



United Nations
Office on Drugs and Crime

A map of the African continent with the southern region highlighted in light blue. The highlighted area includes countries from South Africa in the south to Zimbabwe and Botswana in the north, and from the Atlantic coast in the west to the Indian Ocean in the east.

REGIONAL FRAMEWORK FOR SOUTHERN AFRICA 2024-2030

**MAKING THE REGION SAFER FROM DRUGS,
CRIME, CORRUPTION, AND TERRORISM.**



United Nations
Office on Drugs and Crime



REGIONAL FRAMEWORK FOR SOUTHERN AFRICA 2024-2030

MAKING THE REGION SAFER FROM DRUGS, CRIME,
CORRUPTION, AND TERRORISM.

TABLE OF CONTENTS

UNODC Regional Framework for Southern Africa 2024-2030	iii
Our value proposition	iii
The five priority areas	iv
1. Promoting people's health through balanced drug control	1
1.1 Improved data collection and analysis	1
1.2 Strengthened responses to drug trafficking	1
1.3 Strengthened drug use prevention, treatment and care	2
1.4 Strengthened HIV/AIDS prevention, treatment and care	3
2. Securing the safety of people from organized crime, terrorism, and violence	4
2.1 Southern African countries fully implement the Organized Crime Convention	4
2.2 People in Southern Africa are better protected from terrorism and violent extremism	5
2.3 People are safer from the harms of firearms	5
2.4 People are protected from trafficking in persons and smuggling of migrants	6
2.5 People in Southern Africa are better protected from cybercrime	7
3. Protecting Southern Africa's resources and livelihoods from crime and corruption	8
3.1 Southern Africa's wildlife and forests are safer from crime and corruption	8
3.2 Fisheries and the blue economy are better protected from illegal exploitation	9
3.3 Southern Africa is better protected from hazardous waste	10
3.4 Effective responses to illegal mining and trafficking in precious metals	10
4. Safeguarding people, institutions and the economy from corruption, money laundering and illicit financial flows	12
4.1 Increased integrity and accountability	12
4.2 Enhanced institutional capacities to protect the financial system from illicit financial flows and money laundering	13
4.3 Enhanced institutional capacities to recover and return the proceeds of crime	13
5. Enhancing the ability of criminal justice systems to uphold the rule of law, ensure equal access to justice for all and protect victims of crime	15
5.1 Risk factors of crime and violence are reduced through evidence-based crime prevention	15
5.2 Enhanced access to justice for all those in need without discrimination	16
5.3 Criminal justice systems in Southern Africa are effective, fair and accountable	16
5.4 Women and children are safer from violence, including sexual and gender-based violence and exploitation	17
The Change Enablers	19
Partnerships, civil society engagement and collective action	19
Gender equality and women's empowerment	19
Inclusion, participation and empowerment of children and youth	19
Prevention and resilience	20
Innovation and technology	20

UNODC Regional Framework for Southern Africa 2024-2030

This Regional Framework for Southern Africa 2024-2030 sets out how the United Nations Office on Drugs and Crime (UNODC) will contribute to peace and security, human rights and development, and the reduction of violence and inequalities within society by making the region safer from drugs, crime, corruption, and terrorism.

UNODC has unique and complementary mandates that distinguish it from other organizations in the same field: it serves as the guardian of international conventions and United Nations standards and norms on crime prevention and criminal justice, as well as the secretariat to global policy bodies; provides strong research and policy analysis; and combines global expertise with an extensive field presence to provide specialized assistance and advisory services to Member States.

To capitalize on its unique advantages and to help achieve its mission, UNODC has published its Strategic Vision for Africa 2030, as well as its Strategy 2021-2025.¹ Both provide roadmaps for action and manifest UNODC's wish for strengthened coordination and integration to ensure that the normative, research and technical assistance work are mutually reinforcing. The Strategy for Gender Equality and Women's Empowerment 2022-2026, the Youth Empowerment Accelerator (YEA!) Framework, the Action Plan on Disability Inclusion, and the Innovation Strategy 2021-2025 further guide UNODC's work.²

To further align this overarching strategic framework with the specific needs, challenges, and development aspirations of Southern Africa, UNODC developed this Regional Framework for Southern Africa 2024-2030 following consultations with the Southern African Development Community (SADC). It aims to accelerate Southern African countries' progress towards the Sustainable Development Goals, as well as the aspirations of the African Union's Agenda 2063 and the SADC Vision 2050.³ As such, this Regional Framework will guide the development and implementation of UNODC programmes,

projects and activities that will be carried out in partnership with the governments and people of the 16 SADC member states: Angola, Botswana, Comoros, Democratic Republic of Congo, Kingdom of Eswatini, Kingdom of Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. Building on its long-standing partnership with SADC and its member states, UNODC's work will be oriented towards the SADC Regional Indicative Strategic Development Plan 2020-2030, in particular its Strategic Objectives 1 and 2.⁴ Moreover, this Regional Framework is informed by the identified challenges, gaps, and adjusted priorities over the implementation period of its previous Regional Programme for Southern Africa (2013-2023).⁵

UNODC will work within its mandate towards achieving tangible and sustainable progress in five priority areas by applying our value proposition of analytic, normative, and technical cooperation. To make this progress sustainable, we will leverage six change enablers: forging strong partnerships, empowering children and youth, promoting gender equality, eliminating discrimination and stigma, integrating innovation, and prioritizing prevention-based approaches.

OUR VALUE PROPOSITION

UNODC's three core lines of work are comprised of normative support, research and analysis, and technical assistance:

- Normative and policy support: We support UN Member States in effectively implementing their obligations and commitments under the international conventions and protocols on drug control, transnational organized crime, corruption, and terrorism, as well as under UN standards and norms in crime prevention and criminal justice.

1 UNODC, Strategic Vision for Africa 2030, (United Nations, publication 2021); UNODC, Strategy 2021-2025 (United Nations publication, 2021).

2 UNODC, Strategy for Gender Equality and the Empowerment of Women (2022-2026) (United Nations publication, 2022); UNODC, Youth Empowerment Accelerator Framework (United Nations publication, 2022); UNODC, Action Plan on Disability Inclusion (United Nations publication, 2020); UNODC, UNOV/UNODC Innovation Strategy 2021-25 (United Nations publication, 2022).

3 SADC, Vision 2050: One region. 16 nations. Towards a common future, 2020.

4 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020.

5 See UNODC, Making the SADC Region Safer from Crime and Drugs, Regional Programme: 2013-2023 – 10 Years Implementation Report (United Nations publication, 2023).

- Research and analysis evidence: We collect and receive data from numerous institutions on issues related to drugs and various forms of crime, which we use to produce impartial and independent research and analyses. We also support research and build the data collection, retention, analysis, and visualization capabilities of our counterparts and produce reports, policy briefs and issue papers.
- Technical assistance and advisory services: We assist governments at all levels in strengthening institutions, enhancing cooperation and coordination domestically, regionally, and internationally, and building skills and capacities, as well as providing logistical and operational support. We also work with civil society, NGOs, academia, the private sector, media, community-based organizations, traditional and religious leaders, as well as youth and women's groups to strengthen their capacity for advocacy, research, and community-based service delivery.

THE FIVE PRIORITY AREAS



Promoting people's health through balanced drug control

Priority Area 1



Securing the safety of people from organized crime, terrorism and violence

Priority Area 2



Protecting Southern Africa's resources and ecology from crime and corruption

Priority Area 3



Safeguarding people, institutions, and the economy from corruption and illicit financial flows

Priority Area 4



Enhancing the ability of criminal justice systems to uphold the rule of law, ensure equal access to justice for all and protect victims of crime

Priority Area 5



1. Promoting people's health through balanced drug control

Drug use, trafficking and manufacturing are severe threats to the health of people living in Southern Africa. As highlighted by the African Union Plan of Action on Drug Control and Crime Prevention (2019-2023), drug use has escalated across the whole continent including Southern Africa, confirming that Africa is no longer only a transit zone in the global trade of narcotics, but also a major consumer.⁶

Building on Investment Area 1 of the UNODC Strategic Vision for Africa 2030, the first Priority Area of UNODC's engagement in Southern Africa focuses on the promotion of people's health through balanced drug and HIV/AIDS prevention, treatment, control, and care, and improved and accurate data, analysis, research and capacity. With UNODC's support, Member States will be better positioned to deliver more effective responses at the policy and programming levels for people at risk of using drugs and those requiring treatment in the community and prisons. This is in line with the strategic objective outlined in the SADC Regional Indicative Strategic Development Plan 2020-2030.⁷

1.1 IMPROVED DATA COLLECTION AND ANALYSIS

A lack of available, reliable, comparative, and sex-disaggregated data on drug use in Africa limits understanding of the extent of drug use, related trends and impacts on health, especially in light of population growth. The annual UNODC World Drug Report points to rising drug use in Africa with new patterns emerging. For Southern Africa, the World Drug Report 2022 reported widespread use of cocaine and synthetic new psychoactive substances (NPS), highlighting that data is scarce on both.⁸ With improved and accurate data, analysis, research and capacity, Southern African countries will be better positioned to deliver more effective responses at the policy

and programming levels for people at risk of using drugs and those requiring treatment.

OUR STRATEGIC ACTIONS:

- **Improve capacities in research, data collection and analysis to strengthen drug control responses, improve the evidence-base and enrich Southern Africa's data through innovative tools, leveraging partnerships and facilitating sustainable multisectoral networks.**
- **Facilitate the establishment of new drug observatories to better streamline data collection, analysis and reporting systems, incorporating innovative approaches and promoting cooperation within Southern Africa through initiatives such as the Eastern and Southern African Commission on Drugs (ESACD).**

1.2 STRENGTHENED RESPONSES TO DRUG TRAFFICKING

The World Bank identifies drug trafficking as one of the most significant risks to peacebuilding in post-conflict, conflict, and fragile states, underlining the need for strengthened countermeasures to contribute to peace and security.⁹ This is also true for Southern Africa, where the illegal trade in narcotics continues to pose a significant threat, with reported seizures indicating increased illicit drug activities in the region. Moreover, according to a recent Threat Assessment on the Status of Transnational Organized Crime in the SADC Region, drugs are increasingly becoming a form of currency linking growing criminal activities and networks involved in car theft, as well as firearms, ivory, diamond, and gold trafficking.¹⁰

The most trafficked drugs in Southern Africa are cannabis, cocaine, methaqualone (mandrax), crystalline methamphetamine (crystal meth), heroin and bombé, a drug made from crushed powder from a car's catalytic

6 African Union, African Union Plan of Action on Drug Control and Crime Prevention (2019-2023), July/August 2019.

7 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020, p. 53 (Strategic Objective 4.4, Outcome 1).

8 UNODC, World Drug Report 2022, Booklet 1: Executive Summary and Policy Implications, (United Nations publication, 2022), p. 30.

9 World Bank Group, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018.

10 SADC, Threat Assessment Report on the Status of Transnational Organized Crime in the SADC Region, unpublished draft report, 2022.

converter.¹¹ Of these drugs, the trafficking of cocaine, as well as of methamphetamine and other synthetic drugs, pose a particular increasing threat. The UNODC Global Report on Cocaine 2023 highlighted indications that the Southern African region is increasingly affected by cocaine trafficking.¹² Similarly, a 2022 report by the Global Initiative against Transnational Organized Crime (GI-TOC) stressed the movement of large volumes of cocaine to and through Southern Africa,¹³ and another GI-TOC report published in 2021 shed light on the growing synthetic drug problem in the region.¹⁴

heroin, cocaine, and amphetamine-type stimulants such as ecstasy in certain countries.¹⁵

Another significant threat to the health of people is the increasing circulation of falsified medical products. Frameworks, mechanisms and approaches to prevention, detection, and response to falsified medical products are however, often insufficient. For Southern Africa, a 2018-2019 survey found that only three of the 12 responding SADC member states had included elements for prevention, detection, and response to falsified medical products in their national medicine policies.¹⁶

In line with a truly balanced, comprehensive, integrated, evidenced-based, human-rights based, development-oriented and sustainable approach to drug demand and supply reduction, as outlined in the United Nations System Common Position Supporting the Implementation of the International Drug Control Policy,¹⁷ UNODC aims to complement its above mentioned efforts to strengthen Southern Africa's response to drug production and trafficking by enhancing drug use prevention, treatment, care and rehabilitation.

OUR STRATEGIC ACTIONS:

- Support Southern African countries with the implementation of the SADC Protocol on Combating Illicit Drug Trafficking, with a focus on prevention, interdiction, action against the proceeds of crime and effective investigation and prosecution.
- Assist Southern African countries in enhancing cross-border, regional and international cooperation contributing to more secure borders, ports, airports, and maritime areas.
- Promote gender-inclusive, sustainable livelihood programmes and intersectional approaches in addressing drug trafficking and local production.
- Facilitate the collection and exchange of information and data to identify threats and increase interregional cooperation, and capacity building to deter the movement of illicit goods through land, sea and air borders.

OUR STRATEGIC ACTIONS:

- Provide technical assistance and normative support to Southern African countries and work with civil society to increase the coverage and quality of human rights- and evidence-based as well as gender-responsive, comprehensive drug prevention and treatment services.
- Increase key groups' access to services, including children, youth, women, people who use/inject drugs, people in prisons and other closed settings, refugees, displaced persons, those living in 'informal' urban contexts, and people in contact with the criminal justice system.
- Engage with communities affected by drug use through prevention, awareness-raising and capacity-building efforts, ensuring the participation of young women and men in the design and implementation of community-led interventions.

1.3 STRENGTHENED DRUG USE PREVENTION, TREATMENT AND CARE

Although comprehensive and up-to-date data on drug use in Southern Africa is scarce, earlier findings by the SADC Epidemiology Network (SENDU) from eight countries across the region indicate that, while cannabis and alcohol dominate treatment demand and community concern in most Southern African countries, there is evidence of substantial use of other drugs such as methaqualone,

11 Ibid.

12 UNODC, Global Report on Cocaine 2023: Local dynamics, global challenges (United Nations publication, 2023), pp. 116-20.

13 GI-TOC, A Powder Storm: The Cocaine Markets of East and Southern Africa, 2022.

14 GI-TOC, A Synthetic Age, The Evolution of Methamphetamine Markets in Eastern and Southern Africa, 2021.

15 Charles D.H. Parry, The Epidemiology of Drug Use in Southern Africa: Findings from SENDU, 2004.

16 Stanislav Kniazkov, Sakhile Dube-Mwedzi and Jean-Baptiste Nikiema, "Prevention, Detection and Response to Incidences of Substandard and Falsified Medical Products in the Member States of the Southern African Development Community", Journal of Pharmaceutical Policy and Practice, 13 (2020), 71.

17 United Nations System Common Position Supporting the Implementation of the International Drug Control Policy Through Effective inter-agency Collaboration, UN Doc. CEB/2018/2 (Annex I).

1.4 STRENGTHENED HIV/AIDS PREVENTION, TREATMENT AND CARE

According to UNAIDS, Eastern and Southern Africa remain the region most heavily affected by HIV, with over 20 million infected people, equivalent to 54 per cent of all people living with HIV in the world.¹⁸ Forty-one per cent of new HIV infections in Eastern and Southern Africa occur in South Africa, while another nearly 34 per cent occur in Kenya, Tanzania, Uganda, and Zambia.

Sex workers, men who have sex with men and their partners, and people who inject drugs (PWID) contribute 32 per cent of new HIV infections in Eastern and Southern Africa. In particular, PWID and those living in detention and other closed settings have 35 times greater risk of acquiring HIV, and incarcerated people are five times more likely to be living with HIV than adults in the general population.¹⁹ PWID face almost universally punitive approaches, stigma, and discrimination, and are rarely included in the design of relevant policies.

In addition, incarcerated women have specific healthcare needs that are seldom adequately met during incarceration. There is also evidence that transgender people experience higher rates of violence, particularly sexual violence, than cisgendered people in prison. The risk of sexual violence among prisoners and their insufficient access to condoms, lubricants, pre-exposure prophylaxis and harm reduction services heighten their chances of acquiring HIV, hepatitis C and other sexually transmitted infections. Crowded, poorly ventilated and unsanitary conditions of detention paired with malnutrition, increase the risk of tuberculosis and other communicable respiratory diseases, including COVID-19.

OUR STRATEGIC ACTIONS:

- Provide technical assistance and normative support to Southern African countries and work with civil society to increase the coverage and quality of human-rights and evidence-based as well as intersectional gender-responsive HIV services.
- Support increased and uninterrupted access to HIV/AIDS prevention, treatment and care services for people who use drugs and people in detention and other closed settings, in line with the SADC HIV and AIDS Strategic Framework and the Global AIDS Strategy.

18 Joint United Nations Programme on HIV/AIDS (UNAIDS), UNAIDS Global AIDS Update 2022 (United Nations publication, 2022), p. 258.

19 Ibid., pp. 17, 126.



2. Securing the safety of people from organized crime, terrorism and violence

According to ENACT Africa's Global Organized Crime Index 2021, although Southern Africa is the region with the lowest criminality in Africa, it is also home to some of the highest scoring countries globally.²⁰ A 2018 Interpol report, furthermore, found that transnational organized crime in Southern Africa is a growing issue with only limited capacity among law enforcement to tackle the threats stemming from it.²¹

Until recently, terrorism and violent extremism have received relatively little attention in Southern Africa. However, over recent years, the threats posed by these phenomena have increased. Terrorist groups, including ISIS-aligned Islamic State in Central African Province (ISCAP), have established themselves in the region, with some 2,000 members including local recruits from Southern African countries.²² Moreover, terrorist groups active in other regions of Africa and abroad are increasingly making efforts to extend and expand their networks into Southern Africa.

In line with Investment Area 2 of the UNODC Strategic Vision for Africa 2030, the second Priority Area of UNODC in Southern Africa consists of securing the safety of people from organized crime, terrorism, and violence. UNODC will contribute to Southern African countries' efforts at strengthening the rule of law and enhancing conflict prevention in the region, both strategic objectives outlined in the SADC Regional Indicative Strategic Development Plan 2020-2030.²³ With regards to preventing and countering threats posed by terrorism and violent extremism, UNODC will continue to support SADC member states in their aspirations outlined in the SADC Regional Counter Terrorism Strategy and Action Plan.²⁴

2.1 SOUTHERN AFRICAN COUNTRIES FULLY IMPLEMENT THE ORGANIZED CRIME CONVENTION

All Southern African countries are parties to the United Nations Convention against Transnational Organized Crime (UNTOC), and with a few exceptions also to its protocols on trafficking in persons, smuggling of migrants and firearms trafficking.²⁵ As such, Southern African countries currently undergo a review of their legal, institutional, and operational frameworks in implementing the UNTOC. For each reviewed country, a list of observations indicating any gaps and challenges, best practices, suggestions, and any technical assistance needs will be formulated, thus providing a significant opportunity to support Southern African countries to fully domesticate the UNTOC, while contributing to the implementation of the SADC Integrated Strategy to Prevent and Combat Transnational Organized Crime and Action Plan.

OUR STRATEGIC ACTIONS:

- Support with the development of whole-of-society national strategies to prevent and combat organized crime, following the 4 Ps approach (prevention, pursue, protection, partnerships)
- Assist with the implementation of observations emanating from the UNTOC Review Mechanism through legislative, strategic and policy assistance.
- Promote the mainstreaming of gender and human rights, as well as youth engagement and empowerment, in the development and implementation of organized crime policies and legislation in Southern African countries.

20 ENACT Africa, Global Organized Crime Index 2021, 2022, pp. 65, 151.

21 Interpol, Overview of Serious and Organized Crime in the Southern African Region, 30 July 2018, p. 4.

22 See United Nations, Letter dated 20 January 2020 to the President of the Security Council, UN Doc. S/2020/53, para. 44.

23 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020 (Strategic Objectives 1.1 and 1.2), pp. 47-48.

24 SADC, Regional Counter-Terrorism Strategy and Action Plan, 2015.

25 The United Nations Conference of Parties to the United Nations Convention against Transnational Organized Crime at its 10th session in 2020 adopted Resolution 10/1, establishing an implementation peer review mechanism for the Convention. As of March 2023, Seychelles has only signed but not ratified the Firearms Protocol. Zimbabwe has not signed or acceded to the Smuggling of Migrants Protocol and the Firearms Protocol, and Botswana and Namibia have not signed or acceded to the latter Protocol.

- Facilitate knowledge sharing within the Southern African region on the implementation of UNTOC and on best practices on combating organized crime.

2.2 PEOPLE IN SOUTHERN AFRICA ARE BETTER PROTECTED FROM TERRORISM AND VIOLENT EXTREMISM

Once local dangers, terrorist groups have become increasingly global and less centralized, using social media, foreign terrorist fighters (FTF), and illicit trafficking to support and carry out their acts of violence, including the recruitment and exploitation of children and youth. In Southern Africa, terrorist groups are exploiting vulnerabilities such as political and socioeconomic challenges, the marginalization of minority groups, weaknesses in governance, security, and intelligence structures, as well as legislative shortcomings and a lack of trained officials in countering terrorism.

Southern African countries have yet to develop comprehensive counter-terrorism legislation and policies, as well as strategies on preventing and countering violent extremism. In response to these threats, Southern African countries are, however, making increasing efforts to strengthen their capacity to effectively detect and prevent terrorist activity and bring terrorists to justice. At the regional level, SADC's Regional Counter Terrorism Centre was established in 2022 and is a key regional partner for UNODC.²⁶

OUR STRATEGIC ACTIONS:

- Strengthen effective, accountable, human rights-compliant and gender-inclusive criminal justice responses to terrorism within Southern Africa.
- Support increased regional and international cooperation to prevent and counter terrorism and violent extremism, in line with relevant international and regional instruments, including the SADC Regional Counter Terrorism Strategy and Action Plan and related normative standards.
- Promote and support whole-of-government, whole-of-society efforts – including civil society, academia and the private sector – of Southern African countries to address threats posed by terrorism and violent

extremism, including through gender-responsive, youth focused, human rights-based approaches to the prevention, prosecution, rehabilitation and reintegration of individuals linked to terrorism including FTF.

- Promote initiatives to support the victims of terrorism, in particular women, youth and children recruited and exploited by terrorist organizations.
- Engage with local communities to address the root causes of radicalization and prevent recruitment to terrorist organizations and organized criminal groups, with a focus on promoting resilience by families and emphasizing the role of youth and women as change enablers.

2.3 PEOPLE ARE SAFER FROM THE HARMS OF FIREARMS

Conflict and violent crime are some of the biggest challenges to Africa's stability, security, and development. According to a 2017 survey, Southern Africa suffers from the highest rate of violent deaths globally and from the highest rate of deaths by firearm in Africa.²⁷ Firearms violence involves a proliferation of small arms and light weapons imported illegally, trafficked illegally, or manufactured by government enterprises and local artisans. The effects of the proliferation of firearms weaken the rule of law and reduce authorities' ability to manage both national stocks and confiscated firearms, as well as their capacity to enforce regulations, thereby contributing to the illicit supply of firearms.

Southern African countries have implemented important protocols, policies, and instruments at both regional and national levels to address the threat originating from firearms. The SADC Protocol on the Control of Firearms highlights the need to implement systems to ensure the proper management of firearms and emphasizes effective measures member states can take, including: the stockpiling and maintenance of government firearms; proper record-keeping of weapons that have been lost, stolen, recovered, seized or destroyed; and the marking and tracking of firearms held by the state. However, implementation of the Protocol is weak in many countries.²⁸ For example, while the Protocol obliges states to enact legislation designed to criminalize the illicit manufacturing of firearms, ammunition, and related material, and to support and implement the various UN Security Council

26 See SADC, SADC Regional Counter-Terrorism Centre, 2022, <https://www.sadc.int/services-and-centres/sadc-regional-counter-terrorism-centre>.

27 Small Arms Survey, *Global Violent Deaths 2017: Time to Decide*, 2017, p. 52.

28 GI-TOC, *How to Silence the Guns? Southern Africa's Illegal Firearm Markets*, 2021, p. 64.

sanction regimes, analyses show that Southern African countries have prioritized the implementation of certain elements of this provision over others.²⁹

OUR STRATEGIC ACTIONS:

- Support the implementation of international and regional commitments on the control of firearms, such as the UNTOC Firearms Protocol and the SADC Protocol on the Control of Firearms.
- Intensify efforts against illicit firearms trafficking through information sharing, intra-agency collaboration, border management, and regional coordination and support.
- Strengthen capacities in firearms identification, detection and seizures, and related investigations and prosecutions.

2.4 PEOPLE ARE PROTECTED FROM TRAFFICKING IN PERSONS AND SMUGGLING OF MIGRANTS

Despite considerable efforts in recent years, trafficking in persons (TIP) and smuggling of migrants (SOM) in, from, through and to Southern Africa remain topics of concern for the region. Between 2017 and 2020, a total of 486 cases of TIP were recorded in the SADC Regional Trafficking in Persons Database.³⁰ According to UNODC's Global Report on Trafficking in Persons 2022, 48 per cent of detected cases concerned trafficking for sexual exploitation and 43 per cent trafficking for forced labour.³¹ By contrast, the previous edition of the report found forced labour by far the most common form of exploitation detected (69 per cent), while the share of sexual exploitation was significantly lower (26 per cent).³² Whether these statistics mark an actual change in trends is difficult to assess, as trafficking for forced labour has until recently not received the same attention as trafficking for sexual exploitation in Southern Africa and may therefore be the result of a systemic

underreporting of the phenomenon. For example, a recent study conducted by UNODC found that there is sufficient evidence that TIP for forced labour takes place in South Africa's agriculture and mining sectors.³³

The vast majority (86 per cent) of TIP victims detected in Southern Africa originate either from the same country or from within the region.³⁴ According to a 2021 Interpol report, TIP in Southern Africa is an increasing threat along the overland migration route from the Horn of Africa to South Africa. Transnational organized criminals have established networks, maintaining contacts with local agents who provide social, geographical, legal and cultural support along the route.³⁵ At the same time, SOM along that same route appears to have declined somewhat over the last few years. However, as the UNODC Global Study on Smuggling of Migrants 2018 highlights, the precise magnitude is difficult to estimate. According to the study, the number of irregular arrivals from the Horn of Africa in South Africa was estimated in 2017 at 13,400-14,050 persons per year, most of whom were smuggled at least for some parts of the journey.³⁶

SADC has developed a number of instruments to guide member states in preventing and addressing TIP and SOM in Southern Africa. As highlighted by the SADC Regional Migration Policy Framework 2020 to 2030, conviction rates of trafficking offences remain low. However, the lack of sufficient demarcation of already porous borders, lack of comprehensive and collated migration data, and uneven coordination between states on migration impedes effective migration management.³⁷

OUR STRATEGIC ACTIONS:

- Strengthen gender-responsive legal and policy framework for preventing and addressing trafficking in persons and the smuggling of migrants, in line with international and regional commitments, including the SADC Regional Migration Policy Framework 2020 to 2030.

29 Small Arms Survey, Keeping Current: The SADC Firearms Protocol Update, 18 October 2021, <https://smallarmssurvey.medium.com/keeping-current-the-sadc-firearms-protocol-update-a6b4669d66>.

30 UNODC, Trafficking in Persons in the SADC Region: Analysis Report: 2017–2021, Draft May 2022, p. 37.

31 UNODC, Global Report on Trafficking in Persons 2022 (United Nations publication, 2023), p. 90.

32 UNODC, Global Report on Trafficking in Persons 2020 (United Nations publication, 2021), p. 35.

33 UNODC, Exploitation for Forced Labour Victims of Trafficking in Persons in South Africa's Agriculture and Mining Sectors, undated, p. 22.

34 UNODC, Global Report on Trafficking in Persons 2020 (United Nations publication, 2021), p. 168.

35 Interpol, Human trafficking into the Southern African region, June 2021.

36 UNODC, Global Study on Smuggling of Migrants 2018 (United Nations publication, 2019), p. 71, citing Regional Mixed Migration Secretariat, Smuggled South: An Updated Overview of Mixed Migration from the Horn of Africa to Southern Africa with Specific Focus on Protection Risks, Human Smuggling and Trafficking, RMMS Briefing Paper 3, March 2017, p. 2.

37 SADC, Regional Migration Policy Framework and Action Plan 2022 to 2030, 2023, pp. 45, 17.

- Capacity building of law enforcement and prosecutorial and judicial authorities to investigate, communicate, and gather/share intelligence and evidence, including with the use of technology, and to prosecute and adjudicate cases.
- Develop enhanced and gender-sensitive protection mechanisms for victims of TIP and SOM and strengthen coordination for delivery of services for these groups.
- Promote exchange of information and South-South and North-North and triangular international cooperation in criminal matters between countries in the region as well as beyond the region affected by the same migrant smuggling and trafficking in persons flows.
- Engage with communities, in particular women and youth, that are vulnerable to trafficking in persons and migrant smuggling, through awareness-raising, advocacy and capacity-building efforts led at community level.

2.5 PEOPLE IN SOUTHERN AFRICA ARE BETTER PROTECTED FROM CYBERCRIME

While some countries in Southern Africa have enacted anti-cybercrime strategies, policies, legal and regulatory frameworks, others are still in the process of developing such measures. Furthermore, most Southern African countries have limited resources allocated to counter cybercrime which requires dedicated investigation units, digital forensic laboratories, specialized equipment, and skilled criminal justice practitioners. Countries in the region

furthermore often do not have well-defined focal-points or dedicated units focused on countering cybercrime, which hinders their ability to effectively combat cybercrime offenses.

OUR STRATEGIC ACTIONS:

- Elevating support to Southern African countries to build capacity and technical expertise in the investigation, prosecution, and adjudication of cybercrime, incorporating increased partnership and liaison with the information and communications technology sectors.
- Strengthen mechanisms for international and regional cooperation, data collection, research, and analysis on cybercrime to enrich the evidence-base and inform tailored responses.
- Increase assistance to ensure victims and witnesses of cybercrime, including the victims of online child sexual abuse and exploitation, receive justice, protection, support, and rehabilitation incorporating human rights-based and gender-sensitive approaches and working in collaboration with a range of partners.
- Support prevention initiatives, such as public awareness campaigns on cyber risks, emphasizing digital literacy and safety, especially for children and other vulnerable groups and through partnership with youth networks, education sector and CSOs.



3. Protecting Southern Africa's resources and livelihoods from crime and corruption

Southern Africa is a stronghold of wildlife resources, forests and forestry products that significantly contribute to the economies and the basic needs and well-being of many communities. Likewise, the fisheries sector contributes to food and nutritional security, employment, livelihoods, and economic needs of Southern Africa.³⁸

Mining is another industry of high importance for the region, with roughly half of the world's vanadium, platinum and diamonds originating in Southern Africa, along with about one-third of gold and one-fifth of cobalt.³⁹ Despite considerable efforts by SADC and its member states to combat illegal mining and the trafficking of precious metals over the past two decades, mining without appropriate land rights, exploration and mining licenses, or permits, continues to negatively impact peace and security, development, and the environment of Southern Africa. As highlighted in a recent UNODC discussion paper, crimes that affect the environment⁴⁰ are increasingly linked to other forms of organized crime, such as forced labor and human trafficking, trafficking in drugs and arms and various economic crimes. The enormous profits generated by these crimes are often used to finance other criminal activities and, in some cases, have been used to finance conflict and contribute to instability. Often, these profits are laundered and moved across borders with the aim to avoid identification and confiscation from law enforcement authorities.⁴¹ Other research also shows that corruption is a key enabler of crimes that affect the environment, helping criminals to commit, conceal and avoid conviction for their crimes.⁴² Crimes that affect the environment and the mismanagement of natural resources thus threaten

the rule of law, governance and national security; they rob local communities of their livelihoods and negatively impact social and economic development.

In line with Investment Area 3 of the UNODC Strategic Vision for Africa 2030, the third Priority Area of UNODC, consists of protecting Southern Africa's resources and livelihoods. UNODC will contribute to Southern African countries' efforts with improving the management, protection, and sustainable utilization of natural resources, one of the objectives of the SADC Regional Indicative Strategic Development Plan 2020-2030.⁴³ Finally, by assisting Member States in tackling all forms of crimes that affect the environment, they will also be supported in achieving their goals of combating climate change. Through safeguarding ecosystems from illegal forms of deforestation, waste incineration, biodiversity loss, or mining, Member States will also be assisted in curbing the level of greenhouse emissions in line with national plans.

3.1 SOUTHERN AFRICA'S WILDLIFE AND FORESTS ARE SAFER FROM CRIME AND CORRUPTION

According to UNODC's World Wildlife Crime Report 2020, the largest share of poached elephants in Africa between 2010 and 2018 was in Southern Africa. However, the estimated absolute number of illegally killed elephants decreased significantly since 2011, ranging from a record-high 13,374 in 2011 to a low of 4,277 in 2016.⁴⁴ Southern Africa is also almost exclusively the source region for rhinoceros' horns. There have recently been indications of

38 SADC, "Natural Resources and Wildlife", accessible online at <https://www.sadc.int/pillars/mining>; SADC, "Forests", accessible online at <https://www.sadc.int/pillars/forests>.

39 See SADC, "Mining", accessible online at <https://www.sadc.int/pillars/mining>.

40 Crimes that affect the environment are often serious, transnational organized crimes, and thus of direct relevance to the mandate of UNODC, notably in its role as Secretariat to the United Nations Convention on Transnational Organized Crime and United Nations Convention against Corruption. In 2021 UNGA Resolution A/RES/76/185, Member States stated their commitment to addressing such crimes.

41 UNODC, Addressing the nexus between crimes that affect the environment, illicit flows and corruption, unpublished discussion paper, p. 2.

42 Organisation for Economic Co-operation and Development (OECD), Strengthening Governance and Reducing Corruption Risks to Tackle Illegal Wildlife Trade: Lessons from East and Southern Africa, 2018, accessible at https://www.oecd-ilibrary.org/trade/strengthening-governance-and-reducing-corruption-risks-to-tackle-illegal-wildlife-trade_9789264306509-en

43 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020, p. 57 (Strategic Objective 4.5, Output 6).

44 UNODC, World Wildlife Crime Report: Trafficking in protected species (United Nations publication, 2020), p. 50.

a decline in the number of poaching incidents, but the trend in the number and weight of rhinoceros horns seized has simultaneously been increasing.⁴⁵

Forests in Southern Africa are vulnerable to illegal logging and the illicit exploitation of endangered trees, in particular African rosewood and sandalwood.⁴⁶ Forest and land governance is threatened by illegal activities, including corruption. In addition, a report by the United Nations Convention to Combat Desertification found that many Southern African countries lack clear frameworks, policies, and strategies to manage forests and land.⁴⁷ These weaknesses can be exploited by corrupt actors, which perpetuates insecure land tenure, land degradation and the illegal trade of forest products in the region. Further, corruption can undermine efforts to mitigate and adapt to climate change, which consequently contributes to food insecurity, population displacement and stress on water resources in Southern African countries.

OUR STRATEGIC ACTIONS:

- Strengthen the legal framework and capacities to prevent, detect, interdict, investigate, prosecute, and adjudicate wildlife and forest crimes.
- Support SADC's engagement in facilitating coordination and cooperation among member states in the active protection and effective enforcement of laws relating to natural resources and wildlife conservation.
- Support Southern African countries in efforts to prevent and counter corruption and money laundering that are facilitating wildlife and forest crimes.
- Customize anti-corruption tools so that they actively contribute towards mitigating and adapting to climate change.
- Foster partnerships between governmental agencies and local communities for enhanced surveillance and reporting.

- Engage with local communities, especially women and youth, to actively participate in environmental preservation and wildlife protection.

3.2 FISHERIES AND THE BLUE ECONOMY ARE BETTER PROTECTED FROM ILLEGAL EXPLOITATION

Oceans and fisheries support Southern Africa's economic, social, and environmental needs yet suffer unsustainable depletion, environmental deterioration, and the threat of piracy. In addition, many countries on the coast of Southern Africa serve as a source, transit, and destination for trafficking in persons as well as of weapons, drugs, and other illicit goods.⁴⁸ Increased efforts to combat maritime crime and strengthen criminal justice responses are required to complement ongoing efforts in ocean governance aimed at protecting trade, marine environments, shipping, fisheries, and coastal communities. Further, mainstreaming anti-corruption in efforts to protect the fisheries resources from illegal exploitation is crucial, as corruption can undermine all efforts to regulate the fisheries sector and combat crime in the sector.

Over the past two decades, Southern African countries have worked to develop, implement, and improve their fisheries management systems, addressing key issues including harmonizing legislation and fighting illegal, unreported, and unregulated (IUU) fishing. Nonetheless, as the 2021 SADC report *Protecting Our Fisheries* highlights, IUU fishing and related crimes, including document fraud, tax evasion and corruption, continue across Southern Africa. While ignorance of rules and regulations can be addressed by awareness and sensitization, more serious and organized illegal activities require a more systematic and cooperative region-wide response.⁴⁹ In particular, mainstreaming anti-corruption in efforts to protect the fisheries resources from illegal exploitation is crucial.

45 Ibid., p. 61.

46 Eric M. Kioko, *Forest Crime in Africa: Actors, Markets and Complexities*, in: Clemens Greiner et al. (eds), *African Futures*, 2022, pp. 125-140.

47 United Nations Convention to Combat Desertification, *Southern Africa Thematic Report: Leveraging the Land, Water and Energy Nexus in SADC* (United Nations publication, 2022), p. 2.

48 See, e.g., for heroin and wildlife trafficking between Africa and Asia: UNODC, "Combating Maritime Crime in Comoros", 31 March 2021, accessible online at <https://www.unodc.org/unodc/en/frontpage/2021/March/combating-maritime-crime-in-comoros.html>.

49 SADC, *Protecting our fisheries: Working towards a common future*, 2021, accessible at https://stopillegalfishing.com/wp-content/uploads/2021/08/SADC-Protecting-Our-Fisheries-Report_fina2I_SINGLE.pdf.

OUR STRATEGIC ACTIONS:

- Support Southern African countries to strengthen governance and integrity of institutions mandated to manage fisheries resources.
- Provide legislative assistance to Southern African countries to strengthen national and regional legal frameworks against crimes in the fisheries sector.
- Support Southern African countries to prevent, identify, investigate, prosecute, and adjudicate fisheries and other maritime crimes.
- Strengthen efforts for increased regional and international cooperation in monitoring, control, and surveillance of fisheries as well as in combating other maritime crimes.

- Strengthen efforts for increased regional and international cooperation to prevent and combat trafficking in hazardous waste.

3.3 SOUTHERN AFRICA IS BETTER PROTECTED FROM HAZARDOUS WASTE

Challenges in effective hazardous waste management and the illicit trade of waste constitutes another threat to Southern Africa's environment and people. For example, in South Africa, 9.5 million kilograms of waste, pairings and scrap of plastics arrived in 2021 alone.⁵⁰ While some Southern African countries are state parties to the Bamako Convention to curb the import of hazardous and radioactive waste into Africa, most have not signed or ratified it.⁵¹

OUR STRATEGIC ACTIONS:

- Support Southern African countries to strengthen effective hazardous waste management.
- Provide legislative assistance to Southern African countries to strengthen national and regional legal frameworks against illegal waste trafficking.
- Support Southern African countries to identify, disrupt and prosecute crimes relating to the illegal movement, trade, shipping, and disposal of hazardous and e-waste.

3.4 EFFECTIVE RESPONSES TO ILLEGAL MINING AND TRAFFICKING IN PRECIOUS METALS

Illegal mining and the illicit trafficking of precious metals constitute a multibillion-dollar transnational criminal industry that has lasting social, economic, and environmental consequences. As highlighted in UNODC's Response Framework on Illegal Mining and the Illicit Trafficking in Precious Metals, precious stones and precious metals are highly vulnerable to illicit trade and often underpin larger money laundering schemes, corruption, arms trafficking, trafficking in persons (including for forced labour and sexual exploitation), often fueling armed conflict and/or resulting in heavy damages to the environment, usually in areas not under full control of the state.⁵² Their low weight, high value, high durability, stable pricing and ability to be easily moved or smuggled make them especially attractive to traffickers, launderers and criminal financiers, both as illicit trafficking commodities or as payment methods to finance terrorism and conflict or to be exchanged for arms or other illegal commodities, including illicit drugs.⁵³ For example, in South Africa, the mining industry had an estimated worth of \$23.5 billion (United States dollars) in 2019, but illegal surface and underground mining and associated criminal activities are eroding the industry's benefits. This has cost an estimated \$8 billion in lost profit for the country annually.⁵⁴

Exponential demand for minerals and metals for the production of new technologies for renewable energies constitute an additional risk for abuse of power in the provision of licences for mines as well as undue influence from actors with vested interests in fossil fuels who can manipulate and influence energy transition policies and practices.

50 South Africa Department of Environment, Forestry and Fisheries (DFFE), interim analysis results of trade data, 24 January 2023.

51 See InforMEA, "Bamako Convention, List of Parties", accessible online at <https://www.informea.org/en/treaties/bamako-convention/treaty-parties>.

52 UNODC, Response Framework on Illegal Mining and the Illicit Trafficking in Precious Metals (United Nations publication, 2022), accessible at https://www.unodc.org/documents/Wildlife/UNODC_Response_Framework_Minerals.pdf.

53 Ibid., p. 3.

54 See UNODC, "UNODC Supports Efforts to Combat Illicit Mining in Southern Africa", accessible online at <https://www.unodc.org/unodc/frontpage/2020/November/unodc-supports-efforts-to-combat-illicit-mining-in-southern-africa.html>.

OUR STRATEGIC ACTIONS:

- Support Southern African countries, relevant authorities, and the private sector to identify vulnerabilities and suspicious transactions in the mineral supply chain.
- Provide legislative assistance to Southern African countries to strengthen national and regional legal frameworks against illegal mining and trafficking in metals and minerals.
- Build robust institutional capacity to investigate, prosecute, and prevent trafficking in precious metals, stones, and other minerals, including through seizure and confiscation of criminal assets.
- Support Southern African countries' efforts in strengthening energy transition policies and frameworks.
- Develop a comprehensive response framework for communities affected by illegal mining and related crimes, providing access to alternative livelihoods and awareness-raising on the harms of these crimes, in partnership with youth community leaders.



4. Safeguarding people, institutions and the economy from corruption, money laundering and illicit financial flows

As the UN common position to address global corruption stresses, corruption and the looting and laundering of staggering amounts of assets undermine the achievement of the Sustainable Development Goals and have negative impacts on peace, stability, security, the rule of law, the environment, and human rights.⁵⁵ Corruption also contributes to the spread of terrorism and violent extremism and serves as a facilitator for other forms of criminal activities in sectors such as environment, health, education, and sports. Moreover, corruption undermines progress in gender equality and has a negative impact on women's agency.⁵⁶

In addition to corruption, money laundering and illicit financial flows (IFFs) are reducing Southern Africa's assets, depleting valuable resources and revenue, and threatening opportunities for trade, output, and growth. In 2015, the Regional Indicative Strategic Development Plan 2020-2030 estimated that while Southern Africa's overall share of IFFs from Africa amounted to only 13 per cent, the greatest shares of IFFs from Africa in the sectors of precious metals and minerals, iron and steel, and ores are from the Southern African Customs Union, with 97.6 per cent, 59.7 per cent and 51.8 per cent, respectively.⁵⁷

In line with Investment Area 4 of the UNODC Strategic Vision for Africa 2030, the fourth Priority Area of UNODC in Southern Africa consists of safeguarding people, institutions and the economy from corruption, money laundering and IFFs. UNODC will thereby contribute to consolidating democracy and inclusive governance in the region, a strategic

objective outlined in the SADC Regional Indicative Strategic Development Plan 2020-2030.⁵⁸ With regard to corruption, UNODC will furthermore support Southern African countries in their aspirations expressed in the SADC Strategic Anti-Corruption Action Plan (2023-2027).

4.1 INCREASED INTEGRITY AND ACCOUNTABILITY

Southern African countries have found their potential and prosperity undercut and held back by corruption, causing significant and wide-ranging impact on people's daily lives. Governments have recognized this and taken crucial steps to prevent and combat corruption. Fifteen of the 16 SADC member states have ratified the SADC Protocol Against Corruption, and all Southern African countries have ratified the United Nations Convention Against Corruption (UNCAC). In efforts to ensure compliance with these legal instruments, they have strengthened their legal and institutional frameworks to address corruption. Many of them have established more independent judiciaries and anti-corruption bodies and opened themselves up to investigations and inquiries to uncover the scale of corruption in public institutions.

Through the outcome of the UNCAC Implementation Review Mechanism and regional and individual assessments, specific needs for technical assistance to fast-track the implementation of UNCAC and the SADC Protocol Against Corruption have been identified by Southern African countries.

55 United Nations, The UN common position to address global corruption: Towards UNGASS 2021, August 2020, accessible at https://ungass2021.unodc.org/uploads/ungass2021/documents/session1/contributions/UN_Common_Position_to_Address_Global_Corruption_Towards_UNGASS2021.pdf.

56 See UNODC, The Time is Now: Addressing the Gender Dimensions of Corruption (United Nations publication, 2020), accessible at https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf.

57 African Union, Report of the High-Level Panel on Illicit Financial Flows from Africa (sometimes referred to as Thabo Mbeki report), 2015, p. 93, 97, accessible at https://www.un.org/africarenewal/sites/www.un.org.africarenewal/files/iff_main_report_26feb_en.pdf.

58 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020 (Strategic Objective 1.2, Outcome 2), p. 48.

OUR STRATEGIC ACTIONS:

- Support Southern African countries to strengthen their legal, policy and institutional frameworks to address corruption in line with UNCAC and the SADC Protocol Against Corruption.
- Support anti-corruption practitioners and other stakeholders, including regional organizations, sport organizations, civil society, the private sector, media, youth, and academia, to actively support and promote the implementation of UNCAC in a coordinated effort.
- Strengthen South-South cooperation within and beyond Southern Africa to build evidence-based knowledge and tools on anti-corruption, including on gender dimensions of corruption.
- Strengthen international and regional cooperation to prevent and counter corruption, including on asset recovery cases, including through the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network).

4.2 ENHANCED INSTITUTIONAL CAPACITIES TO PROTECT THE FINANCIAL SYSTEM FROM ILLICIT FINANCIAL FLOWS AND MONEY LAUNDERING

Illicit financial flows and their inherent money laundering are a growing global challenge. According to the United Nations Conference on Trade and Development (UNCTAD) Economic Development in Africa Report 2020, \$88.6 billion leaves Africa every year. For Southern Africa, overall capital flight and estimated tax avoidance was estimated to be nearly 2 per cent of GDP. Relative to the population, this amounts to \$107 per capita, making it the region with the second highest rate on the continent after Western Africa.⁵⁹

The problems of IFFs and money laundering are compounded by the fact that many countries do not have effective anti-money laundering and combatting the financing of terrorism (AML/CFT) systems. Law enforcement and prosecutorial and judicial authorities cannot effectively investigate and prosecute serious organized crimes or recover the proceeds of crime. For the Southern African region, of the 12 countries evaluated

under the Financial Action Task Force 2012 methodology, only three were found to have achieved a moderate level of effectiveness in the three identified essential areas of preventing illicit financial flows: using financial intelligence for investigations, money laundering investigations and prosecutions, and confiscations.⁶⁰ Common difficulties in implementing AML/CFT standards include the capacity of criminal justice practitioners and insufficient financial and human resources, in particular for the rolling out of regular onsite inspection programmes of reporting entities for ensuring compliance with AML/CFT requirements.⁶¹

OUR STRATEGIC ACTIONS:

- Assist countries to have effective legislation, policies, and action plans to counter illicit financial flows and money laundering.
- Enhance the capacity of law enforcement, judicial and FIU officers to effectively combat money laundering and illicit financial flows.
- Enhance regional cooperation through the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA) with increased sharing and exchanging information to counter money laundering and illicit financial flows.
- Enhance the capacity of countries to combat IFFs by establishing Asset Forfeiture Units, Asset Management Offices and Asset Forfeiture Funds.
- Enhance the capacity of AML/CFT supervisors and regulators to effectively supervise and regulate institutions obligated to prevent money laundering and terrorism financing.

4.3 ENHANCED INSTITUTIONAL CAPACITIES TO RECOVER AND RETURN THE PROCEEDS OF CRIME

Southern African countries have made significant achievements in forfeiting and returning stolen assets. According to ARINSA, a cross-border network of law enforcement and prosecutorial authorities working in asset forfeiture from 17 Southern African countries, assets valued at \$8.3 billion had been collectively seized by ARINSA member states by the end of 2020,

59 UNCTAD, Tackling Illicit Financial Flows for Sustainable Development in Africa: Economic Development in Africa Report 2020 (United Nations publication, 2020), pp. 155, 161.

60 See Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG), Mutual Evaluations and Follow Up Process, accessible at https://www.esaamlg.org/index.php/Mutual_Evaluations.

61 ESAAMLG, From Arusha to Ezulwini: Looking Back and Looking Ahead: Twenty Year Report, 2020, p. 37.

while final forfeiture orders accounted for \$1.3 billion.⁶² Major challenges persist, however, mostly related to the effective implementation of the Financial Action Task Force recommendations and UNCAC and UNTOC provisions on asset recovery. ARINSA member states lag in the implementation of asset forfeiture legislation and lack technical capacity to ensure that the relatively new institutions can fully carry out their functions. Moreover, recent mutual evaluations among member states of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) revealed deficiencies also in terms of asset forfeiture, including insufficient confiscations; lack of knowledge on how to manage and disburse confiscated assets; and insufficient international cooperation on asset forfeiture.⁶³

OUR STRATEGIC ACTIONS:

- Strengthen asset forfeiture, return, management, and disposal.
- Facilitate cooperation through the ARINSA network, regional partners, and other African countries in the recovery of the proceeds of crime.
- Promote South-South cooperation, mentoring and knowledge exchange amongst practitioners working on anti-money laundering and asset forfeiture.

62 ARINSA, Annual Report 01 January 2020 – 31 December 2020, 2021, p. 7. ARINSA member states are Angola, Botswana, Democratic Republic for the Congo, Eswatini, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Uganda, Zambia and Zimbabwe.

63 ESAAMLG, Mutual Evaluations and Follow Up Process, accessible at https://www.esaamlg.org/index.php/Mutual_Evaluations.



5. Enhancing the ability of criminal justice systems to uphold the rule of law, ensure equal access to justice for all and protect victims of crime

According to the 2022 Ibrahim Index of African Governance Report, SADC countries scored on average 55.5 out of 100 in the Security & Rule of Law category (compared to a continental average of 49.0), showing a slightly deteriorating trend by 1.3 points since 2012.⁶⁴ According to the UNODC global study on homicide rates, available data and “estimates indicate that Africa had the highest absolute number of homicides of any region in 2021, and available data suggest that the homicide rate is not falling, even as decreases have been registered in other regions.”.

Building on Investment Area 5 of the UNODC Strategic Vision for Africa 2030, UNODC’s efforts in Southern Africa in the fifth Priority Area focus on enhancing the ability of the criminal justice systems to work with other actors to prevent crime, uphold the rule of law, ensure equal access to justice for all and protect victims of crime. UNODC will thereby contribute to strengthening evidence-based crime prevention, efforts to uphold the rule of law and human rights in the region, a strategic objective also outlined in the SADC Regional Indicative Strategic Development Plan 2020-2030.⁶⁵

5.1 RISK FACTORS OF CRIME AND VIOLENCE ARE REDUCED THROUGH EVIDENCE-BASED CRIME PREVENTION

Responding to the UN Guidelines on the Prevention of Crime as well as the Southern African Development Community’s (SADC) 2018 Guidelines on Crime and Violence Prevention that acknowledges that building a region that is safe for all is not the sole responsibility of the

police, security agencies, and the criminal justice system, UNODC will support countries to advance on evidence-based crime prevention and develop and implement tailored, comprehensive and multisectoral strategies at local, national and regional levels, to address root causes of crime and build youth and community resilience. This work will involve state and non-state actors within and outside the criminal justice and security sector, including with the youth, sport and education sectors, as well as local communities, to identify and address the factors that increase the risks which contribute to crime and violence, while, at the same time, developing and supporting those factors that make communities more resilient.

OUR STRATEGIC ACTIONS:

- Support the design and implementation of tailored youth and community-focused crime prevention initiatives that strengthen youth and community resilience to crime and violence, including through life skills training.
- Assist Southern African countries in developing holistic, evidence-based, and multisectoral local and national strategies to violence and crime prevention which are youth-focused and gender-sensitive.
- Support the review and evaluate crime prevention strategies and interventions, including those that aim to the prevention of re-offending and the support of the reintegration of offenders, including youth in conflict with the law, into communities.

64 Mo Ibrahim Foundation, 2022 Ibrahim Index of African Governance, Security & Rule of Law in the Southern African Development Community, accessible at https://iiag.online/data.html?v=u5Gx_t10.

65 SADC, SADC Regional Indicative Strategic Development Plan (RISDP) 2020-2030, October 2020, p. 47 (Strategic Objective 1.2).

5.2 ENHANCED ACCESS TO JUSTICE FOR ALL THOSE IN NEED WITHOUT DISCRIMINATION

It is paramount to fully safeguard the rights of alleged and sentenced offenders and ensure their humane treatment during and after criminal proceedings and to protect and assist victims affected by crime while also ensuring that the rights and needs of particular groups are respected and prioritized to achieve equity and equality in access to services and substantive equality. Meeting specific needs entails investing in addressing structural barriers individuals are facing in accessing justice and discrimination, such as against racial and ethnic minorities, indigenous peoples, and persons with disabilities. Due to their vulnerabilities, ongoing development, special needs, and rights, children also require special safeguards to ensure their protection, especially when they come into contact with the justice system.

African countries have made considerable progress over recent years to strengthen the rule of law and the effectiveness and accountability of criminal justice systems. Many African countries have undertaken efforts to enhance access to justice to protect the rights of the poorest, most vulnerable and those furthest behind. For Southern Africa, the 2022 Ibrahim Index of African Governance assesses that, over the past 10 years, countries in the SADC region have improved in most measures of rule of law, with the average level of access to and affordability of justice in 2021 scoring well above the continental average (58.8 compared to 51.7 out of 100), while the timeliness of trials was slightly below (41.4 compared to 43.2 out of 100).⁶⁶

OUR STRATEGIC ACTIONS:

- Scale up support to Southern African countries to enhance equal access to legal aid for those in need, particularly for groups with vulnerabilities, specific rights, and special rights and needs in the criminal justice system, such as suspects in police custody, pre-trial detainees, women prisoners and victims of gender-based violence.

- Support Southern African countries in partnership with UN agencies, regional organizations, and civil society to strengthen specialized child justice systems to uphold children's rights and to ensure their equal access to justice and that they are better served and protected throughout the administration of justice, in line with international standards and norms.
- Protect and assist victims of crime, through sustainable national and regional solutions that build on partnerships with victim-centred organizations and other civil society actors.
- Assist Southern African countries in promoting restorative justice.

5.3 CRIMINAL JUSTICE SYSTEMS IN SOUTHERN AFRICA ARE EFFECTIVE, FAIR AND ACCOUNTABLE

The criminal justice systems of most jurisdictions in Southern Africa are generally weak in the face of challenges posed by organized crime, particularly corruption, other economic financial crimes, and money laundering. Most countries are not adequately equipped in terms of legislation and prosecutorial capacity to tackle transnational crimes, including acts of terrorism. Moreover, regional cooperation among prosecuting agencies is limited, notwithstanding promising platforms such as the African Prosecutors' Association (APA). Efforts of the countries in the region to respond to the evolving threats, including regional coordination, in particular through a number of protocols signed within the framework of SADC, are hampered by a lack of transparency and accountability in criminal justice institutions and corrupt practices in the public and private sectors, as well as the limited practical cooperation among criminal justice agencies.

The UN System Common Position on Incarceration (2021) identifies prison reform and the treatment of offenders as integral parts of the 2030 Agenda for Sustainable Development, in particular with regards to SDG 16 on peace, justice and strong institutions.⁶⁷ At the same time, prison overcrowding, poor conditions and the serious neglect of prison services are causing prisons to be a weak link in criminal justice systems and a low priority in reform efforts. The consequences for public safety, health, and human rights, as well as the financial and socioeconomic

66 Mo Ibrahim Foundation, 2022 Ibrahim Index of African Governance, Security & Rule of Law in the Southern African Development Community, accessible at https://iig.online/data.html?v=u5Gx_t10

67 United Nations, United Nations System Common Position on Incarceration, April 2021, accessible at https://www.unodc.org/res/justice-and-prison-reform/nelsonmandelarules-GoF/UN_System_Common_Position_on_Incarceration.pdf.

costs resulting from these deficiencies, are immense. The prison population in Africa amounts to 1.2 million persons, of which 40 per cent are held on remand. More than 78 per cent of African national prison services are affected by overcrowding, which often reaches alarming levels. In Southern Africa, 12 out of 16 SADC members struggle with overcrowded prisons systems, six of which exceed official capacity by at least 60 percent and up to 322 percent.⁶⁸

The UNODC-supported SADC Corrections/Prisons/ Penitentiary Services Strategic Action Plan 2021-2025 commits to firmly embedding prison and penal reform efforts in the region on the UN standards and norms related to prison and offender management, including the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) and the UN Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules). It identifies detailed reform needs in the following 10 thematic areas: material conditions of imprisonment and basic human needs; prison safety and security; rehabilitation and social reintegration; special needs within the prison population; health services; integrity, accountability and safeguards for prisoners; recruitment, training and well-being of prison officers; communication with external stakeholders; women prison officers; and the implementation of relevant regional and international instruments.

OUR STRATEGIC ACTIONS:

- Support criminal justice reform in Southern African countries, including through enhancing integrity, accountability, gender responsiveness and human rights compliance.
- Assist Southern African countries in reducing the resort to incarceration; strengthening prison management and improving prison conditions; and enhancing the social reintegration prospects of offenders, in furtherance of the SADC Corrections/Prisons/Penitentiary Services Strategic Action Plan 2021-2025 and in response to persisting and emerging challenges.
- Review and evaluate interventions that address justice and reintegration of perpetrators into communities.

5.4 WOMEN AND CHILDREN ARE SAFER FROM VIOLENCE, INCLUDING SEXUAL AND GENDER-BASED VIOLENCE AND EXPLOITATION

Sexual and gender-based violence are critical areas of concern and present major obstacles to attaining gender equality and addressing impunity in Southern Africa. Violence against children also remains a widespread and significant problem that affects not only children but also negatively impacts families, communities and society as a whole.

Prevalence of gender-based violence (GBV) and harmful practices among young women and girls is high in the region: according to the United Nations Population Fund (UNFPA), of young women aged 20 to 24 years in Eastern and Southern Africa, 31 per cent were married before the age of 18, and harmful practices including female genital mutilation and child marriage persist.⁶⁹ In seven countries of the region, about 20 per cent of people aged 15 to 24 years reported in 2020 that they had experienced sexual violence from an intimate partner.⁷⁰ Other research by UNODC found that 64 per cent of all female homicides in Africa in 2021 were committed by intimate partners or other family members, making it the region with the highest level of violence relative to the size of its female population globally.⁷¹ In addition, GBV that occurs through or is amplified by the use of technology is highly prevalent in Southern Africa. As highlighted during the eleventh session of the UNTOC Conference of the Parties in 2022, capacity strengthening, awareness and legislation are only starting to address the gravity and scope of the problem in the region.

More generally, many challenges remain, although Southern African countries have made progress in addressing GBV. For instance, the UNODC-supported SADC Regional Strategy and Framework of Action for Addressing Gender-Based Violence 2018-2030 highlights increased awareness, significantly improved legislation and better gender-based violence services, noting at the same time challenges such as coordination at all levels and the provision of places of safety for victims and referrals among service providers.⁷² Regarding the responses of the criminal justice systems specifically, a UNODC report published in 2021 found that while significant improvements have been made in strengthening legislative and policy frameworks across Southern African countries, alignment between different pieces of legislation is lacking

68 See World Prison Brief data, accessible at <https://www.prisonstudies.org/map/africa>.

69 UNFPA East and Southern Africa, Gender-based violence, undated, <https://esaro.unfpa.org/en/topics/gender-based-violence>.

70 Ibid.

71 UNODC and UN Women, Gender-related killings of women and girls (femicide/feminicide) (United Nations publication, 2022).

72 SADC, Regional Strategy and Framework of Action for Addressing Gender Based Violence 2018-2030, 2018, pp. 13-14.

in some countries. Moreover, regular institutionalized training for law enforcement and prosecutorial and judicial authorities on matters of violence against women and girls is often missing, and no dedicated court time or specialized courts exist in most countries. At the operational level, memoranda of understanding and standard operating procedures are also largely lacking, and if they exist, they are often not implemented. Regular crime surveys are carried out only by a few countries, and no country under analysis reported a mechanism for systematic and coordinated data collection.⁷³ The recently finalized SADC Model Law on Gender-Based Violence provides member states with guidelines based on regional and international standards and a unique opportunity for member states to review and amend current legislation.

OUR STRATEGIC ACTIONS:

- Improve capacities related to data collection, forensic investigation, research and analysis on the prevalence of sexual and gender-based violence, violence against children, cyber violence and its links with other crimes.
- Strengthen existing legal and policy frameworks relevant to the prevention and prosecution of sexual and gender-based violence and violence against children, in line with international and regional commitments, including the SADC Regional Strategy and Framework for Addressing Gender-Based Violence 2018-2030.
- Support policies and institutional measures to enhance gender balance in the criminal justice sector, particularly at the decision-making and managerial level, to reduce structural barriers for gender-responsiveness and provide survivors with the right to speak to a female police officer or justice official.
- Assessing and upscaling high-quality, coordinated, survivor-centred services and improving access to justice, in line with legal and policy frameworks, especially for young women and children.
- Build the capacity of the criminal justice system on prevention and response to sexual and gender-based violence, in particular in contexts of conflict, humanitarian and developing crises, and climate change.

73 UNODC, Report on Criminal Justice System Response to Gender-Based Violence in the SADC Region (United Nations publication, 2021), pp. 3-4.

The Change Enablers

Transformation and broader impact will be ensured by leveraging five change enablers and mainstreaming these in our approaches across all investment areas.

PARTNERSHIPS, CIVIL SOCIETY ENGAGEMENT AND COLLECTIVE ACTION

To fulfil the ambitions of this Regional Framework for Southern Africa, we are committing to a deeper role as facilitator, convener and connector of partners and networks. Partnerships will be expanded to develop innovative and multi-stakeholder responses to organized crime, terrorism and corruption, orientated towards comprehensive and improved conflict management and violence prevention. We will work closely with SADC and other development partners in Southern Africa and beyond to promote peace and security and to support, through the implementation of this Regional Framework, the achievement of the objectives of the United Nations Sustainable Development Cooperation Frameworks for Southern African countries.

In support of the UN Development System reform and as part of the various UN Country Teams in the region, we will deliver more of our work through joint UN programmes and through a coherent system-wide approach in direct support of Southern African countries' development goals.

We will collaborate with relevant state and non-state actors and sectors, as well as the private sector, to also promote public-private partnerships, which can play a catalytic role in supporting this Regional Framework's goals. Partnerships with civil society and academia, as well as with youth, education, and the sport sector, will also be crucial in developing the multi-stakeholder engagement needed, as well as for bringing increased transparency, accountability and inclusion to programme design and delivery. We will intensify our collaboration with key influencers to prevent violence and combat corruption and to reduce stigma and discrimination.

GENDER EQUALITY AND WOMEN'S EMPOWERMENT

In line with our strategy for gender equality and women's empowerment,⁷⁴ we will leverage the perspectives of all genders and identify new opportunities and responses that place gender equality at the heart of our interventions. We will continue focusing our research efforts on better understanding the gendered forms of crime, corruption and terrorism and the impact crime, corruption and terrorism has on women and girls, as well as their involvement in these activities.

Women are uniquely positioned to be agents of change, but their potential to help solve issues and innovate is not sufficiently utilized. New opportunities will be identified to engage further with women and to place them at the heart of this investment to achieve transformative change.

We will work harder to reduce the exclusion of women and girls with lived experience of the criminal justice system both as victims and perpetrators, and towards their safe and meaningful engagement of women with lived experience in policy and institutional reform. In recognition of the pivotal role that women play in violence prevention, conflict resolution and sustaining peace, new opportunities will be created that promote women's participation and leadership and enhance their access to justice. We will take dedicated action to enhance gender balance and women's empowerment in the criminal justice workforce. We will address gendered forms of corruption. We will partner with women's civil society organizations and communities and support grassroots efforts to empower women and girls to challenge gender discrimination and actively contribute to societal and institutional change and reform.

We will support Southern African countries in enhancing the capacities of their criminal justice systems to combat violence against women and girls, challenge stereotypes and gender discrimination, and enable increased access to justice for women and girls and to health services for women and girls in custody.

74 United Nations Office at Vienna (UNOV) and UNODC, Strategy for Gender Equality and the Empowerment of Women (2022-2026) (United Nations publication, 2022), accessible at https://www.unodc.org/documents/evaluation/HumanRights-GenderEquality/Strategy_for_Gender_Equality_and_the_Empowerment_of_Women_2022-2026.pdf.



INCLUSION, PARTICIPATION AND EMPOWERMENT OF CHILDREN AND YOUTH

Empowering children and youth as key agents of transformative change is a cornerstone of how Southern Africa can fulfil the ambitions of this Regional Framework. In line with our Youth Empowerment Accelerator (YEA!) Framework⁷⁵ and relevant initiatives such as the Global Resource for Anti-Corruption and Youth Empowerment (GRACE), we will strengthen ongoing and develop new youth mainstreaming actions to promote the meaningful engagement of young people in programmes and projects at the planning, implementation, and evaluation stages. We also seek to make the voices of young people heard through youth forums and various UNODC communication channels, including internal cooperation and external partnerships with civil society, the private sector, academia, regional organizations, and other key partners.

Through youth-focused initiatives and programming, including in the context of the initiative “Sport against Crime: Outreach, Resilience, Empowerment” (SC:ORE) for at-risk youth, we will respond to specific needs and vulnerabilities of young people, with a focus on those that are more at risk, to build resilience to violence and crime, enhance participation, and empower to address marginalization and promote inclusion at local and national levels.

We will support Southern African countries to build responses that include the perspectives of youth in policymaking and increase their participation and inclusion in preventing and countering threats related to drugs, crime, terrorism, and corruption. We will partner more closely with youth-led grassroots organizations and youth-focused volunteer organizations, including the UN Volunteer Programme and the AU Youth Volunteer Programme. We also recognize violence against children as a significant and widespread problem which negatively affects children and society at large, as well as children’s fundamental right to participation and their potential to become agents in their own protection.

Fostering stronger connections with children and youth of Southern Africa will enable us to better understand their challenges. We commit to a decade of programming that will target, involve, and empower children and youth, particularly those with disabilities, the most vulnerable and at-risk, and those more likely to face exclusion and discrimination.



PREVENTION AND RESILIENCE

We will strengthen capacities at all levels to predict, preempt and prevent threats related to drugs, crime, terrorism and corruption. We will scale up our support to Southern African countries’ prevention capacities in order to address the drivers of threats related to these threats. We recognize that effective prevention requires multisectoral responses at the individual, community and societal levels.

We also recognize the efforts made by Southern African countries to strengthen a culture of integrity by including diverse stakeholders such as youth, academia, and civil society to strengthen a whole-of-society approach towards prevention. We will continue to support Southern African countries in these efforts.

Evidence-based prevention strategies at national and regional levels will be scaled up to support and build the resilience of communities, institutions, and at-risk and vulnerable groups. Increased collaboration between law enforcement, other government entities and justice actors with community- and faith-based organizations and other key influencers such as families, children, youth, and sub-groups and their religious, traditional, and indigenous leaders will be a priority, alongside continued engagement with the education sector and youth and sport sector, including schools, academic institutions and the media.



INNOVATION AND TECHNOLOGY

In line with our Innovation Strategy 2021-25,⁷⁶ we will employ strategic foresight, innovation, data science, digital transformation, and behavioural science to identify more effective solutions and implement innovative approaches to contribute to Southern Africa’s resilience to, and safety from, threats relating to drugs, crime, corruption, and terrorism. We place innovation within the safeguards of human rights, to leverage diversity and protect the most vulnerable.

Rapid technological change, which poses economic, social, and environmental challenges across Southern Africa, has been widely celebrated and welcomed. The use of digital technology and services provides Southern Africa with opportunities to combat crime and drugs.

By partnering with Southern Africa’s vibrant private, scientific, academic and civil society sectors, we will invest in innovation-based approaches utilizing science, including behavioural science, technology and digital means across our programming to enhance our impact.

75 UNODC, Youth Empowerment Accelerator Framework (United Nations publication, 2022), accessible at https://www.unodc.org/documents/youth/17-11-2022_Youth_Empowerment_Accelerator_YEA_Framework.pdf.

76 UNOV and UNODC, UNOV/UNODC Innovation Strategy 2021-25, accessible at https://www.unodc.org/documents/Advocacy-Section/External_Innovation_Strategy_2021-25.pdf.

UNITED NATIONS OFFICE ON DRUGS AND CRIME

REGIONAL OFFICE FOR SOUTHERN AFRICA

1059 Francis Baard Street,

1st Floor, Hatfield,

Pretoria, South Africa

Tel: +27 12 432 0820



unodc.org/southernafrica/

@UNODC_ROSAF