



UNODC

United Nations Office on Drugs and Crime



Making the Southern African Development Community (SADC) Region Safer from Crime and Drugs

Regional Programme: 2013 - 2023

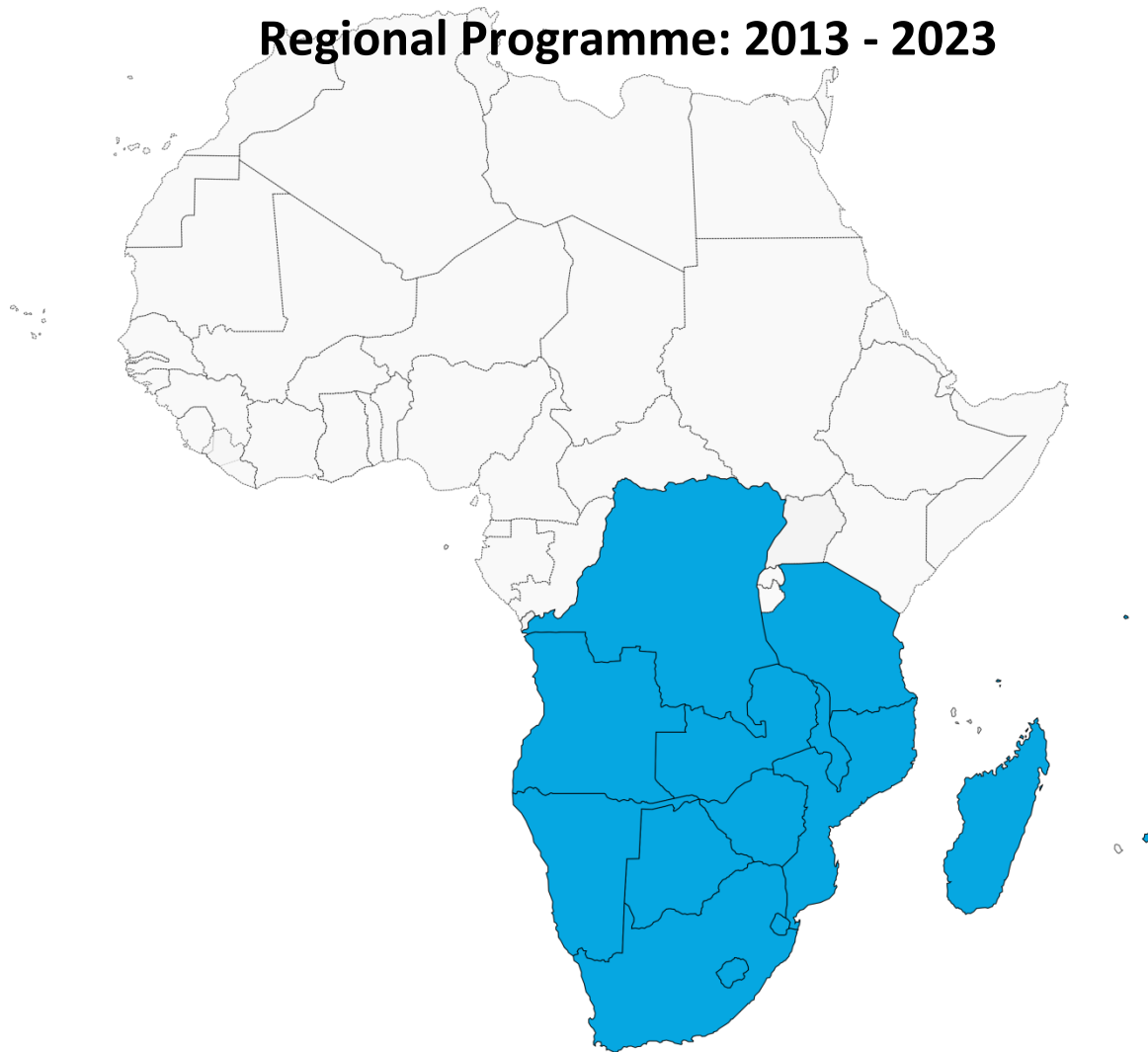


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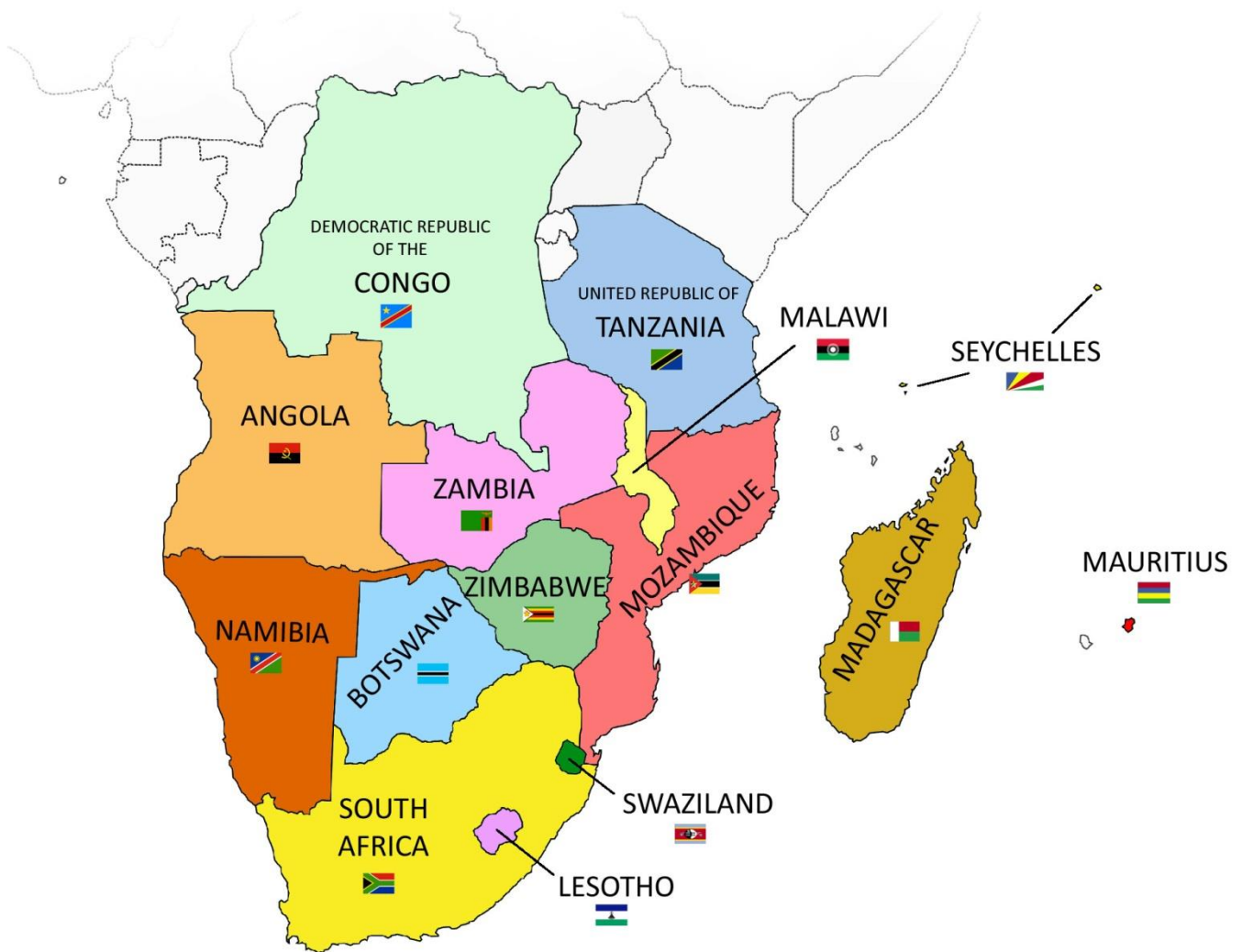
List of Abbreviations

ACSA	Africa Correctional Services Association
AIDS	Acquired Immunodeficiency Syndrome
AML	Anti Money-Laundering
APA	Africa Prosecutors Association
ARINSA	Asset Recovery Inter-Agency Network of Southern Africa
ATS	Amphetamine-Type Stimulants
CARICC	Central Asian Regional Information and Coordination Centre
CARIN	Camden Asset Recovery Inter-Agency Network
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
CSO	Civil Society Organisation
CTED	UN Counter-Terrorism Committee Executive Directorate
ECOSOC	Economic and Social Council
ESAAMLG	Eastern and Southern African Anti Money Laundering Group
FIU	Financial Intelligence Unit
FATF	Financial Action Task Force
GPML	UNODC Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism
HIV	Human Immunodeficiency Virus
ICCWC	International Consortium on Combating Wildlife Crime
ICT	Information and Communication Technology
IDU	Injecting Drug Users
IEU	Independent Evaluation Unit
INTERPOL	International Criminal Police Organization
MCO	Ministerial Council of the Organ
MoU	Memorandum of Understanding
NGO	Non-governmental Organization
NSP	Needle and Syringe Programme
PCU	Programme Coordination Unit
RISDP	Regional Indicative Strategic Development Plan
ROEA	Regional office for Eastern Africa
ROSAF	Regional Office for Southern Africa
RP	Regional Programme

RPSC	Regional Programme Steering Committee
SADC	Southern African Development Community
SAFAC	The Southern African Forum against Corruption
SARPCCO	Southern Africa Regional Police Chiefs Cooperation Organization
SENDU	Southern Africa Epidemiological Network on Drug Use
SIPO	Strategic Indicative Plan for the Organ
StAR	Stolen Asset Recovery
TOCU	Transnational Organized Crime Unit
UN	United Nations
UNAIDS	United Nations Programme on HIV and AIDS
UNCAC	United Nations Convention against Corruption
UNGASS	United Nations General Assembly Special Session
UNODC	United Nations Office on Drugs and Crime
UNODC HQ	UNODC Headquarters in Vienna, Austria
UNTOC	United Nations Convention against Transnational Organized Crime
WACI	West Africa Coast Initiative
WCO	World Customs Organization
WHO	World Health Organization

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Map showing the Member States of the SADC:



EXECUTIVE SUMMARY – Update June 2017 to reflect key recommendations and main regional and international frameworks.

The Regional Programme 2013-2023 “**Making the Southern African Development Community (SADC) Region Safer from Crime and Drugs**” was jointly developed by the United Nations Office on Drugs and Crime (UNODC) and SADC. It covers the 15 Member States of SADC: Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, the United Republic of Tanzania, Zambia, and Zimbabwe.

The Regional Programme aims to support the Member States in responding to these and other challenges related to organised crime, security, effectiveness and integrity of criminal justice systems, as well as drug abuse and HIV/AIDS through strengthening capacities at the national level and promoting regional cooperation, in line with the priorities and needs of the countries concerned. In particular, it is envisioned to contribute to crime prevention measures in the region in the context of supporting a sustainable socio-economic development, which could well serve as a basis for such efforts in other regions facing similar developmental challenges.

Based on a joint Memorandum of Understanding (MoU) as the official framework for cooperation between UNODC and SADC, the development process included two Regional Expert Group Meetings to identify the key concerns and priorities to be addressed under the future Regional Programme. The resulting regional approach and programmatic framework were endorsed by the SADC Ministerial Committee of the Organ (MCO) in July 2012. In August 2012, the Heads of State and Government of the SADC Member States, at their 32nd Summit Meeting in Maputo, Mozambique, were informed and took note of the MCO’s endorsement.

Three interdependent substantive pillars, supported through the cross-cutting programme areas of data collection and analysis, legislative drafting and capacity building, form the framework for the Regional Programme’s areas of intervention:

I. Countering Illicit Trafficking and Organised Crime

Pillar I aims to strengthen regional border control and management capacities, support counter-narcotics efforts with special regard to precursor chemicals, support countries to address urban and emerging crimes, and strengthen anti money-laundering (AML) and forensic capacities in the region.

II. Criminal Justice and Integrity

Pillar II aims to support the countries’ efforts against corruption and to strengthen the criminal justice institutions in the region by improving the effectiveness of investigation, prosecution, access to justice, fair trial and execution of penal sanctions, and by securing the protection of vulnerable groups.

III. Improving Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings

Pillar III will support the countries to reduce the demand for drugs, prevent drug-related HIV infections, as well as HIV/AIDS in prison settings, and promote treatment to reduce health-related and social consequences.

The Regional Programme represents the overarching framework under which prioritised outcomes and results will be developed in a result-oriented approach in the region. While it should ideally be implemented in a comprehensive way in all SADC countries, the constraints faced in terms of funding, lack of baseline data and UNODC's own capacity and resources in the region, will necessitate a ***phased implementation approach*** with a corresponding management structure associated to the different phases. Building on agreed-upon priorities of all stakeholders and existing expertise on the ground, the Regional Programme foresees that the implementation will follow a three-phased approach which considers on-going initiatives implemented through the UNODC Regional Office for Southern Africa (ROSAF), established relationships with international cooperation and implementation partners, existing SADC priorities, and planned implementation priorities as determined during the two Regional Expert Group Meetings.

A fundamental objective of the RP is to contribute to the implementation of Transforming our World: the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs). The Agenda draws together the strands of peace, the rule of law, human rights, development and equality into a comprehensive and forward-looking framework. Reducing conflict, crime, violence and discrimination, and ensuring inclusion and good governance, are key elements of people's well-being and essential for securing sustainable development. This new global agenda assigns to the United Nations system a key role based on a culture of shared responsibilities, collective action and benchmarking for progress.

Almost all of UNODC's mandates reflect universal aspirations embedded within the SDGs, and UNODC has the technical expertise and experience in capacity-building in the region to support Member States in reaching those goals, namely:

- Goal 3: Ensure healthy lives and promote wellbeing for all at all ages;
- Goal 5: Achieve gender equality and empower all women and girls;
- Goal 8: Promote Sustained, Inclusive and Sustainable Economic Growth, Full and Productive Employment and Decent Work for All;
- Goal 11: Make Cities Inclusive, Safe, Resilient and Sustainable;
- Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;
- Goal 17: Revitalize the global partnership for sustainable development.

Goal 16 is of particular importance to UNODC as it ensures that the rule of law, peace and security are included in the new global agenda. UNODC will contribute to ensure that all global norms and standards (i.e. UNTOC, UNCAC, drug conventions, UN standards and norms on criminal justice and crime prevention, as well as the legal instruments against terrorism) are effectively reflected in national and regional agendas, as this is a key post-2015 challenge.

Equally, UNODC's work on drugs and health is inextricably linked to multiple Targets of Goal 3. The Office has an existing mandate on a number of fronts, including supporting a balanced public health oriented approach to the drug problem by working to end discrimination against, and promote interventions for, people who use drugs and strengthening the access to comprehensive, evidence-based, and gender responsive services for prevention of drug use and treatment of substance use disorders, including as an alternative to imprisonment. UNODC is also mandated to provide HIV prevention, treatment and care among people who use drugs and in prisons.

Consequently, in the context of SDGs, the RP will mainstream crime and drug control in the development agenda, strengthen the policy dialogue with national and regional stakeholders in promoting the rule of law to combat transnational organized crime, improve the dialogue and cooperation with civil society, and support “knowledge networks” across the region.

In line with the SDGs, major topics under the RP will also include the fight against trafficking of human beings or the elimination of all forms of violence against all women and girls, including trafficking, sexual exploitation and other types of exploitation.

The RP is also in line with the African Union Agenda 2063, in which Aspiration 3 and 5 target an Africa of good governance, democracy, respect for human rights, justice and the rule of law and a peaceful and secure Africa. These shared goals and aspirations all contribute to a shared objective of prosperity.

A Regional Programme Steering Committee (RPSC), representing the countries in the region, has been set up. It held its first meeting on 6 December 2012. Through its meetings, the RPSC fulfils its oversight and coordinating responsibilities, ensuring the Regional Programme’s continued coherence with national and regional priorities. Within this framework, UNODC is responsible for the overall management of the programme through ROSAF, based in Pretoria, South Africa.

At its 23 November 2015 meeting in Gaborone, the RPSC recommended the following under each Pillar:

Pillar I: Countering Illicit Trafficking and Organized Crime

- SADC Member States, SADC Secretariat and UNODC to better support integration of relevant work under the RP at:
 - National level to ensure inter-agency cooperation and that key relevant national authorities are cooperating under the RP,
 - Regional level to better integrate relevant regional initiatives of SADC, COMESA, AU and other cooperation institutions, as well as in UNODC across different programmes and offices;
- To conduct further research to understand regional trends in cross-border criminal activities. SADC Member States are requested to provide relevant data/statistics to assist in this work;
- To integrate into ongoing technical assistance additional elements, such as victim’s assistance and witness protection.
- To address the nexus between money-laundering, corruption and illicit trafficking, e.g. in drugs, wildlife trafficking, trafficking in persons, smuggling of migrants, terrorism etc.

Pillar II: Criminal Justice and Integrity

- To explore nexus between corruption and different type of crimes, e.g. wildlife trafficking, to ensure integrated technical assistance to address relevant challenges, including through integrated border management;
- To foster cooperation with newly established SADC Anti-Corruption Committee. SADC Secretariat and UNODC should explore joint initiatives in addressing corruption at the regional level;
- SADC and UNODC should enhance cooperation on GBV at the regional level and explore joint initiatives for the forthcoming Extraordinary Ministerial meeting of the Organ Troika;
- To undertake GBV awareness raising at regional and national level.

Pillar III: Improving Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings

- To explore regional initiatives under the RP to address drug use;
- To continue cooperation on HIV Prevention, Treatment and Care in prison setting, which so far has been successful;
- To consider working on prison reform issues as a follow up to the approval of Nelson Mandela Rules at the UN General Assembly.

Way forward

- To agree on the continued relevance of the RP and appreciate the progress achieved in its implementation, SADC Secretariat and UNODC should move into the next phase in its implementation and consider an expansion strategy;
- To recommend extension of the RP duration until 2020 to the MCO in order to better align it with the time framework of SADC Strategies in relevant areas and allow sufficient time for RP implementation;
- For SADC Secretariat and UNODC to explore venues for additional fund raising for the RP;
- For RP Steering Committee to meet on annual basis to discuss annual progress in RP implementation and to agree on priorities for the following year. SADC Secretariat and UNODC to come up with additional working mechanisms, as needed, for RP implementation.

These recommendations are taken into consideration in the implementation of the RP until 2020.

As the ***mobilisation of funds for the implementation of the Regional Programme is a shared responsibility of SADC, its Member States and UNODC***, UNODC will closely work with its partners to mobilise the necessary funding requirements through joint activities, such as the conducting of donor roundtables and other fundraising events.

1. REGIONAL SITUATION OVERVIEW

The Regional Programme covers the 15 Member States of SADC: Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, the United Republic of Tanzania, Zambia, and Zimbabwe. Together, they comprise a combined surface area of 9.9 million km², which represents almost one third of the African continent.¹ More than 270 million people² live in the region which is, to a large extent, affected in its social and economic development – nine of the countries showed a low Human Development Index in 2011³ – by serious challenges, ranging from high levels of poverty and unemployment to poorly resourced justice systems and corruption.

These circumstances, paired with the general phenomenon of the ‘globalisation of crime’,⁴ increasingly confront the countries with the need to respond effectively to a number of issues related to UNODC core mandate areas in the fight against drugs and crime. In this context, the SADC Member States noted “... with concern the escalation of crime at both national and transnational levels, and that the increased easy access to free cross border movement enables offenders to escape arrest, prosecution, conviction and punishment”, and stressed the elimination of threats to the security of their people as a crucial step to speedy integration among the State Parties in all areas of activities.⁵

1.1 Challenges to the region in the context of the Regional Programme

While the countries in the region face a number of diverse issues with regard to drugs and crime, the major challenges faced throughout the region pertain to:

- uneven development and social inequality, and their linkages to high crime rates;
- illicit trafficking to, from and within the region, facilitated by weak border control and management capacities;
- weak criminal justice systems affected by corruption; and
- highest prevalence globally of HIV/AIDS.

Uneven economic development and high levels of social inequality, both among the countries and within the individual countries, act as drivers of organised crime in the region. Especially on the African mainland, the geographical proximity of a small number of countries showing a medium Human Development Index – Botswana, Namibia, South Africa, and Swaziland – to a majority of countries categorized as low on the index⁶, presents a breeding ground for all forms of organised crime and the criminal and social implications associated with it. Likewise, comparatively high levels of income inequality and unemployment within the individual countries – for example, South Africa in recent years continuously showed the highest GINI index in the world⁷ – provide

¹ Department of Social and Economic Affairs (DESA), *World Statistics Pocketbook 2011*

² Estimates for 2010. DESA, *World Statistics Pocketbook 2011*

³ United Nations Development Programme (UNDP), *Human Development Report 2011*

⁴ For more information on this phenomenon refer to UNODC, *The Globalisation of Crime – A Transnational Organized Crime Threat Assessment*, 2010

⁵ SADC, Preamble of the *Protocol on Extradition*, signed in 2002

⁶ UNDP, *Human Development Report 2011*

⁷ South Africa’s GINI index was measured as 67.4 in 2006 and 63.1 in 2009. The GINI index measures the extent to which the distribution of income or consumption expenditure among individuals or households within an economy deviates from a perfectly equal distribution, with 0 representing perfect equality and 100 implying perfect inequality. World Bank, *GINI index*, on

incentives for disaffected populations, in particular the youth, to engage in criminal activities. Urban areas are particularly affected as a result of rapid urbanization in the region, with the emergence of informal settlements with limited social control alongside large formal cities. On the other hand, there is a general agreement throughout the SADC region that effectively addressing organised crime, drug trafficking and abuse, and HIV/AIDS is a necessary step in achieving sustainable development, also requiring a strong commitment to crime prevention efforts as a central element of strengthening security in the region.

Illicit trafficking is among the most challenging forms of crime in the region. It is an integral part of the organised crime chain, both facilitating the spread of illicit contraband and generating considerable profits for those involved. Transnational organised crime groups take advantage of the long and porous borders, the ease of cross-border trade, the diversity of individual countries' legislations, and the lack of information-sharing and cooperation among law enforcement agencies in the region. Illicit trade in the SADC region includes a range of items such as illicit drugs and precursor chemicals, small arms and light weapons, wildlife and natural resources, tobacco products and fraudulent medicines, as well as trafficking in persons and smuggling of migrants. The latter particularly show the transnational nature of illicit trafficking, with South Africa, for example, being a country of origin, transit and destination for internal, regional and inter-regional human trafficking. Border crossing points within the region are often not adequately equipped for interdicting different forms of contraband, lacking modern detection equipment, specialised training, and, especially with regard to precursor chemicals, forensic and scientific capacities. Seizures of ivory and rhino horns originating from the region in South-East Asia exemplify the lack of effective control of international container trade, both sea and airborne, to and from the region. The case below illustrates the leeway given to criminal organisations by a lack of coherent border management and capacities in the region:

As noted in the 2010 UNODC report "The Globalisation of Crime", authorities in 2002 revealed a criminal network which had for years trafficked ivory tusks poached in Zambia by road to Malawi, where domestic trade in ivory is not banned. Some of the ivory was processed there in factories and stored in warehouses for international buyers with contact details in Singapore, Japan and Hong Kong, China, which investigations revealed to be a complex network of shell companies and pseudonyms. The 2002 shipment was seized in Singapore, containing more than 6 tons of ivory – the equivalent of perhaps 300 elephants – concealed in a shipment declared as stone sculptures. Investigations revealed that since 1994, at least 19 similar shipments had been trafficked from Southern Africa to East Asia in a similar manner.⁸

Knowledge of the drug situation in the SADC region is particularly affected by the lack of comprehensive quantitative data. Proxy indicators suggest that the region has a serious drug problem, with cannabis appearing as the most used illicit drug in the region. The trafficking of heroin, cocaine and amphetamine-type stimulants (ATS), and the use of these drugs among young and vulnerable populations in some countries in the region, are also reported to be on the rise. ATS present a particular challenge due to their flexible production processes and availability of precursor chemicals. While authorities in South Africa have been successful in dismantling laboratories manufacturing synthetic drugs, most other countries in the region lack effective precursor control programmes.

<http://data.worldbank.org/indicator/SI.POV.GINI?page=1>

⁸ UNODC, *The Globalisation of Crime – A Transnational Organized Crime Threat Assessment*, 2010

A factor generally affecting the regional response to organised crime-related issues is the lack of platforms for sharing information and intelligence with respect to organised crime in all its forms in the region. While different organised crime groups and perpetrators of illicit trafficking in the region often use the same routes, modus operandi, and providers of illicit services, thereby creating a link between different groups and forms of crime, the lack of adequate information-sharing platforms prevents the countries from identifying and exploiting these links in the development of responses and preventive measures.

The criminal justice systems of most jurisdictions in the SADC region are generally weak in the face of challenges posed by organised crime, and in particular, 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 equally limited, notwithstanding promising platforms such as the African Prosecutors' Association (APA). Justice systems and their underlying legislative frameworks often fail to comply with international standards and norms, including those relating to the access to justice and protection of the human rights of victims, witnesses and the accused. 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 the SADC,⁹ 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.

With regard to the prison system, the countries in the region generally agree on the need to improve the basic living conditions of prisoners, enhance the professional capacity of prison staff, promote treatment and rehabilitation programmes for offenders, and include the prison system in broader reforms of the justice sector. Fragmented prison management systems, the absence of legislation or implementation of alternative measures, and insufficient correctional and detention facilities are also persisting issues. Most prisons were constructed decades ago and have not undergone restoration or even basic maintenance. Besides, they accommodate both convicted and remand detainees, and often beyond the maximum occupancy requirements. Many prisons in the region do not allow – even if envisaged – for the segregation of specific categories of prisoners such as juveniles, women, and prisoners with communicable diseases, nor do they provide adequate facilities for training and education programmes. Sexual activities take place in prisons, and especially young prisoners are frequently exposed to sexual assault, while the management of communicable diseases is often inadequate. The infection risks expand also to prison staff and their families. Alternatives to imprisonment and adequate diversion programmes, which include appropriate treatment and reintegration programmes, are also often not available in the region.

Accurately determining the gravity and extent of individual issues remains a challenge due to a general lack of statistical data related to crime, the criminal justice system and drugs, as well as related issues, such as drugs-related HIV/AIDS. Capacities to collect and process such data are often not fully developed, preventing the countries from taking full advantage of available

⁹ Protocols on regional cooperation signed among the SADC Member States include the Protocol on Mutual Legal Assistance in Criminal Matters; the Protocol on Extradition; the Protocol against Corruption; the Protocol on Combating Illicit Drugs; the Protocol on Firearms, Ammunition and other related materials; the Protocol on Legal Affairs; and the Protocol on Wildlife Conservation and Law Enforcement.

evidence in designing their responses. As such, identifying clear priority areas in the field of drugs and crime equally remains a challenge in the region.

Nevertheless, a number of issues with regard to drugs and crime in need of an immediate response across the region can be identified. Gender-based violence continues to be a serious concern. While SADC Member States have in the past decade taken steps to increase law enforcement responses to violence against women and services provided to victims thereof,¹⁰ available data suggests that levels of domestic and sexual violence in the region remain extremely high.

In addition, the SADC Member States, either collectively or individually, are faced with a number of emerging forms of crime showing a disproportionate growth rate, which are often linked to developments in the wider region, thus forcing authorities to address them as part of their wider security efforts. These include the proliferation of small arms and light weapons resulting from former violent conflicts involving countries in the region, maritime piracy, cybercrime, wildlife and forest crime, the production and trafficking of fraudulent medicines and the illicit trade in tobacco products, which seems to be a particularly lucrative form of income for organised crime groups.

The threat of international terrorism has received relatively little attention in Southern Africa and is presently not viewed as a top priority in the region. While some countries have strengthened their counter-terrorism capacities in recent years, significant gaps remain, and most of the countries require assistance in terms of legal frameworks and investigative skills.

While the United Nations Convention against Corruption (UNCAC),¹¹ the only legally binding universal anti-corruption instrument, has been ratified or acceded to by all countries in the region, the United Nations Convention against Transnational Organized Crime (UNTOC),¹² which is the main international instrument in the fight against transnational organised crime, and the protocols thereto have not yet been universally acceded to. All the countries in the region have signed and/or ratified the drug-related treaties, but the degree of implementation varies within the region.¹³

As far as drug dependence, treatment and rehabilitation are concerned, few countries in the region have specialised facilities, offering comprehensive evidence-informed and human rights-based treatment in place. Instead, treatment is largely offered (mostly in the form of detoxification) in state-run mental health hospitals and/or psychiatric institutions. There is

¹⁰ The August 2008 SADC Protocol on Gender and Development requires Member States to review and reform criminal laws and procedures applicable to cases of sexual offences and gender-based violence by 2015

¹¹ The UNCAC entered into force on 14 December 2005, has been ratified by all of the SADC Member States.

¹² The UNTOC entered into force on 29 September 2003. Of the SADC Member States, Angola and Swaziland have signed but not yet ratified the UNTOC. Regarding the supplementing Protocols (a) to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, (b) against the Smuggling of Migrants by Land, Sea and Air, and (c), against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, Botswana and Namibia have ratified the former two only, which were also signed but not ratified by Swaziland. The Seychelles has only signed but not ratified the latter one. Angola and Zimbabwe have not signed or acceded to any of the Protocols.

¹³ The Single Convention on Narcotic Drugs of 1954 as amended by the 1972 Protocol; the Convention on Psychotropic Substances of 1971; and the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 have been signed and/or ratified by all SADC Member States.

a lack of adequate legislation, policies and programmes on drug use and HIV prevention, treatment and care, and limited numbers of skilled professionals to administer treatments. Where the latter exist, they are often so fragmented that inpatient detoxification programmes are often not followed by proper outpatient treatment and relapse prevention and rehabilitation programmes.

Southern Africa is the region in the world most affected by HIV, harbouring over one third (34%) of all people living with HIV globally in 2009. The nine countries with the highest HIV prevalence worldwide are all located in the region, each of them showing an adult infection prevalence above 10%.¹⁴ Though the exact rate of HIV and AIDS among people who use drugs and people in prison settings is not known, available indicators suggest that HIV prevalence among these key populations is significantly higher than in the general population. Data collected over the past decade also indicate that Injecting Drug Use (IDU) is increasing, with at least 8 countries in the region reporting cases. IDU poses a significant risk of infection from HIV and other blood-borne pathogens, and HIV epidemics can develop very rapidly among IDU. In 2008, the Reference Group to the United Nations (UN) on HIV and IDU estimated the number of people who inject drugs in Sub-Saharan Africa to be 1,778,500, including 221,000 living with HIV. The countries in the region have not universally embraced the comprehensive HIV prevention and care programmes for IDU, including pharmacologically assisted treatment modalities and Needle and Syringe Programmes (NSP).

¹⁴ UNAIDS, *2010 Global Report*, 2010. With regard to the Global Report, the Southern African region comprises the countries of Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, and Zimbabwe.

2. PROGRAMMATIC APPROACH

2.1 Programme development and objective

With the overall objective of making the SADC region safer from crime and drugs, the joint SADC-UNODC Regional Programme (herein further referred to as Regional Programme) aims to support the SADC countries to respond to the evolving threats and challenges related to crime, drugs and terrorism in all its manifestations. Assisting the 15 countries to respond to these threats will also include efforts aimed at strengthening crime prevention capacities and knowledge in this region as crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development.¹⁵

In April 2011, UNODC and the SADC signed a Memorandum of Understanding (MoU), to serve as the official framework for cooperation aligned to SADC priorities as outlined in the Regional Indicative Strategic Development Plan (RISDP) and the Strategic Indicative Plan of the Organ (SIPO).¹⁶ Subsequently, two Regional Expert Group Meetings were held in April and November 2011¹⁷, where experts and representatives of SADC Member States and the SADC Secretariat identified key concerns and priorities to be addressed under the future Regional Programme. In July 2012, the SADC Ministerial Committee of the Organ (MCO) endorsed the regional approach and programmatic framework of the Regional Programme, reflecting the issues of concerns and priorities identified (see Annex 4). In August 2012, the Heads of State and Government of the SADC Member States, at their 32nd Summit Meeting in Maputo, Mozambique, were informed and took note of the MCO's endorsement of the programmatic framework.

Based on the priorities and needs identified and the political support from SADC, UNODC developed the Regional Programme document through an internal task force combining geographic and thematic expertise. This process also considered key areas of cooperation reflected within the framework of the April 2006 Windhoek Declaration on a New Partnership between SADC and the International Cooperating Partners.

Besides focusing on priorities identified by the countries in the region, the emphasis on close consultations with a broad range of experts, representatives and other actors in the region throughout the development process ensured that instead of duplicating or replacing on-going coordinative systems and initiatives, the Regional Programme proposes to offer assistance to enhance existing activities and to develop new initiatives where needed. The Regional Programme follows a result-oriented approach in promoting prioritised outcomes and results. On-going projects already form an integral part of this approach, while subsequent baseline assessments will serve as basis for the development of additional detailed outputs and activities, including the requisite logical frameworks and budgets.

¹⁵ Economic and Social Council (ECOSOC) resolution 2002/13, Guidelines for the Prevention of Crime In order to incorporate crime prevention aspects into all activities foreseen within the framework of this Regional Programme, UNODC will build on lessons learnt from previous activities in Southern Africa, such as the project on *“South-South Regional Cooperation for Determining Best Practices for Crime Prevention in the Developing World”*.

¹⁶ Refer to Annex 1 for additional details about these SADC strategic plans and their linkages with the SADC-UNODC Regional Programme for Southern Africa.

¹⁷ The first Regional Experts Group meeting was held 18-19 April 2011 in Gaborone, Botswana. The second Regional Experts Group meeting was held 15-16 November 2011 in Pretoria, South Africa.

A gender-sensitive approach will be taken into consideration in implementing the Regional Programme, in line with established UNODC criteria for the provision of technical assistance and with Resolutions 2011/5 and 2011/6¹⁸ of the Economic and Social Council (ECOSOC) to ensure that all activities have a fair percentage of women as direct beneficiaries. In addition, in accordance with UNODC overall strategy in pursuing its objectives, the Regional Programme will make every effort to integrate a gender perspective, and it shall contribute to the overall UNODC effort to update its technical assistance planning documents to ensure the collection of gender-disaggregated data.

Human rights are at the core of all work of the UN system and represent one of the three, interlinked and mutually reinforcing, pillars of the United Nations enshrined in the Charter, the other two pillars being peace and security, and development. UNODC therefore aims at maximizing the positive human rights impact of its work and has included a strong human rights perspective into the development of the Regional Programme.

2.2 Regional cooperation, national needs and the inter-regional context

Reflecting the progressing integration among the SADC countries and in alignment with UNODC's Integrated Programme Approach, the Regional Programme will contribute to an integrated and holistic response to the challenges in the region, many of which are of an inherently transnational nature, and enhance the value-added of UNODC in addressing cross-border issues. National capacity building will not only respond to needs and priorities of the countries at the national level, but will also aim to establish the building blocks for effective regional cooperation among the countries, comprehensively strengthening capacities in the region.

Member States of the UN have actively requested UNODC to follow this approach. Resolution 2009/23 of the Economic and Social Council, requests UNODC to enhance its efforts to provide technical assistance and advisory services through Regional Programmes and encourages Member States to engage with UNODC in the preparation of these Programmes. The resolution also invites relevant entities of the UN system and financial institutions to support the regional programming process.

In addition, several authoritative international documents have stressed the need for a regional approach to effectively address organised crime. The 2012 Report of the UN Secretary-General on *"Delivering Justice; a programme of action to strengthen the rule of law at the national and international levels"*, calls for close cooperation and capacity building at both the national and regional level and stresses regional approaches as requirements to address transnational threats. A 2011 study on *"The Regional Dimension of Development and the UN System"* sponsored by the UN Regional Commissions, indicates that an assertive regional governance is emerging with important implications for global governance and is calling for a coherent and comprehensive regional strategy for development. Bringing together the security and development perspectives, the 2011 World Bank Development Report on *"Conflict, Security and Development"* highlights the

¹⁸ ECOSOC Resolution 2011/5 of 14 July 2011: "The role of the United Nations system in implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women" and ECOSOC Resolution 2011/6 of 14 July 2011: "Mainstreaming a gender perspective into all policies and programmes in the United Nations system"

regional dimension as critical to address the interconnected issues of security, governance and development, and the need to build capable institutions to support citizen security.

In addition, the integrated regional programme approach offers the potential for effective linkages beyond the regional dimension, which are presently limited in this particular region. In exploring and promoting synergies among the countries in the region, the Regional Programme can provide an effective basis for integrating assistance delivered to the countries within the context of UNODC's global and inter-regional projects and initiatives.

2.3 National ownership

National ownership is a key element in UNODC's move towards an integrated regional programming approach. As Member States are deeply involved in both strategic prioritisation and the programme design process, acceptance, understanding, and support of the programme as a useful tool for technical assistance and strengthened cooperation is promoted, thereby increasing effectiveness and potential impact of the activities implemented. The emphasis of national ownership may also potentially encourage individual countries in the region to take an active and leading role in enhancing regional cooperation.

In this context, consultative mechanisms have been built into the various stages of the Regional Programme's development and review process, and it may be regularly updated to ensure its on-going relevance and alignment with national and regional priorities, as identified through the Regional Programme and Steering Committee (RPSC).

2.4 UNODC's comparative advantage

UNODC's comparative advantages lie in promoting strategic regional initiatives and linkages between these and inter-regional and global initiatives, as well as in facilitating cooperation and dialogue, access to information about regional/global issues and trends, high level expertise and technical assistance in the areas of organised crime, anti-corruption, criminal justice reform, law enforcement, drug demand reduction, HIV, etc. and in advocating for and supporting the implementation of the various UN conventions, standards and norms.

With the Regional Office for Southern Africa (ROSAF), UNODC has an established and well-connected office in Pretoria, South Africa, already serving most of the SADC Member States. UNODC is increasingly seen as a trusted and experienced partner for Member States and regional bodies in the region, and as such, is well-placed to further scale up its existing activities under a fully-fledged Regional Programme for the whole SADC region. In addition, UNODC has recently developed a series of Regional and Integrated Country Programmes, providing a wealth of good practices and lessons learnt to guide the implementation of this Regional Programme, as well as inter-regional cooperation through its extensive field office network.

2.5 Partnerships

In pursuance of a strengthened field capacity to undertake regional programming, UNODC will widen its partnership with Governments, international organisations and other entities and actors, with a focus on those that present common areas of intervention in the Southern African region.

These partnerships will be crucial both in identifying priorities and capacity building needs in the region, especially through the alignment to relevant action plans – such as the African Union Plan of Action on Drug Control and Crime Prevention (2007 - 2012) – and cooperation frameworks in need of support, as well as in the actual implementation of envisaged activities. This will ensure that no overlaps will be created and that synergies will be promoted for efficient implementation and increased impact on the ground. Therefore, strong partnerships as a cornerstone of the Regional Programme will be sought with:

- **International and regional organisations;**
- **The wider UN system,** especially in the context of strengthening *One UN*;
- **Non-governmental Organisations (NGOs) and civil society groups; and**
- **The private sector,** including the media.

2.6 Donor coordination

The 2005 Paris Declaration on Aid Effectiveness and its subsequent agreements,¹⁹ made specific commitments regarding the way donors should design and deliver assistance. Relevant considerations are the following:

- Ownership by countries;
- Alignment with national policies and plans;
- Donor/ development agency coordination and harmonisation; and
- Results focus and mutual accountability.

UNODC fully supports these principles. Programme delivery should be promoted through predictability and untying of aid, using country systems rather than donor systems, and moving away from conditionality sometimes determined by donors.

Donor mechanisms will be expanded to emerging potential partners. This includes Donor Assistance Groups, which make aid more effective through donor coordination and provide a platform for policy discussion and knowledge management amongst the donor community. It also includes funding partners within the region. Disparities in economic development across the region offer the potential for certain Member States to take a stronger role in supporting assistance benefitting the region. In general, efforts will have to be intensified to integrate the cost-sharing approach as part of the development strategy for the region.

¹⁹ The International Community reaffirmed and strengthened the implementation of the Paris Declaration through the Accra Agenda for Action, signed in Accra, Ghana, in 2008, and the Busan Partnership for Effective Development Co-operation, signed in Busan, Republic of Korea, in 2011. The Windhoek Declaration on a New Partnership between the SADC and the International Cooperating Partners, signed in Windhoek, Namibia, in 2006, reaffirmed the principles of the Paris Declaration in the specific context of the SADC countries.

3. STRUCTURE OF THE REGIONAL PROGRAMME

The Regional Programme focuses on three interdependent substantive pillars, namely:

- **Countering Illicit Trafficking and Organised Crime;**
- **Criminal Justice and Integrity;**
- **Improving Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings.**

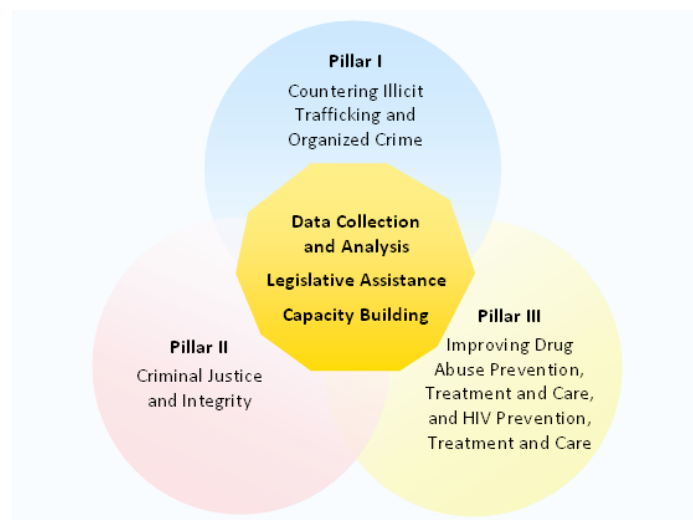
In line with UNODC's main strategic instruments (i.e. the Medium Term Strategy and the biennial Strategic Framework), each of the pillars refers to a set of thematic sub-programmes, which represent UNODC's overall strategic approach. The linkages of specific elements to the respective sub-programmes are reflected in the Results Framework.

In addition, the Regional Programme, which aims for a holistic approach to strengthen national capacities and promote regional cooperation, identifies three **cross-cutting programme areas** for enhancing capabilities under each of the three pillars:

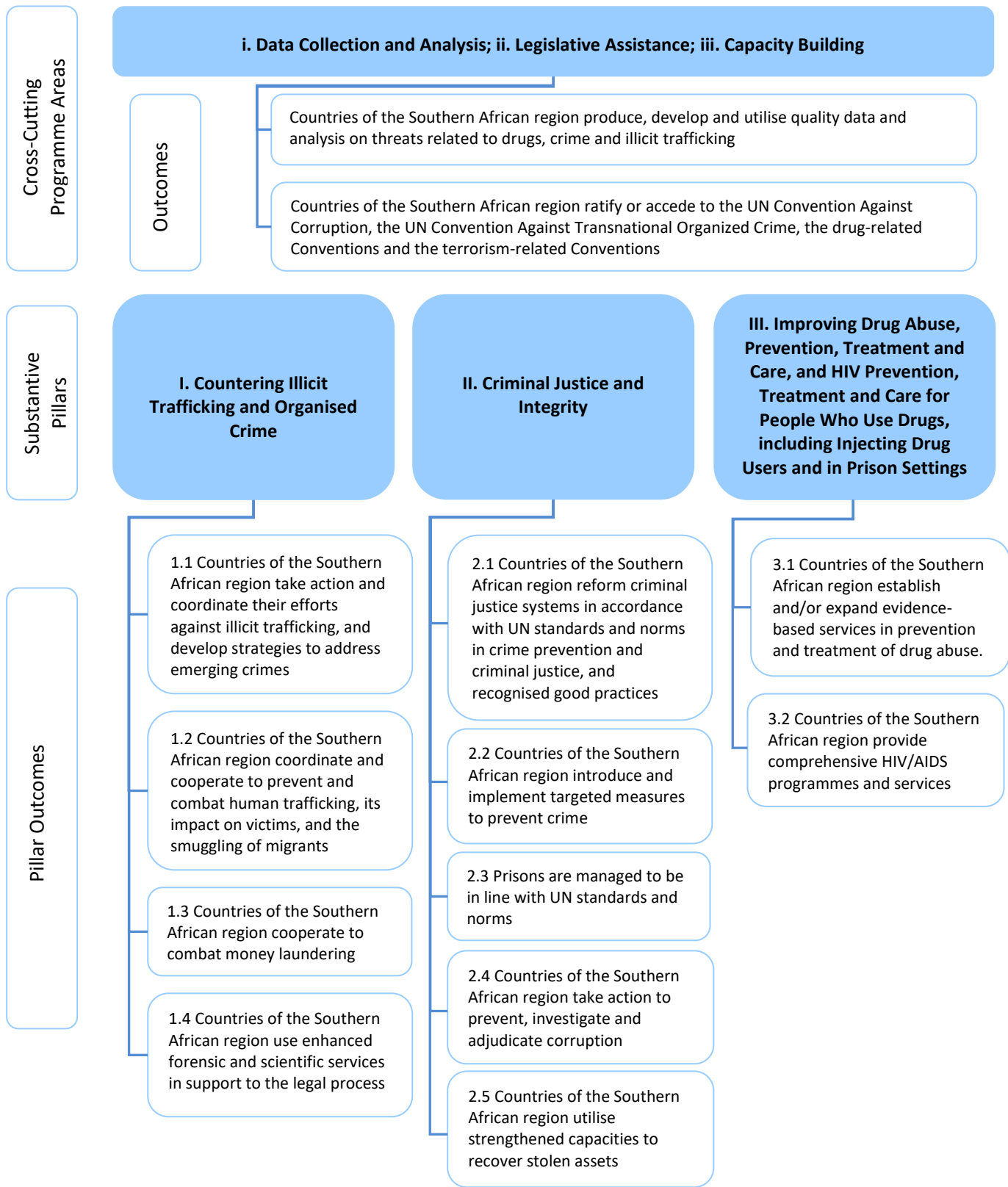
- Data Collection and Analysis
- Legislative Assistance
- Capacity Building

An integrated approach to implementation in these areas, cutting across the substantive pillars, seeks to: firstly, ensure a comprehensive approach to addressing regional challenges relevant to UNODC's mandate secondly, enable SADC and UNODC to better link up various actors in the criminal justice, law enforcement, drug prevention and related health areas; and thereby, thirdly, promote cost-effective implementation of programme activities.

The following graph illustrates the relation between the substantive pillars and the cross-cutting programme areas:



Overview of the substantive pillars and the cross-cutting programme areas, at the outcome level:



3.1 The Cross-cutting Programme Areas

a) Data Collection and Analysis:

Given the significant lack of statistical information on many of the challenges in the region as a whole and at country level, data collection across all substantive pillars will be a central element of the Regional Programme. It will aim to facilitate both primary data collection and collation of data provided by Member States. Standardised data collection tools across the substantive areas will be developed to facilitate easier submission of data by Member States (the UNODC Omnibus Surveys on the UNCAC and the UNTOC serve as good examples of advanced methods), allowing for Member States to better facilitate linkages between data collection on one hand, and practice and policy on the other.

In response to specific requests by the SADC Member States, the Regional Programme will provide for a regional assessment on organised crime, including information on patterns in drug and precursor trafficking and production, and with special focus on trends and emerging crimes. Similar assessments and reports are envisioned in the fields of criminal justice, including corruption, and drugs, crime prevention and the linkages between crime and development. This will require strengthened capacities in the region and at the country level for better collection, analysis and sharing of information, which will in turn provide a sustainable basis for future national and regional data collection and processing by the Member States. To promote sustainability and prevent overlaps, existing information systems and/or policies, such as the former Southern Africa Epidemiological Network on Drug Use (SENDU), should be identified and, if possible, serve as a basis for capacity building in this area.

b) Legislative Assistance:

With regard to legislative drafting and alignment of domestic legislation with international instruments, an extensive assessment of Member States' current status *vis-à-vis* the UN Conventions and Treaties as related to UNODC mandate, especially but not limited to the UNTOC and its protocols, the UNCAC, and the drug-related treaties (see Annex 6), will facilitate a comprehensive overview of legislative requirements across the Regional Programme framework's substantive areas. Subsequently the Regional Programme will assist SADC Member States in revising or enhancing their legislation and procedures in line with international instruments, as well as UN standards and norms. This will in turn strengthen capacities at the national level, particularly with regard to legislation on drug use and HIV/AIDS, and promote regional cooperation, including through strengthened laws on extradition and mutual legal assistance.

c) Capacity Building:

The Regional Programme aims to undertake all capacity development initiatives in a holistic and integrated manner. For instance, capacity development among prosecutors spans all three substantive areas of the Regional Programme framework. Capacity building initiatives will address both specific national requirements and regional cooperation and mutual exchange. This is particularly relevant given the fragmented criminal justice organs in the region and the cross-border nature of many of the challenges the Regional Programme seeks to address.

3.2 The Substantive Pillars

Pillar I: Countering Illicit Trafficking and Organised Crime

Pillar I will aim to strengthen capabilities of the SADC Member States to effectively address organised crime and illicit trafficking through promoting regional cooperation and coordination, supported through corresponding capacity building at the national level. In particular, it will focus on:

- Regional border control and management;
- Counter-narcotics efforts with special regard to precursor chemicals;
- The regional response to urban and emerging crimes;
- Anti money-laundering (AML); and
- Forensic capacities in the region.

As effective responses to these issues require inter-agency coordination among various law enforcement agencies at the national level, a central element of the pillar will be to support the establishment of Transnational Organised Crime Units (TOCUs), as well as central specialised investigation teams for smuggling of migrants and trafficking in persons. To enable these specialised units to effectively prevent and combat transnational organised crime, technical assistance and capacity building will be provided, with the aim of developing their capacity to gather and analyse information, as well as develop operational intelligence to undertake investigations, and to promote and facilitate regional cooperation among them.

Where possible, cooperation among the agencies of different countries will build on existing regional initiatives and networks such as the Southern Africa Regional Police Chiefs Cooperation Organization (SARPCCO), as well as on lessons learnt from other UNODC efforts at the regional level, such as the West Africa Coast Initiative (WACI).

With the ever-growing professionalization of organised crime groups, and the global increase in international trade, especially using sea containers, challenges to the management of the region's airports, seaports and land borders are gaining in complexity and gravity. As a consequence, the Regional Programme aims to **promote a regionally coherent border control management response by SADC countries**, with respect to trafficking flows to, from and within the region. Cooperation among border control agencies will be enhanced through the creation of Joint Control Units and Joint Intelligence Units at ports of entry, and through meetings of professionals and experts from the region. To ensure an effective regional response, individual countries' capacities will be strengthened at strategically relevant border crossing points through measures such as the provision of detection equipment, ICT solutions, intelligence systems and specialised training, including training in profiling and document control. A regionally coherent approach will offer linkages for the integrated implementation of container and cargo control measures at selected ports of entry, in cooperation with the joint UNODC-World Customs Organization (WCO) Global Container Control Programme.

In the area of trafficking in persons and smuggling of migrants, the Regional Programme will aim to build on earlier efforts to deliver legal advice and technical capacity assistance to a number of countries in the region, including Botswana, Swaziland, Malawi, Namibia, Zimbabwe, Lesotho and the Seychelles. In addition, the on-going project on "Strengthening Law Enforcement

Capacity (Border Control Operations) and Criminal Justice Response to Smuggling of Migrants and Trafficking in Persons” in South Africa, offers linkages for similar support to other countries in the region. By enhancing such efforts, in combination with standardized trainings and linkages between criminal justice practitioners and civil society representatives, the Regional Programme will **support SADC countries to coordinate and cooperate to prevent and combat human trafficking, its impact on victims, and the smuggling of migrants**. Regional cooperation will be enhanced through targeted training, development of a cooperation manual and contact list of focal points, and the establishment of a regional forum for specialised investigators and prosecutors. In addition, the introduction of procedures such as victim and witness protection will reinforce the capacity of law enforcement agencies and prosecutors across the region, while at the same time strengthening the response to other forms of crime.

While strengthened border control management will help address the trafficking of virtually any form of contraband, as well as trafficking in persons and smuggling of migrants, special focus will be put on the emerging situation with regard to the production and trafficking of illicit drugs and precursor chemicals in the region. The latter is increasingly gaining importance given the reported prevalence of ATS in the region and the challenges presented globally by the flexible production processes associated with them. As a consequence, the Regional Programme will aim to **facilitate increased coordination in counter-narcotics efforts, especially with regard to precursor control, by the countries in the region**. Capacities at the country level will have to be strengthened to facilitate this approach. For example, despite the fact that most SADC countries are signatories to the UN Convention against the Illicit Trafficking in Narcotic Drugs and Psychotropic Substances of 1988, many are not equipped to conduct controlled deliveries. Therefore, capacity needs will be identified through comprehensive reviews of legislation and regulations, as well as operational capacities, combined with the findings of the regional organised crime threat assessment. An area in need already identified is the provision of technical tools to integrate forensic sciences into the regulatory and criminal justice responses to precursor control, such as best practices for the dismantling of clandestine laboratories and safe disposal of seizures. Efforts are also required to improve control of the licit drug trade to avoid diversion, which will be addressed through strengthened legislation and general awareness raising on the issue of ATS and precursors in general, their use and detection, as well as forensic processes such as laboratory testing. Where necessary, SADC countries will be assisted in establishing or strengthening existing competent authorities or focal points responsible for controlled deliveries and cross-border drug investigations.

Where national capacities and coordination mechanisms are in place, the Regional Programme will seek to employ UNODC experience on regionally coordinated counter-narcotics operations, such as Operation TARCET,²⁰ to support national authorities in conducting operations to track shipments of precursors in international trade and coordinated regional control operations targeting the trafficking of precursors and narcotic drugs.

²⁰ Operations TARCET I (2007), II (2009) and III (2010) were successfully conducted regionally coordinated seizure operations in West and Central Asia targeting precursor chemicals intended for the production of Afghan heroin. It involved the Member States in the region as well as financial and technical assistance from the international community, with coordinative support by UNODC and WCO, and especially through the Central Asian Regional Information and Coordination Centre (CARICC). The operations are considered to have achieved a sustained impact on precursor interdiction rates in the region.

Through the Regional Programme, UNODC will **support SADC countries to develop and, where possible, implement a regionally consolidated strategy to address emerging crimes and urban crime**, which will contribute to a sustained impact on the security situation in the region. A crucial element in this effort will be the organised crime threat assessment, which will identify current trends and emerging crimes, as well as serve as a baseline for the development of a comprehensive strategy.

Several emerging issues have already been identified by SADC countries and will be addressed through the Regional Programme in accordance with the priorities expressed. While many of those will be addressed through the more general measures proposed in the context of this pillar, such as the trafficking of counterfeit cigarettes, some may require specific assistance. For example with regard to trafficking in small arms and light weapons, SADC Member States have expressed the need for harmonised legislation and technical capacity building, which may be met through legislative assistance and strengthened border control management as described above. However, the Regional Programme will also seek to support these efforts through strengthening measures to mark and trace arms in the region. In the same manner, the trafficking of fraudulent medicines will specifically be addressed through support to drug regulatory bodies in the region and strengthened capacities to detect and analyse fraudulent medicines, in line with the 1999 World Health Organization (WHO) Guidelines for the development of measures to combat counterfeit drugs. In addition, the Regional Programme will promote SADC Member States' active participation in existing initiatives such as the new Member States mechanism on substandard/spurious/falsely-labelled/falsified/counterfeit medical products established by the World Health Assembly in May 2012.²¹

In responding to other emerging crimes, SADC countries will specifically benefit from experience accumulated within UNODC, such as the response to cybercrime, or increased integration of the region into inter-regional and global initiatives, such as maritime piracy, to be addressed within the context of UNODC's wider counter-piracy efforts. A coordinated response in the region to the increasing problem of trafficking in wild fauna and flora will be supported through cooperation with the International Consortium on Combating Wildlife Crime (ICWC),²² especially through promoting use of its ICWC Wildlife and Forest Crime Analytic Toolkit.

Given the growth of urban population in the region and the social phenomena associated with it, any approach to increasing security in the region will have to address the growing threat of crime in urban centres. In this regard, the Regional Programme will engage with criminal justice actors, civil society, municipalities, NGOs, and community policing forums, in order to identify and address existing risk factors. Focusing on youth populations, support will be provided for the development of targeted local projects aimed at creating resilience to the identified risk factors.

The financial profits generated by organised crime in the region are a critical factor in the countries' response to the challenges identified. They are often reinvested in criminal activities, fuel corruption, and most importantly create incentives for individuals and groups to engage in criminal endeavours. Money-laundering allows criminals to both hide the unlawful origin of their

²¹ World Health Assembly Resolution 65.19 of 26 May 2012, "Substandard/spurious/falsely-labelled/falsified/counterfeit medical products"

²² ICWC is a joint inter-agency initiative between UNODC and the Secretariat to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), INTERPOL, WCO and the World Bank.

wealth and cover their tracks after committing their crimes. They take advantage of the globalised economy to transfer funds quickly and inconspicuously across international borders. Therefore, the Regional Programme will aim **to support SADC Member States to cooperate in combating money-laundering**. These efforts will largely build on an existing initiative to promote inter-agency cooperation and information sharing in the region, the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA), and in coordination with UNODC's Global Programme against Money-Laundering (GPML), Proceeds of Crime and the Financing of Terrorism. A GPML mentor is presently providing technical assistance to the ten SADC Member States which are members of ARINSA²³. Membership and cooperation with relevant regional and international initiatives such as ARINSA, the Eastern and Southern African Anti Money-Laundering Group (ESAAMLG), the Egmont Group of Financial Intelligence Units (FIUs), the Camden Asset Recovery Inter-Agency Network (CARIN) and the Financial Action Task Force (FATF) will be promoted.

To further enhance AML cooperation in the region, the Regional Programme aims to support the establishment or strengthening of FIUs, deliver training courses, as well as mentorship and placement programmes for prosecutors and investigators, based on previous similar experiences by UNODC. It will also aim to promote an integrated approach to the investigation of financial crimes, which will contribute to the adoption of effective multi-agency approaches.

Pillar I will also aim to **enhance use of forensic and scientific services across the region**. To this end, the Regional Programme envisions an assessment of existing forensic laboratories and capacities to provide an indication of the requirements in terms of equipment and training. A regional networking infrastructure is crucial in facilitating collaborative exercises, such as a twinning programme to ensure continuous mentoring, and grants for scientists from least developed countries to participate in relevant networking and education activities. General forensic awareness in national law enforcement agencies will be enhanced through training and the provision of tools such as standardized crime scene kits, training material, field manuals and computer-based training adapted to regional requirements.

Pillar II: Criminal Justice and Integrity

The pillar will aim to strengthen the national criminal justice systems of SADC countries in line with UN standards and norms and to promote international cooperation in the region through harmonised legislations and mechanisms for direct cooperation among relevant actors. In particular, it will focus on:

- The effectiveness of criminal justice institutions, investigations, prosecutions, access to justice, fair trial and the enforcement of penal sanctions;
- Protection of women and children from violence;
- Crime prevention measures, in particular with regard to gender-based violence and urban crime;
- Treatment of individuals in prison settings;
- A regional coordination mechanism for criminal justice actors;
- Corruption and Stolen Asset Recovery; and
- Regional capacities to address international terrorism and the financing of terrorism.

²³ Botswana, Lesotho, Malawi, Mauritius, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

In order to maximise the impact of capacity building in all fields, it needs to be based on functioning criminal justice systems, and supported by overall criminal investigation capacity and coordination between law enforcement, prosecution and courts. The Regional Programme therefore aims to **support the countries in the region to reform criminal justice systems in accordance with UN standards and norms** in crime prevention, criminal justice and accepted international practices. It aims to strengthen investigative capacities and coordination and ensure that all citizens, especially the most vulnerable, have adequate legal protection and access to justice, which is often impeded by poor knowledge of legal procedures, a scarcity of available legal services and the limited number of legal aid providers. To this end, the pillar envisages to amend criminal procedure laws, where required, with a particular focus on safeguarding the rights of defendants. The pillar will support measures for more accessible, efficient and accountable justice systems to reduce backlogs and delays in the adjudication of cases, including:

- The establishment of effective case management systems, through the creation of a comprehensive, integrated information management system that is accountable and accessible to citizens;
- The development of case studies on new and emerging forms of crime;
- The introduction of specialised courts with exclusive jurisdiction in a field of law;
- The establishment of justice houses as integrated multi-agency service centres assisting at community level, in alternative dispute resolution and conflict prevention programmes, as well as legal aid services and counselling;
- The establishment of mobile and periodical²⁴ courts, able to reach remote areas; hence facilitating access to justice for disadvantaged and vulnerable people;
- The roll-out of educational and awareness-raising programmes in order to increase access to information on justice systems, processes and services.

Criminal justice reform efforts will also address the growing number of children in conflict with the law, who are often exposed to abuse, violence and exploitation due to deficiencies in juvenile justice systems, and require fair, transparent and child-sensitive justice systems.

At the same time, the rights of the victims (compensations, protection and victim services) need to be safeguarded by introducing or revising legal provisions for a system of services for victims of crime. In this regard, the Regional Programme will build on previous efforts, such as UNODC's work to support South Africa's Victims Empowerment Programme and efforts to establish One-Stop Centres for victims of gender-based violence, where a range of services are provided including legal counselling, medical and forensic services as well as crisis accommodation. The Regional Programme will in particular aim to enhance experiences from the latter **to support the countries in the region to protect women and children from violence**. Previous efforts to enhance capacity of law enforcement officials to respond effectively to violence against women will also be built upon, in particular the on-going joint regional project between UNODC, SADC and SARPCCO to support the law enforcement responses to gender-based violence in Botswana, Lesotho, Mozambique, Namibia, South Africa and Zimbabwe. In general, the problem of domestic violence, particularly violence against women and children, is high on the SADC agenda. Therefore, assistance will be provided through guidance to ensure the alignment of national policy and

²⁴ Periodical courts have been established in South Africa as Magistrates' courts that sit at regular intervals in large and sparsely populated areas. The jurisdiction of periodical courts is exactly the same as that of district courts, except that there are certain limitations as regards their territorial jurisdiction.

legislative frameworks with regional and international standards through the promotion of an integrated inter-agency approach for the effective investigation and prosecution of cases involving violence against women and children,²⁵ which will include the participation of Civil Society Organisations (CSOs).

In addition, effectively protecting human security in the region from gender-based violence and other forms of crime requires strengthened crime prevention measures. Therefore, the Regional Programme will aim to support the **SADC Member States in introducing targeted measures to prevent all forms of crime**. In the specific case of gender-based violence, that may include promoting the empowerment of women, the elimination of discrimination, the achievement of gender equality and equity, and the recognition of the seriousness of the problem of violence against women, in line with the *SADC Gender and Development Protocol* and its *Addendum on the Prevention and Eradication of Violence against Women and Children*. In general, however, crime prevention also needs to address the wider context of socio-economic development, including social, economic, health and educational measures, as well as the dimensions of locally based crime prevention, situational crime prevention, and social reintegration of offenders. These and other principles outlined in the *Guidelines for the Prevention of Crime*,²⁶ will serve as bases for the Regional Programme's support to crime prevention in the region, both in terms of targeted prevention programmes and strategies addressing the wider linkage between crime and development, taking into account the developmental challenges to the region.

As part of the criminal justice system, many aspects of the prison system in the region are in need of reform. This pillar will aim to support SADC countries to **ensure that individuals in prison settings across the region are treated in accordance with UN standards and norms in crime prevention and criminal justice, and recognized good practices**. Strategies and policies will be developed in accordance with UN standards and modern prison management practices, including rehabilitation programmes, alternative sanctions, and guidance manuals for prison administrators to establish plans to meet safety and security requirements of prisoners. Strengthening the capacity of prison management and administration has to be combined with increasing the capacity and skills of prison staff, including through specific trainings. In this regard, the Regional Programme will support the Africa Correctional Services Association (ACSA) five-year prison reform plan, aimed at strengthening governance, research and development, human resource development, education and training, learning and knowledge management, rewarding excellence, and providing technical assistance in post-conflict reconstruction and development.

To ensure the implementation of standards throughout the region, Pillar II will support the harmonization and coordination of prison reform efforts. This will include facilitating coordination and cooperation between all institutional actors involved in achieving correctional service outcomes, both nationally and regionally, through the establishment of a regional forum for consultations and the identification of good correctional practices, and regional and/or national centres of excellence, where exchange of experiences and good practices can be promoted and further developed into concrete activities. The Regional Programme will also focus on the

²⁵ This approach is advocated by the *Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*, developed under the auspices of UNODC and adopted by the UN General Assembly in its Resolution 65/228 of 21 December 2010.

²⁶ The *Guidelines for the Prevention of Crime* were adopted by the ECOSOC as Annex to its Resolution 2002/13 of 24 July 2002.

development of regionally harmonised guidelines on issues such as the management of prisons, prison infrastructure in line with UN Standards and minimum rules, and the introduction of community sanctions and alternative measures to imprisonment and the establishment of institutional structures/bodies/mechanisms necessary for the implementation of community-based correctional services.

Within the context of criminal justice reform, strengthening cooperation among prosecution offices, and between prosecution and law enforcement agencies, has been deemed crucial to tackle transnational and cross-border crime. The Regional Programme will therefore aim to **enhance international cooperation in criminal matters through supporting a network of law enforcement agencies and prosecutors**. These efforts will build on existing initiatives, notably the APA, based in Maputo, Mozambique, which has been recognized as a good platform for cooperation among prosecutors. The APA will be supported to *inter alia* enhance its website as a tool for sharing knowledge and good practices. Since the network works at the operational level through capacity building of specialised prosecution skills in specific thematic areas such as AML, corruption, and organised crime cases, it will facilitate the exchange of experiences and good practices. It is envisaged that a similar platform will be created, to facilitate cooperation between prosecutors and law enforcement agencies.

While the majority of SADC Member States are already party to important anti-corruption instruments, most notably the UNCAC, the SADC Protocol on Corruption (signed in 2001) and the African Union Convention on Preventing and Combating Corruption (adopted in 2003), gaps exist in the implementation of these instruments and corruption is still a major threat to socio-economic development in the region. Therefore, the Regional Programme will seek to **improve SADC countries' capacities to identify and take action to prevent, investigate and adjudicate corruption, and recover stolen assets**. It will build on initiatives such as the Southern African Forum against Corruption (SAFAC), a forum of anti-corruption agencies from the SADC region committed to playing an active role in promoting the implementation of the SADC Protocol on Corruption and to align regional and national legislation and policy to UNCAC requirements.

Technical assistance needs will be identified through the UNCAC peer review mechanism, which will involve countries within the Southern African region in the coming three years. To support this, UNODC will provide support to align national legislations with UNCAC standards, in preparing for the reviews. In accordance with the review findings, and in line with the priorities of the countries in the region, training programmes on specific matters related to countering corruption will be organised for public officials, law enforcement agencies and the judiciary. To ensure their sustained impact, support will be provided for the establishment of an Anti-corruption Academy in the region which functions as an independent centre of excellence in the field of anti-corruption education, training, networking and cooperation, and academic research.

Increasing familiarity with and use of mutual legal assistance mechanisms will be promoted to encourage the successful investigation and prosecution of transnational corruption cases bilaterally or with the assistance of third parties such as the joint UNODC/World Bank Stolen Asset Recovery (StAR) Initiative, and to facilitate regional and international law enforcement cooperation. To this end, links will be consolidated between the national anti-corruption agencies in the region and measures against corruption aligned with the relevant SADC Protocols.

As mentioned, international terrorism is presently not a priority in the region, and relevant legal

frameworks and investigative skills remain to be strengthened. The Regional Programme will, in line with SADC's mandate, **support capacities in the region to prevent and respond to international terrorism, including the financing of terrorism**. On-going initiatives to build upon include UNODC workshops on the financing of terrorism in the region, held in partnership with SADC and the UN Counter-Terrorism Committee Executive Directorate (CTED). These will be enhanced through assistance in drafting of national laws and strengthening the legal framework for international cooperation on preventing terrorism and related financing, and the provision of technical assistance tools and substantive publications to the countries of the region.

Pillar III: Improving Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings.

The pillar will aim to strengthen SADC Member States' capacities in addressing drug use and dependence treatment, as well as drugs and prison-related HIV prevention, treatment and care. In particular, it will focus on:

- Evidence-based services in prevention and treatment of drug abuse; and
- The impact of HIV/AIDS as related to drug use and prison settings.

It is well established that drug use prevention programmes need to be based on scientific evidence to ensure effectiveness in addressing risk and protective factors among the youth and high-risk and vulnerable populations in different settings, such as the family, school and the workplace. The Regional Programme will rely on close cooperation and coordination with the joint UNODC-WHO Global Programme on Drug Dependence Treatment and Care, and promote UNODC's Global Standards on Drug Use Prevention, the purpose of which is to advise Member States on how to develop a comprehensive and effective drug prevention system, in order to urge the Governments to put drug demand reduction policy high on the national agenda and promote the establishment of a broader regional strategy for a health centred approach to drug demand reduction.

In this context, Pillar III will **support the countries in the region to establish or expand evidence-based services in prevention and treatment of drug abuse**. Prevention programmes, which will prioritise families, schools, and the workplace, will include training in communication, negotiation and leadership skills as well as teamwork. In addition, technical assistance to conduct drug use assessments in schools, communities and prisons will also be made available. SADC's capacities for regular consultations and reporting efforts to share information and best practices in the region will be strengthened.

Drug dependence treatment and care in the region will need to be scaled up in order to ensure that treatment and care is evidence-informed, human rights-based and gender-sensitive, combines psychosocial support and pharmacologically-assisted therapy, and includes relapse and overdose management. Drug dependence treatment training within several disciplines in universities in the region (e.g. medicine, psychology, social work, nursing, psychiatric nursing etc.) will be facilitated, while the countries in the region will be encouraged to make use of existing training tools and guidelines on assessment, psychosocial support and treatment such as the Treat-Net training package, Treat-Net Quality Standards of Care, and the WHO Guidelines on Psychosocially Assisted Treatment of Opioid Dependence.

In addition, SADC countries will be encouraged to fully integrate drug dependence treatment and care, as well as HIV and AIDS prevention into the overall national health system, to allow for a comprehensive multi-sectoral and multidisciplinary system that is recovery-oriented and functions within a continuum-of-care approach. Partnerships with healthcare systems and CSOs will be encouraged to increase treatment coverage in the community and provide access to comprehensive services for those in need of treatment and rehabilitation services. Moreover, a coordinated approach to treatment throughout the criminal justice system will be promoted, including diversion schemes from the criminal justice system and the provision of evidence-based treatment services within penitentiary institutions.

As with drug dependence, the issue of HIV/AIDS raises the need for strengthened regulations, policies and legislative reforms that are evidence-informed, human rights-based, and gender-sensitive, to support the provision of comprehensive HIV prevention, treatment, care and support for people who use drugs and people living in prisons and other closed settings. In this context, the Regional Programme aims to **support the SADC Member States to reduce the impact of HIV/AIDS in the region**, drawing on the available WHO, UNODC and UNAIDS Guidelines,²⁷ and building on on-going efforts, in particular the UNODC project “HIV and AIDS Prevention, Treatment, Care and Support in Prison Settings in Sub-Saharan Africa (Ethiopia, Malawi, Mozambique, Namibia, Swaziland, Tanzania (including Zanzibar) and Zambia).”

Additionally, there is a need to strengthen and provide access to a full range of evidence-based prevention, care, treatment and support programmes for HIV, tuberculosis, and other communicable diseases in prisons in the region.²⁸

Efforts to strengthen prison health care systems will be supported to ensure linkages between prison and community health services that will facilitate treatment adherence and continuity of care upon release. The strengthening of prison health systems should also ensure the joint management and integration of prevention, treatment and care programmes for HIV, tuberculosis and other communicable diseases.

Measures should also be put in place to prevent drugs from entering prisons and ensure that prison staff are equipped to control and combat sexual violence. In addition, prison staff should also have access to HIV prevention, care, treatment and support services. This should include access to essential prevention commodities such as anti-retroviral and post exposure prophylaxis treatment, and on-going education and information.

²⁷ The Guidelines prescribe measures such as: NSP; Opioid Substitution Therapy; Voluntary HIV Counselling and Testing; Anti-Retroviral Therapy; Sexually Transmitted Infections; Condom programming for IDUs and their sexual partners; Targeted information, education and communication for IDUs and their sexual partners; Hepatitis diagnosis, treatment (Hepatitis A, B and C) and vaccination (Hepatitis A and B); and tuberculosis prevention, diagnosis and treatment. WHO/UNODC/UNAIDS, *Technical Guide for countries to set targets for universal access to HIV prevention, treatment and care for injecting drug users*, 2009

²⁸ These may include: access to HIV Counselling and Testing Services; drug dependence treatment programmes, including substitution therapy; anti-retroviral treatment for nationals as well as foreign prisoners from other SADC countries, and for the prevention of mother-to-child transmission; post exposure prophylaxis; medical male circumcision; HIV information and education (peer education); availability of essential prevention commodities, including condoms; prevention and treatment of HIV tuberculosis, hepatitis and other communicable diseases; continuity of care; universal precautions; and supportive policy and legal frameworks and alternatives to imprisonment.

4. PROGRAMME MANAGEMENT AND IMPLEMENTATION

4.1 Programme management

The Regional Programme will be managed so as to ensure that it promotes ownership by Member States, focuses on transnational challenges, is programmatic and results-focused, fosters strategic partnership and coordination with the international donor community, increases the mobilization of resources for the provision of technical assistance in the region, and creates the necessary infrastructure for long-term sustainability of outcomes and impact.

While UNODC will have the main responsibility for the overall management of the Regional Programme and its implementation, the SADC Secretariat and SADC Member States will also be involved in this regard, under conditions set out during the first meeting of the Regional Programme Steering Committee (RPSC) on 6 December 2012 (see Annex 7).

At the institutional level, the RPSC will oversee the implementation of the Regional Programme in accordance with regional priorities, and facilitate effective cooperation between UNODC and SADC.

At UNODC level, the Regional Programme will be managed by ROSAF, under the overall responsibility and direction of the Regional Representative. ROSAF will continuously monitor, with SADC, the challenges encountered, and ways in which the Regional Programme is responding to the needs and priorities of the countries in the region. Assistance delivered under this programme to the SADC Member States presently covered by the UNODC Regional Office for Eastern Africa (ROEA) – Mauritius, Seychelles, the United Republic of Tanzania and Madagascar will be implemented in close coordination with ROEA, in the spirit of coherence that already guides technical assistance activities transcending the formal boundaries of UNODC geographical divisions. ROEA will nominate a focal person, who will participate as needed in the meetings of the RPSC.

While ROSAF will use its existing substantive and managerial capacities to oversee the overall implementation of the Regional Programme, it will, if required and on the basis of direct costing, establish a Programme Coordination Unit (PCU) which will oversee further development and implementation of this Regional Programme. If established, this PCU would be responsible for the following:

- Facilitating coordination and providing advice and support for regional programme development and implementation;
- Promoting integrated programming at national and regional levels, and providing related strategic advice;
- Identifying programming and funding opportunities;
- Ensuring that the work under the respective pillars are implemented effectively and efficiently, in line with the overall Regional Programme, implementation forecast and programme activity work plans;
- Closely monitoring programme implementation and providing quality support and assurance to programme officers, as well as overseeing monitoring of the pillars and the Regional Programme as a whole;

- Managing mitigation measures outlined in Section 6 of this document and continuously identifying emerging risks and developing strategies for their mitigation; and
- Ensuring that experiences and lessons learned provide the basis for the design and implementation of all technical cooperation activities.

4.2 Programme implementation

While the Regional Programme should ideally be implemented in a comprehensive way in all SADC countries, the constraints faced in terms of funding, lack of baseline data and UNODC's own capacity and resources on the ground at this point, will necessitate a ***phased implementation approach with a corresponding management structure associated to the different phases***. Building on agreed-upon priorities of all stakeholders and existing expertise on the ground, the Regional Programme foresees the implementation following a three-phased approach which considers on-going initiatives in ROSAF, established relationships with international cooperation and implementation partners, existing SADC priorities, and planned implementation priorities as determined during the two Regional Expert Group Meetings.

In line with the framework provided by the Regional Programme, ROSAF will, during ***phase one***, continue with the consolidation of existing activities and conducting situational assessments, which will inform the further development of the operational plan of the Regional Programme and the outreach to donors.²⁹

In the ***second phase***, the office will start with the development and implementation of activities in the ***seven priority areas*** ("areas of action") identified by the Steering Committee of the Regional Programme throughout its meetings. The areas identified at the first meeting in December 2012 for expeditious implementation are: (i) illicit trafficking of drugs, (ii) trafficking in persons, (iii) financial crimes, (iv) violence against women and empowerment of victims, (v) youth in criminal justice systems, (vi) anti-corruption activities and (vii) HIV and AIDS prevention, care and support in prison settings. ROSAF will focus on ***implementation of activities in these priority areas in the countries with UNODC presence***³⁰ first, but will at the same time work on an ***expansion strategy plan*** in close consultation with the RPSC and the remaining SADC countries.

Expecting that the implementation of activities within these priority areas will trigger new funding opportunities, ROSAF will also continue during phase two with its consultations with the Steering Committee, SADC and its Member States to agree on a fundraising and implementation plan for activities in the other areas. This will entail close consultation with the International Cooperating Partners for the SADC Peace and Security Thematic Group.

Phase three will, based on the availability of funding and needs identified, focus on the implementation of the outstanding activities as defined in the Regional Programme.

²⁹ A copy of the ROSAF's resource mobilisation strategy, which was developed based on the discussions held with the RPSC and in close coordination with UNODC's Co-funding and Partnership Unit and the Regional Section for Africa and the Middle East is annexed to the Regional Programme. (Annex 8)

³⁰ UNODC is currently present in the following eight SADC countries: Lesotho, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania and Zambia.

4.3 Programme financing

The Regional Programme represents the overarching framework under which prioritised outcomes and results will be developed in a result-oriented approach. The indicative total budget needed for the implementation of all outcome areas of the Regional Programme during its four year period in the 15 SADC countries is estimated at US\$ 66,175,000. Due to the constraints faced in terms of funding, lack of baseline data and UNODC's own capacity and resources in the region, it will not be possible to implement this Regional Programme comprehensively in all SADC Member States. Thus, a phased implementation approach, with an overall budget of US\$ 22.3 million for phase one and two, will guide the implementation of activities within the framework of this Regional Programme. While around US\$ 12.6 million for the implementation of phase one and two has already been secured by ROSAF³¹, the overall implementation of UNODC activities under the Regional Programme is subject to the availability of adequate funding, on a yearly basis (see Annex 2).³² ROSAF will therefore regularly provide updated information on the funding received for the implementation of this Regional Programme to the RPSC and individual Member States as well as to donors and prospective donors, which will inform the joint fundraising activities.

As the *mobilisation of funds for the implementation of the Regional Programme is a shared responsibility of SADC, its Member States and UNODC*, UNODC will closely work with its partners to mobilise the necessary funding requirements through joint activities, such as the conducting of donor roundtables and other fundraising events.

Based on the discussions held with donors and the various assessments undertaken, UNODC has developed a resource mobilisation strategy (see Annex 8). In line with UNODC's resource mobilization strategy and SADC Member States' policies on foreign assistance, UNODC will avoid allocations to individual activities, unless they can be utilised through and in support of the programmatic drive towards outcomes of the programme.

Overall, UNODC expects to mobilize resources from i) bilateral donors, including Member States in the region; ii) multilateral donors; iii) regional and global funds; iv) funds mobilised through UNODC's global and thematic programmes; v) private sector; and vi) funding made directly available to SADC.

4.4 Programme oversight and coordination

Under UNODC's integrated regional programme approach, the responsibility for results-based monitoring and oversight of the Regional Programme rests with ROSAF. As far as achieving the results of the Regional Programme is concerned, direct oversight responsibility will be undertaken in close coordination with relevant Branches, Sections and Units at UNODC HQ as well as with ROEA.

³¹ Annex 2 gives an overview on the funding needed for the implementation of activities in the priority areas as well as on the funding currently available.

³² Annex 2 of this note gives an overview on the funding needed for the implementation of activities in the thematic areas as well as on the funding currently available. UNODC reserves the right to unilaterally terminate its assistance under this Regional Programme, should required funding not be available.

To this end, ROSAF will enhance and maintain its programme management and quality assurance system to ensure regular monitoring. This includes quality control of actions, technical support, and budgetary and administrative controls, with a view to ensuring the timely delivery and achievement of planned outcomes, and the availability of conditions enabling the Regional Programme evaluations. It also includes guidance to be provided to the managers responsible for coordination of the respective pillars, on emerging threats and new opportunities for action and programme growth.

4.5 Reporting and communication

At the programme level, an annual review report on the progress of the Regional Programme will be prepared by UNODC and disseminated to the RPSC, as well as to all key stakeholders and partners. The report will be made available in hard copy, as well as on the UNODC website.

Semi-annual and completion reports will be prepared for individual programme activities, which will be as comprehensive as possible in order to serve all reporting needs. However, in light of specific reporting needs and requirements, additional reports may be prepared by UNODC for Member States, partner organisations and funding partners as required.

In support of the Regional Programme, advocacy activities will be undertaken to amplify the voices of partners from across the region working on issues related to UNODC's mandate, and will highlight individual and collective achievements. This should facilitate networking and collaboration among grassroots workers, academics, students, researchers, journalists, government representatives, donor agencies, UN Agencies, and international organisations.

UNODC will seek to ensure that all activities and reports undertaken under the auspices of the Regional Programme, as well as up-to-date information on developments in this regard are reflected and made available through its website to Member States and other partners.

5. PROGRAMME EVALUATION

For the purposes of the Regional Programme, appropriate evaluation mechanisms will be elaborated, with a view to tracking and reporting on developments, including progress and shortfalls in the course of its implementation, and in order to be able to assess the outcomes, impact and benefits of the overall Regional Programme and its thematic pillars respectively. To the extent possible, such mechanisms will also be aligned with existing SADC evaluation mechanisms. The mechanisms will primarily:

- be based upon the structure of objectives contained in the Results/Outcomes Matrices, available both in the Regional Programme, and in the Pillars/sub-programmes;
- focus on assessing performance against a clear set of indicators that are directly related to measuring programme outputs and outcomes;
- include realistic and available sources of information for each indicator and the precise means to collect them;
- include review mechanisms and processes, among others programme evaluations, so that UNODC and stakeholders can learn about what is being achieved, challenges that arise, and which supportive action may be required;
- provide for formal reporting on results against the programme framework; and
- emphasize the need for feedback to build into future programme planning.

Independent mid-term and final evaluations will be conducted under the guidance of the UNODC HQ-based Independent Evaluation Unit (IEU) and an independent evaluation team, including the participation of implementing partners at various stages as per UNODC evaluation practices. The exact timing of the evaluations will be decided upon by the ROSAF Representative, to ensure that findings and recommendations feed into any future planning/design stage cycles.

A mid-term evaluation of the Regional Programme will be planned, while the final evaluation will be undertaken during the second quarter of 2020 and at least six months prior to the termination of the Programme as per current plans (end of 2020).

Findings and recommendations of these evaluations will be disseminated among the SADC countries as well as within UNODC – including to the *standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC* – and the adoption of respective recommendations will be tracked as per the Evaluation Follow-up Plan submitted to IEU at the end of each evaluation process, following each Evaluation Report.

The mid-term evaluation should include a briefing to Member States and donors, and allow sufficient time for a substantive evaluation of the implementation of the Regional Programme thus far, against the goals, objectives and priorities originally identified. A revision of the Regional Programme may be necessary in light of the mid-term evaluation.

To account for the costs involved in evaluations, an adequate percentage of the overall budget of each pillar will have to be set aside under the evaluation budget line 5700.

As outlined in its proposed Terms of Reference, the RPSC will be fundamental in the evaluation process, namely to hold intermediate and terminal evaluation meetings of the Regional Programme's implemented activities.

6. PROGRAMME RISK ASSESSMENT AND MANAGEMENT

Given that the implementation of the Regional Programme is the shared responsibility of the SADC Member States, the SADC Secretariat and UNODC, the inability of any of the parties to provide required inputs in a timely manner constitutes a fundamental risk. It is therefore essential to develop safeguards to enable early risk assessment/identification and management, as/when needed.

The table below summarises key risks that could impact on the implementation of the Regional Programme, and inherent mitigation measures that need to be developed to prevent risks from materializing or mitigate their consequences.

RISK	LIKELIHOOD	IMPACT	MITIGATION MEASURES
Funding below overall Regional Programme (RP) volume	Likely	High	Senior advocacy events; on-going dialogue with key donors; high quality of programme implementation and sound reporting mechanisms; synergies with other programmes, where possible; phased implementation approach
Funding for non-priorities of RP	Possible	Medium	Use RPSC to reprioritise and focus available resources on and fundraise for achievable outcomes; monitor funding vs. priorities
Limited funding made available for UNODC human resource capacities in the region	Likely	High	Ensure costs for dedicated experts are borne directly by the RP (i.e. direct cost recovery); realign RP structures according to available funding; promote efficient use of available ROSAF capacities; employ synergies with other programmes

Limited RP countries' support and responsiveness	Possible	High	Senior missions and events; frequent information events; involve government counterparts in setting strategic focus to secure ownership and smooth and on-going cooperation through the RPSC
New leadership in individual RP countries unaware of or unsupportive of RP priorities	Possible	Medium	Ensure continued ownership with SADC as a means to increasing ownership of individual Member States
Major security issues affect local operations	Unlikely	Medium	Ensure adequate representation of national staff at all levels; Develop alternative management procedures at earliest signs of a deteriorating security situation

Where individual interventions/projects are commenced under the operationalization stage of the Regional Programme, these will contain individual project risk assessments and mitigation measures, and will be reported on during regular programme reviews/evaluations/reports.

7. INDICATIVE BUDGET

The indicative total budget has been updated to reflect the level of funds available and implementation in the previous years, taking into account upcoming opportunities and the new challenges identified in the SADC Region.

Joint fundraising will be required to support the full implementation of the Regional Programme until 2020.

ANNEXES

Annex 1: Abbreviated Results Framework

The Abbreviated Results Framework outlines the anticipated outcomes for the cross-cutting areas and each pillar, to be achieved through the Regional Programme. Following the Regional Programme endorsement and approval, and upon the mobilization of resources, the establishment of baselines and a more detailed specification of outputs, activities, performance indicators and means of verification for each of the indicators will be a priority for UNODC, in close consultation with key stakeholders. The output priorities identified by the Member States during the development phase, in particular in the context of the Expert Group Meetings and the priorities established at the RPSC meetings, will serve as basis for that process.

Appropriate data sources and means of verification for the indicators in the Regional Programme Results Framework are to be elaborated on a country-by-country basis, along with specific plans and lines of accountability for regular monitoring and reporting based on these same indicators. Establishing targets, baselines and related monitoring and reporting systems will be a key component of the operationalization of the Regional Programme. In particular, commitments will be sought from national counterparts on provision of outcome monitoring data so as to enable eventual evaluation.

<u>Cross-cutting Programme Areas</u>	
Data Collection and Analysis	UNODC Strategic Framework ³³
Outcome 1: Countries of the Southern African region produce, develop and utilise quality data and analysis on threats related to drugs, crime and illicit trafficking	6 (b) Improved scientific and forensic capacity of Member States to meet appropriate professional standards, including increased use of scientific information and laboratory data for inter-agency cooperation activities and in strategic operations, policy and decision-making

³³ Refers to the Expected Accomplishments contained in the 2012 – 2013 UNODC Strategic Framework (the budgeting and reporting document for UNODC as a whole) as found in UN General Assembly Resolution A/65/6/Rev.1. (Programme 13)

Indicators:	Means of verification:	
<p>(a) Number of countries in the region that produce data and statistics, including through survey reports, particularly in the areas of:</p> <ul style="list-style-type: none"> - illicit trafficking and organised crime - drugs - human trafficking and smuggling of migrants 	<p>(a)(i) Country annual drugs and/or health reports</p> <ul style="list-style-type: none"> (ii) National Assessment reports (iii) National Drugs Databases. (iv) TOCTA-reports (v) UNODC Activity reports (vi) National crime statistics (vii) National data collection/management systems developed 	
<p>(b) Percentage of criminal justice professionals and policy makers in relevant fields who indicate that enhanced knowledge is used in policy and operational response</p>	<p>(b)(i) Sample surveys</p> <ul style="list-style-type: none"> (ii) Desk reviews (iii) Structured telephone interviews 	

Legislative Assistance		UNODC Strategic Framework	SDG
Outcome 2: Countries of the Southern African region ratify or accede to the UN Convention against Corruption, the UN Convention against Transnational Organised Crime, Drug-related Conventions and Terrorism-related Conventions and revise their legislation and formulate policies accordingly.		various	
Indicator:	Means of verification:		
(a) Number of countries in the region that ratify or accede to the relevant Conventions	(a)(i) UN Treaty Collection ³⁴		
(b) Number of countries that have revised existing legislation or adopted new legislation related to Conventions, with UNODC assistance, to be in full-compliance with international instruments	(b)(i) National Government records and reports (ii) National legislation (iii) Records of national legislative assembly meetings (iv) UNCAC review mechanism reports where available		
(c) Number of countries that formulate policies to support the implementation of newly adopted legislation	(c)(i) National Government records and reports		

³⁴ Refer to the UN Treaty Collection website (<http://treaties.un.org/>) for comprehensive information on the status of treaties and conventions

<u>Pillar I: Countering Illicit Trafficking and Organised Crime</u>		
Transnational Organised Crime and illicit trafficking	UNODC Strategic Framework	SDG 15 Target 15.7 SDG 16 Targets 16.2 and 16.4
Outcome 1: Countries of the Southern African region take action and coordinate their efforts against illicit trafficking, and develop strategies to address emerging crimes.	1. (b) Member States are equipped to take effective action against transnational organised crime, including: drug trafficking; money-laundering; trafficking in persons; smuggling of migrants; illicit manufacturing and trafficking of firearms; and emerging policy issues as mentioned in General Assembly resolution 64/179	SDG 16
Indicators:	Means of verification:	
(a) Volume of seizures by product trafficked: <ul style="list-style-type: none"> – illicit drugs – precursors – counterfeit medicine – illicit firearms – illicit tobacco – wild flora and fauna 	(a)(i) National periodic data reports where available (ii) Data sourced from the Member States and regularly reported by UNODC	

(b) Number of countries adopting and implementing border management strategies in line with international and regional standards and best practices	(b) (i) Strategy documents (ii) UNODC work reports		
(c) Number of joint operations undertaken to combat illicit trafficking, including the trafficking of precursors	(c) (i) Data sourced from the Member States and regularly reported by UNODC (ii) UNODC work reports		
(d) Number of countries which develop and adopt strategies to identify and address emerging crimes	(d) (i) National government records and reports		
Outcome 2: Countries of the Southern African region coordinate and cooperate to prevent and combat human trafficking, its impact on victims, and the smuggling of migrants		1. (b) Member States are equipped to take effective action against transnational organised crime, including: drug trafficking; money-laundering; trafficking in persons; smuggling of migrants; illicit manufacturing and trafficking of firearms; and emerging policy issues as mentioned in General Assembly resolution 64/179	SDG 5 Targets 5.2, 5.9 SDG 16 Targets 16.1, 16.2

Indicators:	Means of verification:		
(a) Number of cases identified and investigated by law enforcement agencies, including cross-border investigations, in: <ul style="list-style-type: none"> - human trafficking - smuggling of migrants 	(a)(i) Periodic data reports from national law enforcement agencies		
(b) Percentage of identified victims receiving comprehensive support services in line with international standards and best practices, with regards to cases of: <ul style="list-style-type: none"> - human trafficking - smuggling of migrants 	(b)(i) National periodic data reports (ii) UNODC regular activity reporting		
Outcome 3: Countries of the Southern African region cooperate to combat money laundering	1. (b) Member States are equipped to take effective action against transnational organised crime, including: drug trafficking; money-laundering; trafficking in persons; smuggling of migrants; illicit manufacturing and trafficking of firearms; and emerging policy issues as mentioned in General Assembly resolution 64/179		SDG 15 Target 15.7 SDG 16 Target 16.4

Indicator:	Means of verification:		
(a) Number of instances of countries identifying and investigating cases of money laundering	(a)(i) National Government records and reports		
(b) Number of cross-border cooperative activities in the investigation of cases of money laundering	(b)(i) National government records and reports		
(c) Number of countries in the region that join regional and/or international initiatives related to AML	(c)(i) National Government records and reports (ii) Reports of - ARINSA - ESAAMLG - Egmont Group - Other relevant initiatives		
Forensics		UNODC Strategic Framework	SDG 15 Target 15.7 SDG 16
Outcome 4: Countries of the Southern African region use enhanced forensic and scientific services in support to the legal process		6. (b) Improved scientific and forensic capacity of Member States to meet appropriate professional standards, including increased use of scientific information and laboratory data for inter-agency cooperation activities and in strategic operations, policy and decision-making	

Indicator:	Means of verification:		
(a) Number of countries in the region that make regular use of forensic services in their criminal justice systems in line with internationally accepted standards	(a)(i) Policy and procedure documents that demonstrate use of forensic services and data (ii) Relevant government agencies' reports (iii) UNODC surveys conducted among criminal justice professionals and forensic experts		

<u>Pillar II: Criminal Justice and Integrity</u>			
Justice		UNODC Strategic Framework	SDG 5 Target 5.2 SDG 16 Targets 16.3, 16.5, 16.6, 16.a, 16.b
Outcome 1: Countries of the Southern African region reform criminal justice systems in accordance with UN standards and norms in crime prevention and criminal justice, and recognized good practices		4. (a) Enhanced capacity of Member States to develop and maintain fair, humane and accountable domestic criminal justice systems in accordance with the United Nations standards and norms in crime prevention and criminal justice and other relevant international instruments	SDG 16
Indicators:	Means of verification:		
(a) Number of criminal justice systems that have mainstreamed programmes for access to justice in the areas of: - victims of gender-based violence - juveniles, youth and child offenders	(a)(i) National government records and reports (ii) UNODC reports, based on court/judicial system records/data		

<p>(b) Number of people accessing measures for the protection and care of vulnerable groups, in particular:</p> <ul style="list-style-type: none"> - victims of gender-based violence - juveniles and youth - witnesses to and victims of crime 	<p>(b)(i) National government records and reports</p> <p>(ii) UNODC reports, based on relevant agencies' records and reports</p>		
<p>Outcome 2: Countries of the Southern African region introduce and implement targeted measures to prevent crime</p>		<p>4. (b) Improved capacity of Member States to prevent crime in accordance with the United Nations standards and norms in crime prevention and criminal justice and other relevant international instruments</p>	<p>SDG 5 Targets 5.2, 5.9 SDG 16 Target 16.1</p>
<p>Indicators:</p>	<p>Means of verification:</p>		
<p>(a) Number of countries implementing national policies and/or strategies on crime prevention, including the connection between crime and economic inequality</p>	<p>(a) National records</p>		
<p>(b) Number of urban areas where strategies are being implemented addressing local crime markets and recruitment into criminal gangs</p>	<p>(b)(i) National qualitative reporting</p> <p>(ii) UNODC reports, drawing on reports from relevant agencies</p>		
<p>(c) Number of communities where programmes are implemented for the prevention of gender-based violence</p>	<p>(c)(i) National qualitative reporting</p> <p>(ii) UNODC reports, drawing on reports from relevant agencies</p>		

(d) Number of communities where programmes are implemented for the prevention of emerging crimes	(d)(i) National qualitative reporting (ii) UNODC reports, drawing on reports from relevant agencies		
Outcome 3: Prisons are managed to be in line with UN standards and norms		4. (a) Enhanced capacity of Member States to develop and maintain fair, humane and accountable domestic criminal justice systems in accordance with the United Nations standards and norms in crime prevention and criminal justice and other relevant international instruments	SDG 16 Target 16.5
Indicators:	Means of verification:		
(a) Number of prisons where staff use improved knowledge and skills in prison management and standards and norms in the treatment of prisoners;	(a)(i) National Government records and reports (ii) UNODC reports, that include post training feedback/surveys used to determine how training is being used in prison management		
(b) Number of prisons adhering to international standards and norms with regards to prison infrastructure	(b)(i) National Government records and reports (ii) UNODC activity reports		
Corruption		UNODC Strategic Framework	SDG

Outcome 4: Countries of the Southern African region identify and take action to prevent, investigate and adjudicate corruption		2. (c) Improved capacity of Member States to implement the United Nations Convention against Corruption and to address economic fraud and identity-related crime	SDG 16, Target 16.5
Indicator:	Means of verification:		
(a) National institutions in charge of the prevention, awareness raising, detection and prosecution of corruption develop capacities with assistance from UNODC	(a)(i) National Government records and reports (ii) UNODC activity reports (iii) Training reports		
(b) Countries take measures to improve the accountability, integrity, transparency and oversight of criminal justice institutions and other public sector institutions	(b)(i) National Government records and reports		
Outcome 5: Countries of the Southern African region utilise strengthened capacities to recover stolen assets		2. (c) Improved capacity of Member States to implement the United Nations Convention against Corruption and to address economic fraud and identity-related crime	SDG 16 Target 16.4
Indicators:	Means of verification:		

(a) Countries take action for the return of assets with the support of the StAR initiative	(a)(i) UNODC/StAR reports		
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<u>Pillar III: Improving Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings</u>			
Prevention, treatment and reintegration, and alternative development		UNODC Strategic Framework	SDG 3 Target 3.5
Outcome 1: Countries of the Southern African region establish and/or expand evidence-based services in prevention and treatment of drug abuse		5. (a) Increased implementation at the national level of evidence-based services related to drug use in the community	SDG 3 Target 3.5
Indicators:		Means of verification:	
(a) Number of people in the region reached by targeted comprehensive evidence-based drug prevention interventions, particularly in schools and tertiary institutions	(a)(i) Records of people reached in schools and tertiary institutions, available from Member States/national governments/agencies		

(b) Number of countries in the region where drug dependence treatment services have been expanded or improved on the basis of international standards and tools	(b)(i) Country annual drugs and/or health reports		
(c) Number of people reached by additional services provided or by the expansion or improvement of existing services	(c)(i) Records of people reached in schools and tertiary institutions (ii) Annual drugs and/or health reports, available from Member States/relevant agencies		
Outcome 2: Countries of the Southern African region provide comprehensive HIV/AIDS programmes and services		5. (a) Increased implementation at the national level of evidence-based services related to drug use in the community	Goal 3 Targets 3.3 and 3.b
Indicators:		Means of verification:	
(a) Number of countries where comprehensive, gender-sensitive HIV services for people who use drugs have been established/scaled-up with UNODC assistance (disaggregated by service type and their coverage, including by gender);	(a)(i) Reports, available from Member States/national governments/agencies		

<p>(b) Number of countries where comprehensive, gender-sensitive HIV services for people living in prisons and other closed settings have been established /scaled-up with UNODC assistance (disaggregated by type of service and their population coverage, including by gender)</p>	<p>(b)(i) Reports, available from Member States/national governments/agencies (ii) UN General Assembly Special Session (UNGASS) Reports, available from Member States/national governments/agencies</p>		
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Annex 2: The Southern African Development Community

The Southern African Development Community (SADC) is an inter-governmental regional organisation headquartered in Gaborone, Botswana. Its aims are to further socio-economic and political cooperation and integration and create a regional community that will ensure durable peace and security among its 15 member countries namely, Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar (*currently suspended*), Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

These aims are set out in different sources, which include the treaty establishing the Organisation (the SADC treaty); various protocols (such as the corruption protocol, the firearms protocol, the health protocol and the education protocol); other declarations such as those on HIV and AIDS and food security; and more specifically, development and cooperation plans such as the Regional Indicative Strategic Development Plan (RISDP) and the Strategic Indicative Plan of the Organ (SIPO).

The RISDP prioritises the following areas of intervention:

- Poverty eradication;
- Combating the HIV/AIDS pandemic;
- Gender equality and development;
- Science and technology;
- Information and communications technology;
- Environment and sustainable development;
- Private sector development;
- Statistics;
- Trade/economic liberalisation and development;
- Infrastructure support for regional integration and poverty eradication;
- Sustainable food security; and
- Human and social development.

The SIPO is an enabling instrument for the implementation of the SADC developmental agenda embodied in the RISDP. The SIPO provides strategic objectives for political, defence, state security and public security sectors that spell out specific activities.

The RISDP and the SIPO are thus key elements in SADC's regional integration framework. In particular, the RISDP reaffirms the commitment of SADC Member States to good political, economic and corporate governance entrenched in a culture of democracy, full participation by civil society, transparency, and respect for the rule of law.

The socio-economic and political and security cooperation aims of SADC are therefore wide-ranging, and intended to address the various common challenges faced by countries in the region.

It is noteworthy, in particular, that a number of the SIPO's strategic objectives can be linked with the envisaged Pillar 1 and Pillar 2 of the Regional Programme. Pillar 3 also has synergies with areas identified in the RISDP. These include the following:

* The seven priority areas for expeditious implementation that were identified at the 1st meeting of the Steering Committee of the RPSA are i) illicit trafficking of drugs, (ii) trafficking in persons, (iii) financial crimes, (iv) violence against women and empowerment of victims, (v) youth in criminal justice systems, (vi) anti-corruption activities and (vii) HIV and AIDS prevention, care and support in prison settings. These priority areas are implemented through various projects and are linked to the various pillars of the RP.

- Combating the HIV and AIDS pandemic, as indicated in section 4.3.2 of the RISDP. The overall goal of the SADC HIV and AIDS intervention is to decrease the number of HIV and AIDS infected and affected individuals and families in the SADC region;
- Gender equality and development, in terms of facilitating women’s human and legal rights, including the elimination of violence against women, as stated in paragraph 4.4.3 of the RISDP; and
- Human development.

Annex 3: Excerpts of the deliberations of the SADC Ministerial Committee of the Organ (MCO)³⁵

Pretoria (South Africa)
26- 31 July 2012

2.4.6 Joint SADC-UNODC Regional Programme to Make the SADC Region Safer From Crime and Drugs: 2012-2016

2.4.6.1 The MCO noted that the United Nations Office on Drugs and Crime (UNODC) is assisting in the fight against illicit drugs, transnational organised crime, terrorism, corruption and is custodian of related universal conventions.

2.4.6.2 The MCO also noted that UNODC provides assistance to Governments in three main areas:

- (i) strengthening their legislative and judicial capacities;
- (ii) enhancing their capacity to develop and implement effective policies within the scope of the three pillars of UNODC’s mandate; and
- (iii) raising awareness and conducting trend analysis on the same issues.

2.4.6.3 The MCO further noted that UNODC has, in recent years, favoured partnership with Regional Organisations to address drug and crime related issues that generally transcend borders. UNODC has focused its efforts on building a strategic partnership with SADC.

2.4.6.4 The MCO noted that the SADC-UNODC partnership has been sanctioned by a Memorandum of Understanding (MoU) signed in April 2011 by the SADC Executive Secretary and the UNODC Executive-Director. It is around this partnership and within the framework of the SADC Peace and Security Thematic Group that SADC Secretariat and UNODC have developed a five-year Regional Programme to Make the Region Safer from Drugs and Crime.

2.4.6.5 The MCO also noted that to ensure full ownership of this Programme by SADC Member States, in keeping with the Paris and Windhoek Declarations, the SADC Secretariat and UNODC have organised two (2) Expert Group Meetings, held in April and November 2011, in Gaborone and Pretoria, respectively. The meetings brought together experts from different SADC countries, with expertise in the following areas:

- (i) Illicit Trafficking and Organised Crime;
- (ii) Criminal Justice and Integrity; and
- (iii) Health as it relates to drug demand reduction, and HIV prevention and care among drug users and in prisons.

³⁵ SADC MCO consists of the Ministers from each of the member States, responsible for: (a) foreign affairs, (b) defence; (c) public security; or state security. As per Article 10 A (4) of the SADC Treaty, “They shall be responsible for the coordination of the work of the Organ [on politics, defence and security co-operation] and its structures”.

2.4.6.6 The MCO further noted that the experts put together the priorities and concerns of their respective countries and their findings have informed the Regional Programme document. The establishment of a Steering Committee has also been agreed upon. Its role will be to select and prioritise projects that will implement the Regional Programme.

2.4.6.7 The MCO noted that there is a need for the sub-committee to regularly monitor progress and evaluate the results of project implementation. All SADC Member States will be represented in the Steering Committee.

2.4.6.8 The MCO also noted that significant progress has been made in the development of the Regional Programme in recent months, through the input of SADC Member States' experts. The progress made in technical areas does however, need political backing. This will lend legitimacy to the process, which should, in turn, help to attract attention and support from the targeted Member States beneficiaries of the projects stemming from the Regional Programme, as well as from the donor community.

2.4.6.9 The MCO:

- (i) directed the Secretariat and requested the UNODC to organise a launch of the Regional Programme, in cooperation with Member States as well as with the Donor community; and
- (ii) directed the Secretariat and requested the UNODC to expedite the Operationalization of the Regional Programme framework for the benefit of SADC countries.

Annex 4: Terms of Reference for the Regional Programme Steering Committee (RPSC)

1. Background

The joint SADC-UNODC Regional Programme to Make the SADC Region Safer from Crime and Drugs: 2013-2016 was elaborated through extensive consultations with national counterparts, substantive experts, and the SADC Secretariat, with the purpose of addressing a number of challenges posed by illicit trafficking, organised crime, terrorism, corruption, criminal justice, crime prevention, drug abuse and HIV/AIDS, both on the national and regional levels.

Based on a joint MoU as the official framework for cooperation between SADC and UNODC, the development process included two Regional Expert Group meetings to identify the key concerns and priorities to be addressed under the future Regional Programme. The resulting regional approach and programmatic framework were endorsed by the SADC Ministerial Committee of the Organ (MCO) in July 2012. In August 2012, the Heads of State and Government of the SADC Member States, at their 32nd Summit Meeting in Maputo, Mozambique, were informed and took note of the MOC's endorsement.

The Regional Programme focuses on three interdependent substantive pillars, namely:

- Countering Illicit Trafficking and Organised Crime;
- Criminal Justice and Integrity;
- Drug Abuse Prevention, Treatment and Care, and HIV Prevention, Treatment and Care for People Who Use Drugs, including Injecting Drug Users and in Prison Settings.

It covers a four-year period from 2013-2016, with the implementation of activities envisaged to be initiated by UNODC during the first quarter of 2013. Responsibility for implementation, monitoring

and oversight of the Regional Programme rest with UNODC, in cooperation and coordination with SADC Member States (national counterparts) and the SADC Secretariat.

During the November 2011 meeting where the Regional Programme was adopted, the establishment of a Regional Programme Steering Committee (RPSC) was recommended, with a selected membership and Terms of Reference. In addition, it was proposed that each SADC Member State designate a National Focal Point to further interact with the RPSC concerning the implementation of the Regional Programme. The membership of the RPSC would comprise nominated representatives from all SADC Member States, who will when possible, coincide with representatives already posted at the SADC Secretariat in Gaborone, Botswana, as well as from the SADC Secretariat and UNODC. If so required and deemed necessary, representatives from the international donor community could also be included.

It was proposed that the RPSC meet twice a year, with the first meeting expected to take place in late 2012/early 2013, and that more detailed Terms of Reference for the Committee would be prepared and tabled for consideration during this first meeting.

2. Proposed Objectives of the envisaged RPSC

The overall objective of the envisaged RPSC is to oversee the implementation of the Regional Programme, in accordance with regional priorities, and to facilitate effective cooperation between UNODC, SADC Member States, and the SADC Secretariat.

The RPSC will strive to avoid duplication with other efforts in the areas of drug control, crime prevention and criminal justice reform in the region, and to enable a constant flow of communication between the various partners. Moreover, it is responsible for ensuring that the Regional Programme is implemented in a transparent way and is based on up-to-date information.

3. Proposed Working Modalities

The members of the RPSC will be provided with regular updates on the development of Regional Programme activities and challenges and emerging threats in the region. Other issues to be addressed by the RPSC include ensuring national ownership and a sustainable approach. The RPSC will also ensure that UNODC has a designated counterpart and a direct line of communication with each national Government. Member States will also ensure effective and continuing coordination with the RPSC through national channels (National Focal Points), as determined by each Member State.

The RPSC will hold bi-annual meetings in cooperation with the SADC Secretariat in Gaborone, Botswana, or in one of the RPSC's Member States, provided that the costs of the meeting are covered by the Member State in question. When possible, the RPSC will aim to schedule its meetings back-to-back with other regional gatherings at the SADC Secretariat to ensure a most efficient utilization of resources.

4. Composition of the RPSC

The RPSC will include representatives from all SADC Member States, a SADC Secretariat representative, and the UNODC ROSAF Representative, or his designate.

5. Proposed Areas of Intervention of the RPSC

- To identify regional priorities and emerging challenges and threats to the region if required;
- To mobilise support for the implementation of the Regional Programme, discuss work plans related thereto and provide guidance on activities undertaken at the field level;
- To assist in mobilising and overseeing resources for the implementation of the Regional Programme activities, in line with national and regional priorities;
- To review the progress of the implementation of the Regional Programme;

- To provide regular updates on Regional Programme activities to the participating countries' Governments;
- To hold intermediate and terminal evaluation meetings of the Regional Programme's implemented activities;
- To share information on planned or on-going activities carried out by other relevant partners in the region in order to avoid any possible overlap and duplication;
- To ensure sharing of the documentation relevant to the implementation of the Regional Programme among partners, including involved Governments and UNODC;
- To assist in establishing contacts with national counterparts and ensure direct and prompt communication and related follow-up with their respective Governments; and
- To participate in regional seminars/workshops, study tours and round-table discussions carried out under the aegis of the Regional Programme.

6. Coordination meetings

The RPSC may hold coordination meetings prior to the sessions of the Commission on Narcotic Drugs, the United Nations Commission on Crime Prevention and Criminal Justice, and other conferences on crime prevention, criminal justice and drug control, in order to coordinate the positions of SADC Member States on the topics under discussion.

Annex 5: UNODC Mandates

UNODC is the guardian of the following UN Conventions and Treaties, and as such, has a mandate to support Member States to implement their provisions:

- The Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol;
- The Convention on Psychotropic Substances of 1971;
- The Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;
- The United Nations Convention against Transnational Organized Crime of 2000 and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; Protocol against the Smuggling of Migrants by Land, Air and Sea; and Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition;
- The United Nations Convention against Corruption of 2005;
- The universal treaties on counter - terrorism and Security Council Resolutions relevant to the prevention and suppression of terrorism, including:
 - 1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft (Aircraft Convention);
 - 1970 Convention for the Suppression of Unlawful Seizure of Aircraft;
 - 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation;
 - 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation; supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
 - 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons;
 - 1979 International Convention against the Taking of Hostages;
 - 1980 Convention on the Physical Protection of Nuclear Material;

- 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;
- 1988 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf;
- Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;
- 1997 International Convention for the Suppression of Terrorist Bombings;
- 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection;
- 1999 International Convention for the Suppression of the Financing of Terrorism; and
- 2005 International Convention for the Suppression of Acts of Nuclear Terrorism.

UNODC is also mandated to implement the UN Standards and Norms on Crime Prevention and Criminal Justice, including with respect to victim protection, violence against women, and the humane treatment of offenders. Additionally, UNODC, as a co-sponsor of UNAIDS, is mandated to assist Member States to provide people who use drugs, prisoners, and people vulnerable to human trafficking, with evidence-informed comprehensive HIV prevention, treatment and care services.

Annex 6: Legal Context

Legal Context

Considering that this is a Regional Programme, the relationship between UNODC and any Government involved in field-based project activities, international meetings and/or missions under this project shall be stipulated, as appropriate, in a separate Letter of Agreement between UNODC and the Government concerned. In this regard and where appropriate the UNODC standard Legal Context for projects may be used as a basis for such a Letter of Agreement, subject to modifications as are necessary to suit the specific project activities, international meetings and/or missions.

All equipment, software, material and supplies purchased under any project related to the implementation of the Regional Programme for Southern Africa within the framework for UNODC will be used exclusively for the purpose of the project in accordance with the rules and regulations of the United Nations. For the purpose of monitoring and inventory control, proper equipment inventory logs on project equipment will be maintained at the respective UNODC project sites, under the control of the respective office head.

UNODC retains copyright and related intellectual property rights for all material (training materials, documents, reports, studies, publications, etc.) that result from activities carried out under the Regional Programme for Southern Africa. Upon written request, at the end of the various projects related to this Regional Programme, the Governments involved shall be granted a free-of-charge user license over such material.

Implementation of activities by UNODC under this Regional Programme is subject to the availability of adequate funding on a yearly basis. Available funds will be committed through an annual budget allocation. Should the required funding not be available, UNODC reserves the right to unilaterally terminate its assistance under this Regional Programme.

The Regional Programme for Southern Africa is subject to oversight/audit by the United Nations Office for Internal Oversight Services and the United Nations Board of Auditors. UNODC will coordinate the implementation of such oversight/audits and will follow up on the implementation of agreed oversight/audit recommendations.

This Regional Programme document may be modified by UNODC as it sees fit.



Resource Mobilisation Plan:
*Regional Programme for Southern
Africa*

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And Priorities (Status: April 2013)

Annex B: Engagement Strategy for the Private Sector

1) Introduction

Since its establishment in 1997, the United Nations Office on Drugs and Crime (UNODC) has been working extensively with partners in Southern Africa to address the interrelated issues of drug control, transnational organised crime and international terrorism. Over the last two years, UNODC - in close consultation with the Southern African Development Community (SADC) and representatives of national governments of the SADC - has developed a Regional Programme (RP), which will guide UNODC's work in the SADC region.

This paper outlines the intended process for resource mobilisation in order to mobilise multi-annual funding to secure the implementation of the Regional Programme. It is a "living document" which will be regularly updated and circulated to relevant stakeholders.

2) Funding Situation of ROSAF

Since the establishment of ROSAF, the bulk of the funding UNODC received was for projects in the area of criminal justice and integrity, followed by projects in the area of drug use prevention and HIV prevention, treatment and care and in the area of countering illicit trafficking.

In recent years, the European Union (EU) and the Swedish International Development Cooperation Agency (SIDA) were ROSAF's biggest donors as they have provided more than two thirds of the overall funding for the implementation of projects in the area of Crime Prevention and Victims Empowerment, Trafficking in Persons and HIV/AIDS prevention, treatment and care in prison settings.

3) Funding requirements

The Regional Programme represents the overarching framework under which prioritised outcomes and results will be developed in a result-orientated approach. The ***indicative total budget needed*** for the implementation of all outcome areas of the Regional Programme during its five year period in the fifteen SADC countries³⁶ is estimated at **USD 66,175,000**.

While the total budget gives a good overview on the needs of the countries within the areas of UNODC's mandate, it is important to manage the expectations of the countries and highlight vis-à-vis Member States that this Regional Programme will be implemented through a *phased approach* based on the resources effectively mobilised.³⁷ As the mobilisation of funds for the implementation of the RPSA is a joint responsibility of SADC, its Member States and UNODC, UNODC will work closely with its partners to mobilise the necessary funding requirements through joint activities, such as conducting donor roundtables and other fundraising events.

ROSAF is regularly providing updated information on the funding received for the implementation of this Regional Programme to the Steering Committee and individual Member States as well as to donors and prospective donors.

³⁶ The following countries belong to the SADC: Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, the United Republic of Tanzania, Zambia, and Zimbabwe.

³⁷ Annex A gives an overview on the funding needed for the implementation of activities in the six priority areas as well as on the funding currently available.

4) ROSAF's Resource Mobilisation Plan: a three pillar approach

ROSAF, in close coordination with UNODC's Co-funding and Partnership Unit (CPS) and the Regional Section for Africa and the Middle East (RSAME), will intensify its fundraising efforts to mobilise resources to secure the funding needed for the implementation of the RP, through strengthened engagement with Member States in the region and through partnerships with new donors and the private sector. ROSAF will also aim at gaining increased access to regional and global funds, thereby contributing to the coordination of UN-wide efforts in this region and strengthen the One UN approach in Southern Africa. In order to secure the funding needed for the implementation of the RP, UNODC's Resource Mobilisation Plan will be based on the following pillars:

Pillar 1: Strengthen partnership and communications with existing donors

There are several bilateral donors and bilateral cooperating agencies active in the region and ROSAF is mapping these donors to identify priorities and available funding sources which will provide the basis for strengthened and informed consultations.

Over the last years, ROSAF has also closely worked with Austria, the lead International Cooperating Partner (ICP) for the SADC Peace and Security Thematic Group and other ICPs, in order to coordinate the consultations with donors for the implementation of the RP, and to align funding options in the region with the priorities identified in the SADC-UNODC consultation process.

Based on these discussions and the priorities identified, ROSAF has started with the development of funding proposals on specific thematic issues, which has resulted thus far in funding commitments and prospects by Austria, the Netherlands and Sweden in the amount of USD 12,6 million. A first informal donor coordination meeting was held in December 2012, hosted by the Austrian Embassy, to discuss future funding and donor coordination in support of the SADC-UNODC Regional Programme. ROSAF will continue with the development of funding proposals and will use the established donor mechanism of the SADC Peace and Security Thematic Group to present these proposals in a consolidated way to interested donors.

Pillar 2: Broadening the donor base by reaching out to new donors, including Member States in the region and the private sector

ROSAF will continue to work closely with the International Cooperating Partners (ICP) for the SADC Peace and Security Thematic Group and SADC, and is currently undertaking efforts to position UNODC ROSAF as SADC's implementation partner. SADC has responded favourably to this partnership by signalling a willingness to undertake a stock-taking exercise from within its different thematic branches to propose what funds could possibly be made available to UNODC as implementing partner.

Additionally, ROSAF will also, continue to reach out to new donors³⁸, including countries in the region and the private sector (see Annex B). The office will use official and informal channels to reach out to new donors, while also using visibility measures such as the World Aids Day, the International Day against Drug Abuse and Illicit Trafficking and the International

³⁸ There has been an increasing flow of aid from non-DAC countries with most having plans to scale up their aid. These 'emerging donors' comprise growing nations with strong economies that are increasing their international footprint through many channels, including foreign assistance. These include countries like the Czech Republic, Estonia, Hungary, Iceland, Israel, Poland, the Slovak Republic, Slovenia, and Turkey. Engagement with these donors should start at the earliest to ensure the development of meaningful relationships.

Anti-Corruption Day to inform potential donors on the work of UNODC in this region. Additionally, based on the mapping on the private sector undertaken by the office³⁹, ROSAF will also continue with the development of concept papers to approach these new potential partners.

Pillar 3: Working with multilateral funding sources (at country and global level)

There are several multi-donors funding sources such as the Trust Fund for Human Security, the MDG Fund, the Democracy Trust Fund, the Violence against Women Trust Fund, UNAIDS, and other Global Funds within the UN system for joint programming and joint resource mobilisation, which attract large portion of major donor's funding. While ROSAF already has access to some of these funds, it will, together with CPS and RSAME, map and review the feasibility to apply to other funds as well.

In addition to these three pillars, UNODC will focus on **thematic priorities** while at the same time aiming at **geographical expansion**. Expecting that the implementation of activities within priority areas will trigger new funding opportunities, ROSAF will continue with the development and consolidated presentation of short concept papers for potential donors aiming at multiple year commitments. At the same time, it will strengthen awareness raising on the challenges the region faces with regard to the seven priority areas to sensitise the international community on the situation in the SADC region. In the area of "Health and HIV/AIDS", ROSAF has been able to attract **multiple year commitments** which are ensuring better planning and sustainability of the envisaged interventions in this area. By focussing on countries that attract international donors such as Malawi, Mozambique, Zimbabwe and Zambia, ROSAF will try to expand its donor base.

Additionally, **ROSAF will start with the implementation of activities in the identified priority areas in the countries with UNODC presence first⁴⁰**, an **expansion strategy plan** is currently being developed in close consultation with the Steering Committee of the RP and the various SADC countries. Based on in-depth country reviews, this expansion strategy currently foresees that, some countries – such as Mozambique, Zambia and Zimbabwe – will be prioritised for engagement. ROSAF has therefore started with a mapping of donor exercise to reach out to donors that might be particularly interested in funding initiatives in these countries.

³⁹ Cf. Annex B

⁴⁰ UNODC is currently present in the following eight SADC countries: Lesotho, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, and Zambia.

5) Annexes

Annex A: Regional Programme for Southern Africa – Expenditures, Budget, Funding Information and Priorities (Status: June 2017)*

RP Budget Plan and delivery (2013-2016)

	2013	2014	2015	2016	Total
Planned	4,210,000	6,190,000	6,260,000	5,980,000	28,120,000
Delivered	3,390,000	3,450,000	3,870,000	5,010,000	15,720,000

RP Indicative Budget (2017-2020)

	2017	2018	2019	2020	Total Budget
Total Cross-cutting areas	500,000	1,500,000	1,500,000	500,000	USD 4,000,000
Total Pillar 1	1,500,000	4,000,000	8,000,000	6,500,000	USD 20,000,000
Total Pillar 2	500,000	2,000,000	4,000,000	3,500,000	USD 10,000,000
Total Pillar 3	3,000,000	5,000,000	5,000,000	3,455,000	USD 16,455,000
Total	5,500,000	12,500,000	18,500,000	13,955,000	USD 50,455,000

* The seven priority areas for expeditious implementation that were identified at the 1st meeting of the Steering Committee of the RPSA are i) illicit trafficking of drugs, (ii) trafficking in persons, (iii) financial crimes, (iv) violence against women and empowerment of victims, (v) youth in criminal justice systems, (vi) anti-corruption activities and (vii) HIV and AIDS prevention, care and support in prison settings. These priority areas are implemented through various projects and are linked to the various pillars of the RP.

Annex B: Engagement Strategy for the Private Sector

Private sector companies in South Africa, like everywhere else, vary in size, degree of development and profitability. For the purpose of this strategy, the focus will be on companies that can be considered among the top companies in South Africa. It will include their principals and associated organisations where necessary.

Before engagement is undertaken with the private sector, key consideration must be given to issues of branding and how such companies may be able to show that they are supporting the work of the Organisation. *UNODC Framework for Working with the Business Community* stipulates that approval must be sought for use of logo etc. In addition, outlining the need to support the work of the Organisation should strengthen the case.

Tapping into Corporate Social Responsibility (CSR): Several private sector companies have CSR programmes focused on aspects of UNODC's mandate which lend to constructive engagement.

Corporations and foundations: These sources of funding would need to be targeted on a very selective basis – a particular challenge will be to channel donations towards complementing and enhancing core services rather than create specific projects.

High net-worth individuals: These individuals are a significant source of potential income and therefore any investment in private sector fundraising should consider how to identify and target such individuals.

Trade Associations/Membership Organisations: Local private sector companies as well as international private companies are part of organisations/associations that could serve as both links to foreign donors and a source of funding. They could also engage the expertise of the UNODC in areas such as anticorruption as part of a sustainable development programme. They could also help to strengthen the political clout of the Organisation through effective engagement such as roundtable or a working group on key issues with appropriate media support.

* The seven priority areas for expeditious implementation that were identified at the 1st meeting of the Steering Committee of the RPSA are i) illicit trafficking of drugs, (ii) trafficking in persons, (iii) financial crimes, (iv) violence against women and empowerment of victims, (v) youth in criminal justice systems, (vi) anti-corruption activities and (vii) HIV and AIDS prevention, care and support in prison settings. These priority areas are implemented through various projects and are linked to the various pillars of the RP.

OBJECTIVES	APPROACH	COMMENTS
<p>1. Position the UNODC as vital to the fight against illicit drugs and transnational organised crime in the psyche of the South African business community</p>	<ul style="list-style-type: none"> • Lobbying • Private sector representation at national and regional level • Share expertise • PR 	<ul style="list-style-type: none"> • Wide-ranging objective and includes engagement with government and civil society • Compliance with regulations • Share best practice
<p>2. Gain the commitment of the private sector to support the work programme of the organisation on an on-going basis</p>	<ul style="list-style-type: none"> • Engagement – one-to-one meetings • Establish partnerships and channels of communication • Encourage private sector to initiate action around relevant themes 	<ul style="list-style-type: none"> • Necessary to highlight the role the private sector can play in peace and security • Global Compact in action
<p>3. Secure non-earmarked funding for the continuation of the work of the organisation</p>	<ul style="list-style-type: none"> • Engagement – one-to-one meetings • Presentations to membership organisations such as the Southern African-German Chamber of Commerce and Industry, SANEC and the Norwegian Trade Council 	<ul style="list-style-type: none"> • The current economic situation militates against this. It is more likely to get a positive response from the international donor community. • Most funders prefer to support project and capital funding because it is easier for them to see what they are getting
<p>4. Secure monetary and in-kind support for aspects of the operations of the UNODC</p>	<ul style="list-style-type: none"> • Seek sponsorship for operational costs such as conferencing, travel, accommodation, office space etc. • Identify unused/underutilised sources of funding 	<ul style="list-style-type: none"> • Companies are likely to request use of branding in return – needs consideration.
<p>5. Create a framework for future fundraising initiatives</p>	<ul style="list-style-type: none"> • Adaptation and implementation of lessons learnt 	<ul style="list-style-type: none"> • SADC does not currently have a specific policy instrument to guide and support the development of public-private sector partnerships but several of the SADC Secretariat Directorates, with support from various committees, have established consultative mechanisms with the private sector on various topics, including infrastructure development, food security, customs and mining. • The German Government through GIZ has a programme geared towards developing partnerships with the private sector in Africa.