²¹⁴ It vests the Minister with powers to oversee the implementation of national plant health policy, which may include measures targeting regions affected by illicit crop cultivation through improved plant health strategies and integrated pest management for substitute crops.²¹⁵ Notably, the law establishes the Plant Health and Pesticides Authority, responsible for regulating plant protection activities, certifying plant and plant products, including legal crops.²¹⁶ Through its mandate, the Authority can play a key role in supporting the transition to lawful agricultural systems by ensuring that substitute crops promoted under transformation programs are protected against pests and diseases, thus improving productivity and economic viability in Morogoro Region.

However, the Act does not expressly link plant health governance with national drug control policies, nor does it prioritise support for crops meant to replace *cannabis* cultivation. It also lacks targeted strategies or funding mechanisms to assist farmers transitioning from illicit to licit crop systems. Nonetheless, the Act supports Tanzania's legal permission under the WTO AoA by promoting food safety and healthy crop production, which are core elements of a legally grounded agricultural domestic support strategy.²¹⁷

To ensure water supply infrastructures, the National Irrigation Act,²¹⁸ is a central piece of legislation in Tanzania's agricultural framework, enacted to promote sustainable and efficient irrigation systems to enhance agricultural productivity.²¹⁹ The Act is designed to address the long-standing challenge of dependency on rain-fed agriculture, which significantly affects crop yield reliability, food security, and rural incomes. It ensures strategic planning and implementation of irrigation infrastructure by defining irrigation zones and prioritising areas for investment.²²⁰ This mandates the identification and declaration of National and Potential Irrigation Areas.

The law also makes provisions for the registration of irrigators' organisations, the establishment and management of irrigation schemes, and the protection of irrigation infrastructure.²²¹ It also gives the Minister responsible for irrigation significant powers to formulate regulations, approve plans, and allocate financial and

²⁰³ Tanzania Agricultural Research Institute Act, 2016

²⁰⁴ Tanzania Agricultural Research Institute Act, 2016

²⁰⁵ The Seeds Act [CAP. 308 R.E. 2023]

²⁰⁶ *ibid*

²⁰⁷ *Ibid*, Sections 3 and 5

²⁰⁸ *Ibid*, Section 21

²⁰⁹ *Ibid*, Sections 13 and 14

²¹⁰ *Ibid*, Section 11 (1)

²¹¹ *Ibid*, the Schedule to the Seeds Act [CAP. 308 R.E. 2023]

²¹² *Ibid*, Sections 15 to 20

²¹³ Plant Health Act, No. 4 of 2020

²¹⁴ *ibid*

²¹⁵ *Ibid*, Section 4

²¹⁶ *Ibid*, Section 7

²¹⁷ See annex 2 of the WTO AoA

²¹⁸ The National Irrigation Act [CAP. 435 R.E. 2023]

²¹⁹ *ibid*

²²⁰ *Ibid*, Section 19

²²¹ *Ibid*, Sections 20, 23, 35 and 42

technical support, particularly to smallholder farmers in the country.²²²

However, despite its progressive intent, the Act lacks express legal provisions linking irrigation development to alternative cropping systems or transformation efforts, such as those required to transform local farmers from illicit *cannabis* cultivation to lawful high-value legal crops in *cannabis* cultivating communities. For example, the Act is silent on coordinated planning with institutions or agencies responsible for enforcing drug laws, creating a legislative vacuum in contexts like Morogoro, where illegal cultivation persists partly due to inadequate irrigation access and economic alternatives. Tanzania is required to give irrigation greater priority in government resource allocation, as it plays a critical role in poverty reduction and improving food and nutrition security by significantly boosting agricultural productivity through intensified farming practices, finally discouraging *cannabis* cultivation growth in Morogoro Region.²²³

At district level, the Local Government (District Authorities) Act,²²⁴ is a central law in decentralising governance and empowering Local Government Authorities (LGAs) to plan and implement development activities, including agricultural development, at the community level.²²⁵ It mandates district councils to promote economic and social development, which includes the responsibility to provide agricultural extension services.²²⁶ These services, now devolved from central government to LGAs, are vital in guiding farmers towards legal and sustainable agricultural practices through education, technical support, and market information.²²⁷

By being closer to the *cannabis* cultivating communities, LGAs in Morogoro Region are better positioned to influence farmers' choices of crops and discourage *cannabis* cultivation by promoting viable alternatives such as food and cash crops supported by modern extension services.²²⁸ This proximity enhances responsiveness to local needs and allows for targeted interventions tailored to the socio-economic realities of specific communities affected by illicit cultivation. Furthermore, the Act gives district councils the authority to allocate resources, including facilitating agricultural subsidies through locally designed programs that can help shift farmers away from *cannabis* to lawful crop production via agricultural officers.²²⁹

In the context of Morogoro, effective use of this legal mandate could enable councils to design and implement subsidy schemes

for inputs like seeds, fertilisers, and farming tools, reducing the economic incentive to grow *cannabis*.²³⁰ However, the implementation remains constrained by limited local budgets, weak coordination, and insufficient integration with national anti-drug policies.²³¹ A critical gap exists in ensuring that these decentralised powers are supported by adequate financial resources and capacity-building to effectively use extension services and subsidies as strategic tools in the fight against illicit cultivation.²³²

To ensure funding for the above expounded supplies, the Local Government Finance Act,²³³ establishes the financial framework for Local Government Authorities (LGAs) in Tanzania, granting them the power to raise and manage funds to support development initiatives, including agriculture.²³⁴ It empowers district councils to collect revenues from sources such as service levies, licenses, and fees, and prepare budgets and allocate resources based on local priorities.²³⁵ These financial provisions are crucial in enabling LGAs to fund agricultural subsidies that can incentivise farmers to move away from *cannabis* cultivation towards legal, productive farming activities.²³⁶ In Morogoro, where *cannabis* cultivation is often driven by economic desperation, well-financed local governments could play a transformative role by subsidising inputs like fertilisers, seeds, and agricultural tools.

However, in practice, many LGAs face limited financial capacity, which severely restricts their ability to implement such interventions effectively.²³⁷ Moreover, the Act does not establish earmarked funding for specific sectors such as agriculture, leaving agricultural development vulnerable to political and financial fluctuations at the district level.²³⁸

Furthermore, Tanzania, as a member of the African Union (AU), by the year 2014 committed to improving the allocation of funds and allocate 10% of public expenditure (national budget) to the agriculture sector.²³⁹ This is to mean funding fully for agricultural research, pest and disease control, training and education, and fertiliser supply, seed supply, and water supply infrastructures to

²³⁰ Daudi, J. M. S. (2024). *Performance of Agriculture Extension Services under Local Government Authorities in Tanzania: A review*. *Sumerian Journal of Agriculture and Veterinary*, 7(1), pp.30–36.

²³¹ *National Agricultural Policy*, 2013. P.14

²³² *Ibid*

²³³ *The Local Government Finances Act [CAP. 290 R.E. 2023]*

²³⁴ *ibid*

²³⁵ *Ibid*, section 13

²³⁶ Thadey, P., & Mallya, E. (2022). *Politics and agricultural policy implementation in Tanzania*. *Journal of Politics and Policy*, 4(1), pp.32–50.

²³⁷ *Ibid*, p.35

²³⁸ *See the Local Government Finances Act [CAP. 290 R.E. 2023]*

²³⁹ *AU Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods*, of 2014.

²²² *Ibid*, sections 6 to 9

²²³ *AU Framework for Irrigation Development and Agricultural Water Management in Africa*, of 2020. p.29

²²⁴ *The Local Government (District Authorities) Act [CAP. 287 R.E. 2023]*

²²⁵ *Ibid*, see section 115

²²⁶ *ibid*

²²⁷ *National Agricultural Policy*, 2013. P.14

²²⁸ *Ibid*, p.38

²²⁹ *National Agricultural Policy*, 2013. P.38



legal cultivation, particularly, to *cannabis* cultivation prone regions like Morogoro.

Tanzania does not have a domestic law mandating that 10% of the national budget be allocated to agriculture sector.²⁴⁰ However, the government has made commitments to increase agricultural funding.²⁴¹ For instance, in the year 2015, the Agriculture Council of Tanzania (ACT) advocated for a 10% national budget allocation to the agriculture sector to achieve rapid growth of agricultural transformation strategies like improved irrigation and pesticides supply.²⁴² Despite these calls, the actual allocation has been inconsistent and below the recommended threshold. According to a World Bank report, Tanzania's agriculture sector budget averaged only 2.25% of the national budget between the years 2017/18 and 2021/24.²⁴³

In fact, the WTO's AoA allows developing countries like Tanzania to provide domestic support to their agricultural sectors, provided that it causes minimal distortion to trade (10% of trade distorting impact), and such production can be classified under the "green box" and is exempt from reduction commitments.²⁴⁴ Therefore, Tanzania can legally allocate 10% of its budget to agriculture sector, and give funding priority to legal cultivation in *cannabis* cultivating communities at Mvomero and Kilosa districts of Morogoro region.

Notably, the Budget Act,²⁴⁵ establishes the legal framework for the preparation, approval, allocation, and execution of the national budget.²⁴⁶ It requires that all Ministries, Departments, and Agencies (MDAs) prepare budget estimates in line with the Plan and Budget Guidelines issued by the Minister for Finance and Planning.²⁴⁷ That sectoral allocations be submitted to Parliament through the Appropriation Bill.²⁴⁸ However, the Act does not impose any binding obligation for a fixed percentage allocation to agriculture, leaving funding at the discretion of fiscal authorities, as expounded earlier.

The absence of a statutory threshold, despite calls by the ACT for a 10% allocation, has resulted in persistent underfunding, with allocations averaging only 2.25% of the national budget between the years 2017/18 and 2021/24.²⁴⁹ This legal lacuna directly

undermines agricultural domestic support from agricultural institutions, weakening their capacity to provide inputs, extension services, and irrigation schemes to legal cultivation in *cannabis* cultivating communities, thereby fueling *cannabis* cultivation in regions like Morogoro.

To ensure environmentally friendly cultivation of crops, the Environmental Management Act,²⁵⁰ supports sustainable agricultural practices and environmental conservation, which are often part of agricultural extension advice and training.²⁵¹ The law provides the legal foundation for environmental protection and sustainable resource management in Tanzania. It recognises the need to balance economic development with environmental conservation, including in agriculture. The law mandates local government authorities to integrate environmental considerations into their development planning, which includes agricultural activities.²⁵² This legal framework can support agricultural subsidies aimed at promoting environmentally friendly crops and practices that serve as alternatives to harmful and illegal *cannabis* cultivation. In Morogoro, where deforestation and land degradation are often linked to *cannabis* farming at Misigiri and Mgeta river banks, subsidies for sustainable and conservation agriculture could not only improve livelihoods but also align with environmental objectives under this Act.²⁵³ As a result of local extension officers in Morogoro remain financially constrained and unable to effectively promote environmentally friendly, legal agriculture as an alternative to illicit crop production, which remains challenging.

With regard to subsidiary legislation for operationalising the principal legislations above, the following regulations have been discussed under this study; fertilisers and seeds regulations, as expounded below.

The Fertilizer Regulations, operationalise the statutory mandate of the Tanzania Fertilizer Regulatory Authority (TFRA).²⁵⁴ It is by providing detailed procedures on the registration, importation, quality control, distribution, and use of fertilizers in Tanzania. Under the Regulations, every fertilizer manufacturer, importer, or distributor is required to be registered and licensed by the Authority before engaging in fertilizer-related business.²⁵⁵ This ensures that only regulated and quality-assured fertilizers enter the market, reducing the risk of counterfeit or substandard products reaching farmers. In addition, empowers the Authority to inspect premises, take samples, and test fertilizers for conformity with prescribed national and international standards.²⁵⁶ Further, imposes strict record-keeping obligations on suppliers and distributors, thereby enhancing accountability and traceability within the

²⁴⁰ *Agricultural Sector Development Strategy - II 2015/2016 – 2024/2025*. Pp.54-59.

²⁴¹ *AU Malabo Declaration, 2014*.

²⁴² *See Agricultural Sector Development Strategy - II 2015/2016 – 2024/2025*. p.55.

²⁴³ *World Bank (2024). Tanzania Agriculture Public Expenditure Review on National Budget between 2017/18 and 2021/24*. p.23.

²⁴⁴ *See Article 6 and Annex 2 of the WTO Agreement on Agriculture, 1994*.

²⁴⁵ *Budget Act, (Cap. 439 R.E. 2020)*

²⁴⁶ *Ibid, Part IV*

²⁴⁷ *Ibid, sections 5 and 9*

²⁴⁸ *Ibid, sections 23 and 24*

²⁴⁹ *World Bank (2024). Tanzania Agriculture Public Expenditure Review on National Budget between 2017/18 and 2021/24*. p.23.

²⁵⁰ *The Environmental Management Act [CAP. 191 R.E. 2023]*

²⁵¹ *Ibid*

²⁵² *Section 55 of the Environmental Management Act [CAP. 191 R.E. 2023]*.

²⁵³ *Ibid, Section 57*

²⁵⁴ *Fertilizer Regulations, Government Notice No. 350 of 2011*.

²⁵⁵ *Ibid, regulation 3*

²⁵⁶ *Ibid, regulation 6*



fertilizer supply chain.²⁵⁷ However, despite of the expounded strength of the regulations, they do lack provisions on priority for adequate funding to fertilizer supply on legal cultivation in *cannabis* cultivating communities at Mvomero and Kilosa districts of Morogoro region. It is for the purpose of discouraging *cannabis* cultivation and improve legal cultivation in those communities. Hence, TFRA is limited and not reaching the said priority.

In legal operations of TOSCI, NSC and AEOs, the Seeds Regulations,²⁵⁸ operationalises the legal framework for the production, certification, marketing, and distribution of seeds and seedlings in Tanzania, and can play a crucial role in enabling agricultural transformation.²⁵⁹ These regulations empower the Minister to prescribe detailed procedures and standards governing the registration of plant varieties, seed certification, seed testing, seed labelling, packaging, and trade.²⁶⁰ By doing so, the Regulations create a structured legal environment for introducing and scaling up alternative crops that can replace *cannabis* cultivation in regions where illicit cultivation is economically driven, like Morogoro.

Of particular importance to transformation efforts are the regulatory provisions that guide the registration and approval of new plant varieties, including Quality Declared Seeds (QDS) and improved varieties suitable for smallholder adaptation.²⁶¹ These provisions provide a fast-track mechanism for certifying high-value crops such as spices, oilseeds, cocoa seedlings, and horticultural products, which are economically competitive and aligned with WTO-AoA green-box subsidy frameworks.²⁶² Moreover, the regulations on seed inspection, field performance trials, and seed dealer registration ensure that only high-quality seeds are circulated in the market, supporting the credibility of agricultural domestic support programs.²⁶³

Nevertheless, the Regulations represent a critical part of the domesticated WTO AoA framework in Tanzania, by offering procedural and institutional support for lawful crop development, regulation, and commercialisation. If strategically utilised, they can serve as an effective tool to advance agricultural domestic support and provide sustainable alternatives to illicit *cannabis* cultivation within Tanzania's existing legal framework.

6.0 Conclusion

This study has revealed significant gaps in the legal framework governing *cannabis* control in Tanzania, particularly in the context of rural areas of the Morogoro Region. The existing approach, heavily reliant on criminalisation and enforcement, has proven

insufficient to address the root causes of *cannabis* cultivation, which are largely socio-economic. Accordingly, this study recommends legislative and policy reforms aimed at broadening institutional mandates, fostering inter-agency collaboration, and empowering communities through sustainable agricultural interventions.

7.0 Recommendations

The following recommendations emanates from the above discussed findings to ensure that *cannabis* cultivation is eliminated in the named region, as shown below.

7.1 To the Parliament of the United Republic of Tanzania

Amend Section 4 (2) of the Drug Control and Enforcement Act (CAP 95 R.E 2023), to include collaborative measures: Parliament should ensure that the Act establishes a statutory basis for collaboration with agricultural institutions to implement programs such as farmer education, subsidy delivery, and technical support for alternative crops, particularly in regions prone to *cannabis* cultivation, including Morogoro.

Amend the laws domesticating the agricultural domestic support principle to prioritise adequate funding for legal crop cultivation in *cannabis*-growing communities of Morogoro. Funding should cover agricultural research, pest and disease control, training and education, market access, fertiliser supply, seed supply and water supply infrastructure. Additionally, the National Agricultural Policy (2013) should be revised in line with these legislative amendments.

Amend the Budget Act, Cap. 439 R.E. 2020, to embed a mandatory statutory threshold of not less than ten percent (10%) of the national budget for agriculture sector. Such a reform would remove the current discretion of fiscal authorities, guarantee predictable financing, and strengthen institutions including TFRA, NIC, TARI, PHPA, and LGAs in delivering essential inputs, extension services, irrigation schemes to legal cultivation in *cannabis* cultivating communities of Mvomero and Kilosa districts of Morogoro region.

7.2 To the DCEA

Establish an inter-agency agricultural domestic support unit: DCEA should create a specialised unit responsible for collaborating with the Ministry of Agriculture, LGAs and NGOs to identify and promote viable economic alternatives to *cannabis* cultivation, according to the revised legal mandate.

Institutionalise community engagement mechanisms: develop legally sanctioned community-based committees that include elders, agricultural officers, and youth leaders to assist in surveillance, early warning, and the promotion of alternative development programmes among communities.

7.3 To the Tanzania Police Force

Integrate preventive intelligence into enforcement strategy: police operations should incorporate social intelligence from agricultural officers and community leaders, shifting from reactive raids to proactive interventions that targeting the financiers and organisers of illicit cultivation.

²⁵⁷ *Ibid*, regulation 12

²⁵⁸ *Seeds Regulations, 2007 (G.N. No. 37 of 2007)*

²⁵⁹ *Ibid*, see part VI

²⁶⁰ *See section 33 of the Seeds Act [CAP. 308 R.E. 2023]*

²⁶¹ *See Part III of the Seeds Regulations, 2007 (G.N. No. 37 of 2007)*

²⁶² *Annex 2 of the Agreement on Agriculture, 1994.*

²⁶³ *Regulation 3 of the Seeds Regulations, 2007 (G.N. No. 37 of 2007)*

Develop Protocols for Socio-Economic Referrals: establish procedures for referring individuals arrested for *cannabis*-related offences, especially first-time or subsistence-level offenders, to agricultural support programmes or restorative justice mechanisms rather than incarceration.

7.4 To the GCLA

Deploy mobile narcotics testing and advisory units: GCLA should be legally empowered and adequately resourced to establish mobile forensic units, evidence gathering and provide advisory services during field operations in *cannabis*-prone areas.

Expand mandate to include awareness and training: amend the GCLA operational regulations to allow active participation in awareness campaigns, farmer sensitisation on harmful substances, and technical training for agricultural and enforcement officers in detecting illicit drug plants.

7.5 To the Ministry of Agriculture

Ministry's budgetary allocations should prioritise agricultural subsidies: adequate funding should be allocated for agricultural research, pest and disease control, training and education, market access, fertiliser and seed supply, and water infrastructure to support legal crop cultivation in *cannabis*-growing communities in Mvomero and Kilosa districts of Morogoro.

Integrate *cannabis* crop substitution into the National Agricultural Strategy: the Ministry should formally incorporate *cannabis*-prone regions into its strategic planning by promoting suitable crop alternatives, such as cocoa, while ensuring price guarantees, input supply and market access.

Establish direct support schemes for transitioning farmers: launch a targeted subsidy and extension package for farmers exiting *cannabis* cultivation, including access to tools, training and soil testing, administered through district-level agricultural offices to support legal crop cultivation in *cannabis*-cultivating communities of the named region.

7.6 To LGAs

Enact binding by-Laws on agricultural domestic support with specific provisions to *cannabis* elimination in the cultivating communities: Pursuant to section 155 of the Local Government (District Authorities) Act, Cap. 287 R.E. 2023, the LGAs in Mvomero and Kilosa districts, should adopt by-laws mandating minimum support measures for smallholder farmers, including provision of certified seeds, subsidized fertilizers, and timely access to agricultural extension officers. These by-laws should legally obligate village and ward authorities to coordinate with TARI and TFRA in ensuring distribution of inputs and technical advice, thereby closing the regulatory gap that leaves farmers dependent on informal and unreliable markets to legal crops.

8.0 Acknowledgment

Above all, I extend sincere gratitude to Almighty God, for his protection of my life up today I am alive. Further, much thanks to my supervisor Dr. John S. Ombella, for his good supervision up to

completion of this work. Moreover, to the Faculty of Law, Mzumbe University, for administrative support.

9.0 List of Abbreviations and Acronyms

AEOs	Agricultural Extension Officers
AoA	Agreement on Agriculture
ASA	Agriculture Seed Agency
AU	African Union
Cap.	Chapters
CND	Commission on Narcotic Drugs
DALFO Officer	Division of Agriculture, Livestock and Fisheries
DCC	Drug Control Commission
DCEA	Drugs Control and Enforcement Authority
ECOSOC	Economic and Social Council
<i>et al.</i>	<i>et alia</i> (and others)
FGD	Focus Group Discussion
GCLA	Government Chemist Laboratory Authority
Ibid.	Ibidem (in the same source)
INCB	International Narcotics Control Board
LGAs	Local Government Authorities
NIC	National Irrigation Commission
NSC	National Seeds Committee
p. (pp.)	Page (pages)
PHPA	Plant Health and Pesticides Authority
RPC	Regional Police Commander
TARI	Tanzania Agricultural Research Institute
TDV	Tanzania Development Vision
TFRA	Tanzania Fertiliser Regulatory Authority
TOSCI	Tanzania Official Seed Certification Institute
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
WHO	World Health Organisation
WTO	World Trade Organisation

10.0 References

Books

1. Brink, L., & Orden, D. (2023). *Agricultural Domestic Support under the WTO: Experience and Prospects*. Cambridge University Press.
2. Filbert, N., & Shadrack, J. (2024). *Tanzanian Criminal Law*. Humboldt-Universität zu Berlin. Retrieved October 20, 2024, from the World Wide Web: <https://edoc.hu-berlin.de/handle/18452/29760>.
3. Kothari, C.R. (2004). *Research Methodology: Methods and Techniques*, 2nd Edition. New Delhi: New Age International Publishers.
4. Sloan, A. E. (2024). *Basic Legal Research: Tools and*

Strategies (Rev. ed., Connected eBook with Study Centre). Aspen Publishing.

5. Small, E. (2017). *Cannabis: A Complete Guide*. Boca Raton, FL: CRC Press.
6. Eisenlohr, L. S. (2024). *International Narcotics Control*. London, UK: Routledge.
7. Taylor, S. J., Bogdan, R., & DeVault, M. L. (2015). *Introduction to Qualitative Research Methods: A Guidebook and Resource*. John Wiley & Sons Publishers.
8. Wamboye, E. F., & Fayissa, B. (Eds.). (2022). *The Palgrave Handbook of Africa's Economic Sectors*. Springer International Publishing.

Chapters in Books

1. Mead, A. P. (2014). International Control of Cannabis. In R. G. Pertwee (Ed.), *Handbook of Cannabis* (pp. 44–62). Oxford University Press.
2. Mtewa, A. G., et al. (2024). Approaches in the Conservation of Cannabis Species and Their Chemical Products. In A. G. Mtewa, P. S. Chikowe, & M. F. Zihlangu (Eds.), *Cannabis and Khat in Drug Discovery* (pp. 1–15). Elsevier.
3. Mtega, W. P., & Ngoepe, M. (2018). Strengthening the Flow of Agricultural Knowledge among Agricultural Stakeholders: The Case of Morogoro Region in Tanzania. In A. F. Silva (Ed.), *The Dynamics of Knowledge Sharing in Organisations* (pp. 1–15). London, UK: IntechOpen.
4. Ngowi, H. P. (2022). Toward Industrialization in Tanzania: What is the Role of the Agricultural sector? In E. F. Wamboye & B. Fayissa (Eds.), *The Palgrave Handbook of Africa's Economic Sectors* (pp. 123–140). Springer International Publishing.

Journal Articles

1. Abutabenjeh, S., & Jaradat, R. (2018). Clarification of Research Design, Research Methods, and Research Methodology: A Guide for Public Administration Researchers and Practitioners. *Teaching Public Administration*, 36(3), 237–258.
2. Amaglobeli, D., Benson, T., & Mogues, M. T. (2024). Agricultural Producer Subsidies: Navigating Challenges and Policy Considerations. *International Monetary Fund*. (Institutional Paper), 29-37.
3. Aryal, A. (2024). Black-letter Methodology in Public Health Research. *Nepal Journal of Public Health*, 1(1), 83–92.
4. Asenahabi, B. M. (2019). Basics of Research Design: A Guide to Selecting Appropriate Research Design. *International Journal of Contemporary Applied Researches*, 6(1), 1–17.
5. Anesius, K., & Mwita, N. B. (2024). An analysis of the legal challenges facing the implementation of the legal framework in curbing the cultivation of cannabis plants in Tanzania. *Global Journal of Arts, Humanities and Social Sciences*, 4(12), pp. 1164 – 1171.

6. Bhattacharji, R. (2024). Alternative Development for Illicit Crops has not Succeeded and can Never Succeed. *Cognizance Journal of Multidisciplinary Studies*, 4(2), 392–401.
7. Boateng, W. (2012). Evaluating the Efficacy of Focus Group Discussion (FGD) in Qualitative Social Research. *International Journal of Business and Social Science*, 3(7), 54–57.
8. Carrier, N., & Klantschnig, G. (2016). Illicit Livelihoods: Drug Crops and Development in Africa. *Review of African Political Economy*, 43(148), 174–189.
9. Chouvy, P.-A. (2019). Territorial Control and the Scope and Resilience of Cannabis and Other Illegal Drug Crop Cultivation. *EchoGéo*, 47.
10. Cosmas, J. (2019). Harmonising Tanzania Legal Framework with WTO Trade Rules: How well is Tanzania Faring? *The Law School of Tanzania Journal*, 2(2), 109–120.
11. Daudi, J. M. S. (2024). Performance of Agriculture Extension Services under Local Government Authorities in Tanzania: A review. *Sumerian Journal of Agriculture and Veterinary*, 7(1), 30–36.
12. Du Toit, B. M. (1976). Man and Cannabis in Africa: A study of diffusion. *African Economic History*, 1(1), 17–35.

Newspaper Articles

1. Magulimali, H. (2024, August 26). Authorities Destroy Cannabis Farms in Morogoro Operation. *Media Wire Express*. Retrieved November 15, 2024, from the World Wide Web: <https://mediawireexpress.co.tz/authorities-destroy-cannabis-farms-in-morogoro-operation/>.
2. The Citizen. (2021, April 11). Revealed: Tanzania's Six Top Regions in Marijuana Growing. *The Citizen*. Retrieved November 15, 2024, from the World Wide Web: <https://www.thecitizen.co.tz/tanzania/news/national/revealed-tanzania-s-six-top-regions-in-marijuana-growing--2696302>.
3. The Guardian. (2024, August 27). DCEA Burns 1,165 Acres Cannabis Farms at Mikumi. *The Guardian*. Retrieved November 15, 2024, from the World Wide Web: <https://www.ippmedia.com/the-guardian/news/local-news/read/dcea-burns-1165-acres-cannabis-farms-at-mikumi-2024-08-27-052236>.
4. Xinhua. (2020, June 9). Tanzanian Police Discover 100 Hectares of Cannabis in Anti-Narcotics Crackdown. *Xinhua Net*. Retrieved November 15, 2024, from the World Wide Web: http://www.xinhuanet.com/english/2020-06/09/c_139126991.htm.

Reports

1. Drug Control and Enforcement Authority (DCEA). (2023). *Taarifa ya Hali ya Dawa za Kulevywa ya Mwaka 2023*. DCEA.



2. Drug Control and Enforcement Authority (DCEA). (2024). *Taarifa ya Hali ya Dawa za Kulevya ya Mwaka 2024*. DCEA.
3. World Bank (2024). *Tanzania Agriculture Public Expenditure Review on National Budget between 2017/18 and 2021/24*. World Bank
4. World Health Organization. (2019). *WHO expert committee on drug dependence: Forty-first report*. Geneva: WHO.
5. World Health Organization. (2024). *Joint external evaluation of the International Health Regulations (2005) core capacities of the United Republic of Tanzania: Mission report, 14–18 August 2023*. Geneva: WHO.

Electronic Sources

1. Cowling, N. (2024). Employment In Agriculture in Tanzania 2000–2020. *Statista*. Retrieved November 15, 2024, from the World Wide Web: <https://www.statista.com/statistics/1232977/employment-in-agriculture-as-a-share-of-total-employment-in-tanzania/>.
2. Sensi Seeds. (2021, May 26). Cannabis in Tanzania – The Laws, Local Uses and other info. *Sensi Seeds*. Retrieved November 15, 2024, from the World Wide Web: <https://sensiseeds.com/en/blog/countries/cannabis-in-tanzania-laws-use-history/>.
3. United Republic of Tanzania. (2022). *National Drug Control Master Plan 2022/23–2026/27*. Drug Control and Enforcement Authority. Retrieved November 15, 2024, from the World Wide
4. Web: <https://www.dcea.go.tz/storage/app/uploads/public/63a1cf984/63a1cf984d07c076531598.pdf>.

List of Legal Instruments

International Legal Instruments

1. Agreement on Agriculture, 1994
2. Agreement Establishing the World Trade Organisation, 1994.
3. A Single Convention on Narcotic Drugs, 1961, adopted by the United Nations Conference at New York in March 1961;
4. Protocol amending the Single Convention on Narcotic Drugs, 1961, adopted by the United Nations Conference at Geneva in March 1972;
5. Convention on Psychotropic Substances, 1971, adopted by the United Nations Conference at Vienna in February 1971;
6. United Nations Convention Against Illicit Traffic in

Narcotic Drugs and Psychotropic Substances, adopted at Vienna on 19th December 1988.

7. AU Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods, of 2014.
8. AU Framework for Irrigation Development and Agricultural Water Management in Africa, of 2020.

Domestic Legal Instruments

Constitution

1. Constitution of the United Republic of Tanzania, 1977 (as amended)

Principal Legislation

2. Drug Control and Enforcement Act [CAP. 95 R.E. 2023]
3. Economic and Organised Crime Control Act [CAP. 200 R.E. 2023]
4. Government Chemist Laboratory Authority Act (CAP. 177 R.E. 2023)
5. Criminal Procedure Act [CAP. 20 R.E. 2023]
6. Police Force and Auxiliary Services Act (Cap. 322 R.E. 2023)
7. Forest Act [Cap. 323 R.E. 2023]
8. Fertilizers Act (Act No. 9 of 2009)
9. National Irrigation Act [CAP. 435 R.E. 2023]
10. Plant Health Act, No. 4 of 2020
11. Seeds Act, [CAP. 308 R.E. 2023]
12. Tanzania Agricultural Research Institute Act (Act No. 2 of 2016)
13. Local Government (District Authorities) Act, [CAP. 287 R.E. 2023]
14. Environmental Management Act, [CAP. 191 R.E. 2023]
15. Local Government Finances Act [CAP. 290 R.E. 2023]
16. Budget Act [CAP. 439 R.E. 2020]

Subsidiary Legislation

1. Drug Control and Enforcement (General) Regulations, 2023
2. Seeds Regulations, 2007 (G.N. No. 37 of 2007)
3. Fertilizer Regulations, (Government Notice No. 350 of 2011).

Policies And Plans

1. National Agricultural Policy, 2013
2. National Drug Control Policy, 2024
3. National Irrigation Policy, of 2010.
4. DCEA Medium Term Strategic Plan 2021/2022–2025/2026.
5. Agricultural Sector Development Strategy - II 2015/2016 – 2024/2025