

BINDURA UNIVERSITY OF SCIENCE EDUCATION
FACULTY OF SOCIAL SCIENCES AND HUMANITIES



**ASSESSING THE EFFECTIVENESS OF ZIMBABWE/SOUTH AFRICA RELATIONS
IN COMBATING TRANSNATIONAL ORGANISED CRIME (JUNE2015-JUNE2020).**

BY

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**A PROPOSAL SUBMITTED IN PARTIAL FULFILMENT FOR THE REQUIREMENTS
OF MASTER OF SCIENCE DEGREE IN INTERNATIONAL RELATIONS.**

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2020

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ABSTRACT

This research sought to assess the effectiveness of interstate relations in combating transnational organised crime with particular focus on Zimbabwe-South Africa relations. Despite the existence of multiple bilateral and multilateral relationships within the regional and global community transnational organised crimes have been on the increase. Such networks were expected to boost the effectiveness of interstate relations in uprooting the seeds of this menace from the ground but instead these crimes continued to increase. The study used the triangulation approach; with a case study as a research design and in-depth interviews were conducted to elicit data from law enforcement officers, Interpol staff and other key informants purposively chosen from the study population. The combined theories of realism, liberalism, interdependence, social constructivism and regionalism reflected in one way or the other the behavior of Zimbabwe/South Africa in the fight against transnational organised crime. The theories of interdependence and social constructivism were more dominant in the research. Following the discussion and analysis of findings, this research concluded that, the law enforcement agencies did not see Zimbabwe/South Africa relations as good enough in combating transnational organised crime whilst respondents from high offices spoke of sound relations between the two counties. The researcher also noted that those in offices seem not to know what is exactly happening on the ground. The findings show that illegal immigrants, human trafficking and smuggling of goods are the most problematic crimes for law enforcement agencies to deal with. Following the research conclusions, this study recommends that Zimbabwe and South Africa should continue to find common avenues for cementing the cordial relations between the two countries for those operating on the ground as closer interstate co-operation is essential in preventing transnational organised crime.

DECLARATION

I, Godfrey **S Mahuni**, do hereby declare that this dissertation is the result of my own investigation and research. The information of this dissertation prepared in partial fulfillment of Masters of Science in International Relations at Bindura University of Science Education has not been presented, submitted or published in this nature. Previous works have been acknowledged.

Student Signature

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Supervisor

Date

DEDICATION

I dedicate this research study to my late grandmother, late grandfather, my family and all the Law Enforcement Agencies within SARPCCO, my Supervisor and Lecturers in the Department of Peace and Governance at Bindura University of Science Education and MSc International Relations students at BUSE.

ACKNOWLEDGEMENTS

I give thanks and praise to God the Almighty for the sufficient grace that took me this far. Indeed I am this far because of God's grace, glory be unto God forever! I am highly indebted to my supervisor, Dr R. Chipaike, for his patience and expertise as he guided me throughout the supervision process. My gratitude to him is eternal. I would like to thank my lecturers; they all participated in shaping me as a student. Many thanks to my friends without whom life at the university would have been unbearable, Edward Dube, Moyo Desire, Thembo Whatmore, Unity Mabhare, Faith Chinotsa, Allan Mafuratidze, Lovejoy Kumirayi and others. Thank you for your encouragement. My colleagues at work, Reverend Misheck Munyonga, Pastors-Tombo Douglas, Masakadza Joseph, Stella Chikwavira and Musawashe Masaisai many thanks for the support, encouragement and advice during the preparation of this dissertation.

I am forever indebted to my wonderful wife, **Evelyn** and lovely children, **Ruvimbo, Rufaro, Tavonga,** and **Tazivashe**, for their unconditional love and support throughout my academic journey. Finally special thanks to all my respondents especially from the law enforcement agencies in Beitbridge, Interpol in Harare and all the key informants who participated in this project. May God bless you.

ABBREVIATIONS AND ACRONYMS

AU	African Union
BUSE	Bindura University of Science Education
CID	Criminal Investigation Department
CCD	Commercial Crime Division
DISPOL	Officer Commanding District
EU	European Union
FBI	Federal Bureau of Investigation
INTERPOL	International Police
ISS	Institute of Security Studies
ISDSC	Inter-State Defense and Security Committee
MLAT	Mutual Legal Assistance Treaty
NCB	National Crime Bureau
JPCDS	Joint Permanent Commission on Defense and Security
SADC	Southern African Development Committee
SARPCCO	Southern African Regional Police Chiefs Cooperation Organisation
SIPO	Strategic Indicative Plan
TOC	Transnational Organised Crime
UN	United Nations
UNDOC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention on Transnational Organised Crime
WHO	World Health Organisation
ZRP	Zimbabwe Republic Police

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CHAPTER 1

INTRODUCTION

1.1 Background to the Study

The study assesses the effectiveness of interstate relations in combating transnational organized crime in the SADC region. Considering the increasing abuse of technological advancement by criminal syndicates and the devastating effects of their misdemeanor on victims and the economy, it is exceedingly imperative to determine the effectiveness of initiatives put in place to curb organized crime. The crux of the current chapter is to provide a background of the study, statement of the problem, objective of the study, purpose of the study, research questions, and significance of the study, assumptions, delimitations and limitations of the study. This chapter also covers the proposed chapter outline and finally there is a conclusion.

Transnational organised crime is considered as one of the most dangerous scourges affecting the world in the twenty-first century. According to Godson and Williams (2001:45), transnational organized crime undeniably undermines the foundations of societies and poses a serious obstacle to development. Cognisant of this, organised crime is no longer regarded as a purely domestic or local problem but rather transnational and borderless in nature. More disturbing is the pervasiveness of transnational organised crime (TOC) which continues to challenge and undermine traditional methods of policing. Harfield (2008) sums it up by noting that the growth of TOC is now beyond the competence of the traditional criminal justice investigative agencies.

Consequent to the above, transnational organized crime networks are not only expanding their operations but are also diversifying their activities, resulting in convergence of

transnational threats that have also evolved into more complex, volatile and destabilizing illicit activities. More worrisome is the fact that the manipulation and abuse of rapid technological advancements by transnational organized criminal networks has also given rise to new illegal activities such as cybercrime, smuggling of arms, smuggling of precious minerals, drug and human trafficking, counterfeiting of products and medicines, terrorism, trafficking in cultural property, among others. While organised crime is not a new phenomenon, the spread, impact and forms of organised crime in the modern world are unprecedented. The effects of organised crime are being felt in fragile states and developed nations alike and in many parts of the world. It is also worth noting that transnational criminal organizations operate on a global scale accumulating huge illegal assets and reinvesting them in different countries. The United Nations Report on Crime and Development in Africa highlighted that Africa had become a region most targeted by organised criminals and that international drug seizures pointed that the region was increasingly being used to route drugs for other regional markets such as Europe and North America (UNDOC Report, 2005). The SADC Protocol on combating illicit drugs acknowledged this fact and asserts that the sub-region was increasingly being used as a conduit for illicit drugs for global markets. In fact, the sub-region's road and rail transport infrastructure inter-connectivity complimented by porous borders and high activity in air traffic seems to be facilitating organised crime and causing considerable difficulties in policing the region.

Transnational organised crime has, thus, become a global issue which calls for regional and sub-regional strategies rather than national strategies to counter it. Research has also shown that global efforts such as the United Nations Convention against Transitional Organised Crime held in December 2000 stands as one of the most profound responses which has had far reaching effect in the fight against organised crime on the international arena. At the sub-

regional level, the Southern African Development Community (SADC) has also made significant inroads in the fight against organised crime.

Since the formation of SADC, all member states have committed themselves to countering all forms of organised crime. Thus, the Strategic Indicative Plan (SIPO) for the organ on Politics, Defense and Security Cooperation was put in place to further strengthen the establishment of an enabling environment of peace and security upon which economic growth and development in SADC could be realized. It is in this regard that the Southern Africa Regional Police Chiefs Cooperation Organisation (SARPCCO) was established in 1994 by heads of Police organisations of all SADC member-states in pursuit of the provisions of the harmonised SIPO on Politics, Defense and Security Cooperation.

SARPCCO has since its formation been playing an important role in curbing cross border crimes in Southern Africa. The law enforcement agencies within this regional bloc have been, among other issues, responsible for fighting transnational organised crimes such as theft of motor vehicles, smuggling of precious minerals, human and drug trafficking, unlawful possession of firearms and theft of stock and property. More importantly, the cooperation between SARPCCO members is based on interstate or bilateral arrangements. However, its efforts to fight organized crime have faced various challenges ranging from lack of resources, expansive geographical areas, porous borders, to ongoing armed conflicts. Not surprisingly, the 2008-2012 United Nations Office on Drugs and Crime World Reports painted a gloomy picture as it showed an upward trend in transnational organised crime in Southern Africa especially the theft of motor vehicles, armed robberies, fraud, money laundering, smuggling of goods including firearms and illicit drug trafficking (UNDOC Report, 2013).

Despite SARPCCO's concerted and consolidated efforts towards curbing transnational organized crime, it appears as if the organisation is fighting a losing battle. Regardless of

Joint operations between member states having been carried out together with Interpol and United Nations Office on Drugs and Crime, organised crime is increasing. The situation has been further compounded by the increase in irregular migrants from as far as Pakistan, Bangladesh, Eritrea and Somalia. Furthermore, relations between some member countries such as Zimbabwe and South Africa have not been as cordial as expected despite the existence of inter-country agreements, which include a Joint Permanent Commission between the two countries (Centre for Peace Initiatives in Africa, 2009). Moreover, the recent erection of an electric security fence along the Beitbridge border by South Africa has aggravated suspicion between the two countries. South Africa is currently sending hundreds of Zimbabwean people back home, including those with pending jail terms. The Covid-19 pandemic is somehow leverage to South African people who for a long time have been ever complaining about the influx of foreigners, especially Zimbabweans. The recurrence of xenophobic attacks is a clear testimony to this fact. In 2018 South African, highlighted that twenty-six thousand two hundred and fourteen (26 214) Zimbabweans had been involved in criminal activities in that country (Centre for Peace Initiatives in Africa, 2018). In January 2020, three thousand six hundred and eighty-one (3 681) Zimbabweans were held in South African Prisons (Centre for Peace Initiatives in Africa, 2020). More sadly, the increase in organised criminal activity in the sub-region might be pushing potential investors away as the region is slowly becoming a high risky investment area. This unpalatable situation, therefore, warrants an academic inquiry of this nature and magnitude which is aimed at evaluating the effectiveness of interstate relations as instrument for combating transnational organized crime.

1.2 Purpose of the study

The study aims to assess the effectiveness of interstate relations, particularly in the Southern African Development Community (SADC) in combating transnational organized crime. The

research assesses the Zimbabwe/South Africa relations whether are good enough in curbing transnational organized crime or not. Also, the purpose of this study is for it to recommend other strategies that can be used in the fight against transnational organised crime and for it to be used as a source of information for future studies.

1.3 Statement of the problem

Despite the multifaceted initiatives by law enforcement agencies of SARPCCO member-states, no meaningful reduction in levels of transnational organized crime has been achieved. There has been an unprecedented increase in transnational organised crime throughout SADC and this negative development threatens security in the region. In 2019, more than half of fraud cases reported at the Zimbabwe Republic Police CID (ZRP) specialized section namely the Commercial Crimes Division (CCD) had links with criminals operating in South Africa, (Interpol NCB 2020). It is alarming that over 50% of most notorious armed robbers terrorizing people in Harare and other cities in Zimbabwe are members of criminal gangs operating in South Africa (ZRP Homicide, 2020). Over 99% cases of cigarette smuggling reported at ZRP Beitbridge have syndicates operating from both countries (SARPCCO report 2020). The situation has been worsened by the free-flow movement of people, goods and services across borders after deregulation of some immigration and customs restrictions in the SADC bloc. This is a worrying issue to both SADC and the international community at large. This becomes a problem not only in the context of de-securitization but also the snowballing effect in the region. Should such a scenario be left to fruition, the result may be inter-alia, the region being economically and politically destabilized with possible ramifications to other regions. At the same time, the mere sight of the regional body being seen to be abrogating on among the cornerstones of its roles further becomes an issue of concern. This study therefore sought to ascertain the effectiveness of inter-country relations as a tool to combat

transnational organized crime in SADC with particular focus on Zimbabwe/South Africa relations.

1.4 Objective of the study

- To assess the effectiveness of interstate relations in combating transnational organised crime in SADC region with reference to the Zimbabwe/South Africa relations.
- To analyse the impact of interstate relations in combating transnational organised crime and the effectiveness of strategies put in place to curb transnational organised crime in the SADC sub-region.
- To excavate and recommend sustainable strategies that can effectively minimise organised crime within the sub-region.

1.5 Research Questions.

1. What has been the effectiveness of Zimbabwe/South Africa relations in combating transnational organised?
2. What has been the impact of interstate relations on combating transnational organised crime and the effectiveness of strategies put in place to curb transnational organised crime in the SADC sub- region?
3. Which sustainable strategies can be excavated and recommended to effectively minimize organized crime between Zimbabwe and South Africa and in SADC as a region?

1.6 Assumptions of the study.

- The existence of sound interstate relations is essential in combating transnational organized crime.

- The absence of good inter-country relations increases the proliferation of transnational organized crime.

1.7 Significance of the study

The study is an essential source for rethinking interstate relations as a tool that can be utilised by SADC member states in stemming the adverse effects of transnational organised crime in the sub-region. The researcher opines that this research is worth the time and effort because it is important to different actors involved in the fight against transnational organized crime it enhances their ability to deal with this scourge. In the same vein, the study is of great importance to the researcher for it enabled him to have a deeper understanding and appreciation of menace of organized crime and the profound need for a sound interstate relation in curbing this scourge and yet the research provides part of the requirements of his program. The study should also make an important contribution to the wider body of scientific knowledge on the effectiveness of inter-country relations as a tool for curbing transnational organized crime. To the Bindura University of Science Education (BUSE) institution and other scholars, the study seeks to provide a challenge to other researchers to venture into this area of study considering that transnational organized crime is still a complex matter involving criminals who work sometimes in sophisticated syndicates. Transnational criminal syndicates have demonstrated their ability to subvert traditional policing initiatives by a single state (Godson and Williams 2001, 329). This study should therefore be of great interest to law enforcement agencies within SARPCCO, national policy

makers and related stakeholders as it should enable them to comprehend the impact of inter-country relations in fighting transnational organized crime.

1.8 Delimitations of the study

The study is guided by a scope, spatial and temporal delimitation. On scope delimitation, the mainstay of the study is the assessment on the effectiveness of interstate relations in combating transnational organised crime in SADC. Although other bodies such as AU or the UN also play a role in giving guidance on the fight against TOC, are considered from the periphery in as much as SADC falls under their auspices in the discharge of its role. On spatial delimitation, the study considers only SADC member states even though SADC falls under other groupings. Finally of temporal delimitation, the study focuses on the case study of Zimbabwe/South Africa relations, from June 2015 to June 2020.

1.9 Limitations of the study

The research was carried out during Covid-19 pandemic where the whole world was kind of in a total lockdown, the researcher faced hard time travelling to meet participants and gathering data while maintaining social distance as required by World Health Organisation (WHO). However the researcher went to Beitbridge and lived for a while with a relative police officer who further assisted in securing a traveling letter which was a requirement during lockdown. In assessing the relations of Zimbabwe and South Africa the research is not looking for confidential exchange of information between these two counties. Also research will venture into the history of the two countries and their political relations which dates back in the colonial error. A number of some legible participants and actors in whose alleged busy offices at first did not find time to give information as required by the researcher. There was also a challenge in accessing the proper information since people assumed that there is politics in everything that involves interstate relations. To overcome these limitations, the

researcher informed respondents about the objectives of the research especially that the research will benefit the whole SADC region at large and then after a couple of failed attempts the researcher managed to get attention from the targeted population.

1.10 Proposed chapter outline

In chapter 1, the researcher is exploring the introductory matters in which the research will uncover on the background and scope of the study as well as the problem statement. Also, the justification or the reason why the research finds a missing link becomes the aim of the study.

In chapter 2 the researcher will be reviewing an array of literature showing the work done previously in the area of interstate relations, organized crime and the importance of fighting organized crime. The chapter also, digs into the theoretical frameworks that guide the whole research. In chapter 3, the research will look into research design, approach and methodology. In this chapter that is where there will be discussion of data collecting methods, data sampling methods as well as data analysis techniques. Chapter 4 outlines the empirical findings and data collected through the use of research instruments. Such data will then be critically analysed and interpreted and lastly chapter 5 presents the summary of the research and makes recommendations including areas for possible future research.

1.11 Conclusion.

In summing up, the researcher excavated the background of the study. The researcher also highlighted into the purpose of the study, the problem statement, objective of the study, research questions as well as the significance of the study. The researcher also explored the delimitations and limitations of the study. Lastly, the above chapter also encompassed the proposed chapter outline. The next chapter will be looking into the literature review and the theoretical framework.

CHAPTER 2

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

2.0 Introduction

This chapter critically analyzed the theoretical frameworks and an array of literature, relevant to the effectiveness of interstate relations in combating transnational organised crimes. The purpose of this review is to enable the researcher to know findings that have been made by other researchers on this issue and their views on it. In reviewing works of other scholars, the writer explicates on the role of international organisations in the fight against TOC, the significance of interstate relations in combating TOC and the essential strategies that can be used in curbing TOC. The review enables the researcher to effectively analyse collected data and make pertinent as well as relevant interpretations. Leedy (1997), states that literature review is important in research because it provides a theoretical or conceptual framework for the study and it makes one familiar with the subject under study. Thus, the chapter focused on the theories that guide the study and on the purpose of the review, sources of the review and the review process.

2.1 Theoretical framework

Theoretical framework centred much on the theories that guide the whole research. In trying to assess the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime between June2015- June2020, the study is guided by theories of international relations. The theories are interdependence and social constructivism. Salmon and Imber (2008) opined that each of these theories or perspectives constitutes a frame through which global interactions or world politics are viewed. International relations theories are also concerned with the regulation of interstate relations and the achievement of justice, peace and order in the international system. Theories of international relations provide a structure of

analysing relations between states and non-state actors in order to provide explanations of events and to proffer future predictions of similar patterns of events. According to Nye (1997), theories are indispensable tools we use to organize facts. Thus, we need theories to make sense of the blizzard of information that bombards us daily (Walt, 1998).

2.1.1 Interdependency theory

In the contemporary globalized world, the term ‘interdependence’ is frequently used. It is a situation in the world politics where all the actors including states as well as non-state actors, are dependent upon one another. Interdependency theory was propounded by Nye and Keohane in the 1970s aimed at explaining international relations as characterized by an increasing interconnection between domestic and international affairs. The theory stipulates that there are rewards and costs which are associated with any relationship and that people try to minimise costs and maximise rewards. It further argues that closeness is the key to all relationships. In order to fully explicate the model, the theory had to reject Realist assumption on certain issues as not sacrosanct thereby somewhat tilting their proposition towards liberalism. However, the theory does not hold claim to be an open rejection of realism but rather, the need to combine both Realism which stresses structure with Liberalism which stresses process. As Nye and Keohane argued in their book, *Power and Interdependence* 2001, to exchange realism for an equally simple view for example “that military force is obsolete and economic interdependence benign would condemn one to equally grave, though different errors” interdependence and international regime. Interdependence sees international system as a unit of interlocking interconnected entities which uses bargaining rather than force to push home their interest.

The one-time American Secretary of State, Albright Madeleine claimed that:

Today the greatest problem to America is not some foreign enemy, it is the possibility...that we will crawl into a shell...and forget the fundamental lesson of the century, which is that

problems abroad, if left unattended will all too often come home to America (in Rourke 2001).

The quotation explains a situation whereby states are interwoven so much so that what affects one state invariably affects another state or group of states. Therefore, states will increasingly become more concerned with the well-being of citizens of other states.

The story by Norman (1914) about two men in a boat can be used to illustrate this point.

The boat was leaky, the sea heavy and the shore a long way off. It took all the efforts of the one man to row and of the other to bail. If either had seized, both would have drowned. At one point the rower threatened the bailer that if he did not bail with more energy, he would throw him over board, to which the bailer made the obvious reply that if he did; he (the rower) would certainly drown also. And as the rower was really dependent upon the bailer and the bailer upon the rower, neither could use force against the other.

The merit of this story to understanding the nature of interdependence is that the degree of interdependence varies inversely with the effectiveness of force. Other salient lessons from the story is that interdependence points us to cooperation and division of labour, exchange, mutual benefits, dependence on other parties and very importantly that force is usually not the solution.

Interdependence theory is one of the theories applicable to the research on assessing the effectiveness of Zimbabwe/south Africa relations in combating TOC, mutual dependence is a necessary reality for these two countries because they share the busiest border (Beitbridge Border Post) in the sub-region where there is much activity as compared with other borders in the region. Criminals take advantage of large volume of the travellers and porous border, hence without close co-ordination and joint anti-crime operations; these two countries will

not be able to combat TOC especially occurring at the border. The strategies they need to employ cannot be effective without joint planning and operation. Thus, in understanding the effectiveness of Zimbabwe/South Africa relations in combating TOC in the sub-region, this case study will make use of interdependence theory as one of the relevant frameworks to guide the research.

2.1.2 Social Constructivism theory

Constructivism theory of international relations examines state behaviour taking into account a state's unique characteristics which include political, economic, social, cultural and religious influences that shape its international relations practices. Proponents of constructivism argue that concepts like power, anarchy; national interest, security dilemmas, allies or enemies are seen as socially constructed by human beings rather than structurally determined (Scott, 1967). According to Blair and Curtis (2009), constructivism counters the realist argument that the dynamics of international relations are shaped by the structures of the international system by advancing the view that the structures themselves are determined by social practices and changing social practices can lead to fundamental change of international structures. Constructivism theory dominates Zimbabwe/South relations in the struggle against transnational organized crime, in that TOC determines the behavior of these two countries, which have to change to counteract criminal organizations which are a social misnomer.

Constructivism is a theoretically informed approach to the study of international relations which is based on the notion that international relations are socially constructed. It is similar to Rationalism. By challenging the rationalist framework that undergirds many theories of international relations, Constructivists create constructivist alternatives in each of these families of theories. In the Constructivists account, military power, trade relations,

international institutions or domestic preferences are not important because they are objective facts about the world but rather because they have certain social meanings (Wendt, 2000). A focus on the social context in which international relations occur leads Constructivists to emphasize issues of identity and belief. The perception of friends and enemies, in-groups and out-groups, fairness and justice all become key determinants of a State's behaviour. Consequently, in defining the concept of "security" in the theory of social constructivism, the main focus of security is shifted from the state to society. Society refers to the individual as well as the international level. Waever (1998) claims in his text "Securitization and Desecuritization" that security of the individual can be jeopardized in innumerable ways: thus TOC can damage people's economy, culture, politics and human rights, etc.

Transnational Organised Crime indeed presents a threat to a state and outside, and has consequences to the basic state dimensions: economic, political, internal security in the sense of maintaining public order, as well as the dimension of foreign policies (Fukumi, 2008). There are a few basic forms of TOC which are interconnected and it is rare that one organized criminal group is involved with only one form of criminal activity, hence need to know the characteristics of organised crime.

2.2. Characteristic of Organised Crime

2.2.1 Difference between Ordinary Crime and Organised Crime

The objective of ordinary crime is typically sort of unlawful distribution of resources (money in particular). The proceeds derived from ordinary crime are usually appropriative; they remain with the perpetrator(s) of the criminal act (Schloenhardt, 2002). Ordinary crime also includes affective criminal conduct that does not serve economic purposes. Organised crime, on the other hand, is planned and responds to a particular demand (Schloenhardt, 2002). Thus

the profit from organized criminal activities goes to people who stand back and are not directly involved in the commission of the crime.

2.2.2 Organised Crime versus Criminals in Organised groups

Schloenhardt (2002) states that people may gather for the purpose of organizing a single, planned criminal activity on an ad-hoc basis such as for example a group planning a bank robbery. However, organized crime is not isolated; it operates on a sustained basis, seeks control of an area of business and strives for goals beyond the individual criminal act (Bassiouni and Vetere, 1999).

2.2.3 Difference between Organised Crime and White-Collar Crime

White collar crime is committed by otherwise legitimate organisations that employ business practices in order to maximize the profitability of a production process within the legal market, for example, planned bankruptcy or tax evasion). The major source of income for these enterprises remains in the provision of legitimate goods and services (Schloenhardt, 2002). On the other hand, the income of criminal organisations primarily derives from activities in the illegal market, which in some circumstances may include legitimate business practices to avoid investigations and prosecutions (Bassiouni and Vetere, 1999). In many instances, however, organised crime and white-collar crime overlap, particularly when criminal organisations engage in legitimate activities to launder profits of their crimes or where they use legitimate enterprises to commit offences.

2.3 The role of international organisations in the fight against transnational organised crime

Literature has drawn a link on how organised crime exists in many markets and how it is also undertaken under the guise of legitimate enterprises, semi-legal, state or Para-state activities. The interesting feature of most studies on the panacea against organised crime is that, most

emphasize the importance of collective efforts in fighting this scourge. In their research, Adamolli (1998) warn that attempting to tackle an issue as amorphous as organised crime becomes overwhelming and even impossible. Other researchers have also shown that over the past twenty years, the international community has been increasingly concerned about the threats posed by transnational organised crime.

The United Nations Convention against Transnational Organised Crime (Palermo Convention) represents a first decisive response to the threat of organised crime and also provides a unique set of legal tools and a framework for concerted policy (UNDOC, 2012). To this day, the United Nations continues to play a central role in mobilizing efforts towards the fight against TOC such as money laundering and trafficking in illegal migrants. In addition, the World Ministerial Conference on Organised Transnational Crime held in Naples, Italy in 1994. During the Convention, the Italian Minister of Interior was quite vehement on the need for collective effort in the fight against Transnational Crime when he stated that:

“No single jurisdiction can break the economic and corruptive power of transnational criminal networks. But, working together, willing and committed States have the tools to win the struggle. We have on our side the law and the support of our societies: that’s where our power comes from, and that’s why our power is stronger than crime.” (UNDOC, 2012: ix)

Consequently, the UN member states present adopted the Naples Political Declaration and Global Action Plan against Organised Transnational Crime aimed at strengthening and improving “national capabilities and international co-operation against organised transnational crime (UNDOC, 2012). They also laid the foundations for concerted and

effective global action against organised transnational crime as well as the prevention of its further expansion.

2.3.1 Global perspectives of transnational organised crime

Research studies note that criminal groups have learned to exploit the loopholes and legislative discrepancies present in some geographical areas and they have spread into sectors where the risk of being arrested and heavily sentenced is relatively low, especially compared to the attractive economic return (Adamolli, 1998). The US National Security Strategy (2010) acknowledged the apparent growing nexus in some states among TOC groups and elements of government including intelligence services and high-level business figures represents a significant threat to economic growth and democratic institutions. The Strategy further state that TOC groups accomplish this through bribery or having members run for office or setting up shadow economies; infiltrating financial and security sectors through coercion or corruption; and positioning themselves as alternate providers of governance, security, services, and livelihoods. Other studies point out as TOC networks expand; they threaten stability and undermine free markets as they build alliances with political leaders, financial institutions, law enforcement, foreign intelligence, and security agencies (Abadinsky, 2007).

Krieger (2006) points out that due to globalization, movement and size of cross border activities such as social, economic, military, political and cultural interactions are on a large scale. Thus, the demand for illegal goods and services has also changed and in turn resulted in an increase in the associated crimes such as trafficking in migrants, environmental offences, smuggling of minerals, drug smuggling, money laundering activities and trafficking in stolen vehicles.

2.3.2 Organised Crime in Africa

Adamolli (1998) asserts that the criminal situation in Africa displays two principal features: first, the role played by drug production and trafficking; second, the existence of unlawful activities, such as diamond and gold smuggling, firearms smuggling, vehicle theft, fraud and commercial crime run by structured criminal organisations which tend to operate transnationally. In particular, drug-related activity is an extremely serious problem in the majority of African nations because many of them are used as trafficking routes, and some also produce drugs. Drug trafficking is also one of the most profitable criminal activities in Ghana (Adamolli, 1998). The government of Ghana also has acknowledged the ongoing cultivation of marijuana and mounting drug consumption in the country. Kenya is another popular transit point for consignments of Southwest Asian brown and Southeast Asian white heroin (Adamolli, 1998). Drugs typically enter the country from India, Pakistan and Thailand. Additionally, criminal control of territory and piracy ransoms in Somalia has also shown how such illicit activities generate significant sums of illegitimate revenue and promote instability.

Similar studies have also highlighted that the relative poverty of many economies and populations on the African continent leaves little opportunity for the laundering of proceeds from domestic crime. Factors that elsewhere encourage money laundering such as stable banking and currency conditions and a tradition of governmental laissez-faire towards foreign deposits are however lacking in many African countries (Adamolli, 1998).

2.3.2.1 Effect of Organised Crime on Africa

The impact organized crime has had on stability and economic development in Africa has been profound. As in the rest of the international community, organized crime has had a detrimental effect on Africa in terms of economic development, building of state institutions, democratization and security. The following clearly illustrate this view:

Large seizures of illicit drugs were made in and along the coast of Ghana, Sierra Leone, Cape Verde, Togo, Liberia, Benin, Senegal and Nigeria, proving that these countries are correspondingly being used as transit routes for drug trafficking. Cameroon is ranked among the top countries in the world where cybercrime is most prevalent, contributing to a global flow of \$600 million per year (Gastrow, 2011). Gastrow (2011) acknowledged that Somali piracy cost the global economy financial losses of between \$6.6-6.9 billion in 2011.

A 2017 report by the UNODC on money laundering claims that Kenya's financial system may be laundering more than \$100 million per year from the illicit trafficking in ivory, diamonds, gold, tin, tantalum, cobalt, coltan (UNODC, 2017)). A study by Shaw and Reitino (2013) observed that natural resources out of Central Africa, particularly the Democratic Republic of the Congo (DRC), are facilitating sustained insecurity caused by armed groups and are contributing to illicit flows estimated at over \$1.2 billion per year.

According to York (2012) armed groups, particularly in the eastern and northern DRC, still play a significant role in perpetuating instability and violence in order to protect vested interests in mineral and other resources. He further asserts that there are still between 6500 - 13,000 active members of armed groups who are benefiting from criminal activity and their relationship with organized crime groups.

A report by Global Financial Integrity estimates that cross-border flow of money from illicit flows of capital due to a variety of forms of smuggling, trade in contraband, violations of intellectual property rights, human trafficking, the sex trade, and other illegal activities from Africa increased considerably from \$854 billion to about \$1.8 trillion over the last four decades (GFI Report, 2018). In fact, according to the same report, earnings generated through

drug trafficking, racketeering and counterfeiting add about thirty to thirty-five per cent to the total, and the proceeds of bribery, theft and corruption by government officials a further three percent.

2.3.2.2 Organised crime in Southern Africa

In 2005, representatives of the Institute for Security Studies (ISS) and the Secretariat of the Southern African Regional Police Chiefs Cooperation Organisation (SARPPCO) undertook a research study which revealed lack of reliable information and research on organised crime and how it impacted on law enforcement in southern Africa. The report also showed that the geo-political and economic environments of individual countries amplifies the significance of specific criminal activities, the commonest forms of which being stock theft, theft/hijacking of motor vehicles, cultivation of marijuana and a broad spectrum of economic crimes. Further, the research also highlighted that the smuggling and illegal importation of goods and of counterfeit commodities is one of the most prevalent organised criminal activities in the region. Another enduring and significant problem noted by the study is that, since 2005 the smuggling of cigarettes and spirits (alcohol) from Zimbabwe through Mozambique, destined for South Africa was rampant. Cross-border operations in South Africa, Namibia, Swaziland and Lesotho have helped in combating this illicit trade. Regional initiatives to open up free-trade areas within the SADC have however made the problem worse, albeit temporarily.

Another report by ISS notes that Botswana is not a major producer or consumer of illegal drugs but is a transit country primarily for mandrax (methaqualone) shipped through East and Central Africa from India and there is some local production and use of marijuana (INCSR, 2010). The same report points out that, Zimbabwe is also not an export producer of illicit drugs but its location and infrastructure make it a convenient drug transshipment point. ISS also noted that theft of motor vehicles, firearms smuggling, commercial poaching, bank

frauds and money laundering are all cross-border crimes which ramify through the Southern African region (INCSR, 2010).

In recent years, Mozambique has grown into a significant trans-shipment point for narcotics (primarily Mandrax and hashish, and also cocaine) destined for the South African and European markets. The country's drug trade appears to be partly tied to regional arms trafficking and stolen vehicles syndicates, and it is facilitated by Mozambique's extensive transportation links with neighboring countries. Tanzania is strategically located on established and developing narcotics trafficking routes. There is mounting concern about Tanzania's apparently increasing use as a transit point for Mandrax from India and other drugs such as heroin and cocaine moving from the Asian subcontinent to South Africa (INCSR, 2010). Drug-related activity is an extremely serious problem in the majority of African nations because many of them are used as trafficking routes, and some also produce drugs. Botswana, for example, is a transit country primarily for Mandrax (methaqualone) shipped through East and Central Africa from India and destined for South Africa. Botswana is not a major producer or consumer of illegal drugs, although there is some local production and use of marijuana; Mandrax is consumed in limited quantities.

2.4. What are Interstate relations?

Literature on international relations highlight that interstate relations between countries often refer to political, economic, cultural and historic ties. Consequently, strong inter-country relations are characterized by cooperation between institutions and persons at administrative and political level as well as in the private sector, academia and civil society elsewhere (Adamolli, 1998). Interstate relations also include trade and investment, cultural exchange ties as well as general knowledge, understanding and public awareness about the other country. Numerous studies on SADC have shown that the bilateral bonds among member

states are strong due to a common history and culture, shared values as well as geographical closeness (Gastrow, 2011).

2.4.1 The Significance of Interstate Relations in Combating TOC

Cooperation between law enforcement agencies and multinational and regional organisations, academia, and partners from the private sector allow law enforcement agencies to strategically tackle operational and technical aspects of organised crime. The study outlines the importance of interstate cooperation in the fight against organised crime through coordination which aims to strengthen collaboration in enforcement activities among agencies and key partners to combat organised crime.

2.4.2 Interstate Agreements

There are various forms of bilateral agreements and outlined below are some that have been used by various countries.

2.4.2.1 Mutual Legal Assistance Treaties

An MLAT provides guaranteed cooperation and coordination, rather than *ad hoc* arrangements via courts and diplomats. Guymon (2000) states that Mutual Legal Assistance Treaty (MLAT) is an agreement signed by two countries and is aimed towards improving and intensifying cross-border co-operation, increasing the level of investigations by sharing information and know-how and to ease judicial co-operation by speeding up the exchange of criminal proceeds and, among others, making the extradition of criminals easier elsewhere (Adamolli, 1998). The essential feature of these agreements is that they can be tailor-made and they are adaptable to the different requirements and urgencies which arise in a specific geographical context. Consequently, they can more easily counter the peculiar threats coming from well-defined criminal groups or criminal activities.

Conclusion of a Mutual Legal Assistance Treaty (MLAT) markedly improves the ability of law enforcement officials from two different countries to directly cooperate as compared to the letters rogatory process typically available in the absence of such a treaty Guymon (2000). Thus, MLATs typically set forth which offenses will be covered by the agreement, what types of assistance will be rendered, what rights the requesting and requested state have to control the scope and manner of cooperation, what rights targets of investigation have, and what procedures must be followed in making and reviewing requests. For instance, the United States currently has MLATs with many of the countries in which criminal organizations operate, including the Bahamas, Colombia, Italy, Jamaica, Mexico, the Netherlands, Switzerland, Thailand, the United Kingdom (including the Cayman Islands), Austria, and Hungary, among others, (Guymon, 2000:31). Some MLATs have proven successful in increasing the number of prosecutions of organized criminals. The U.S.-Switzerland MLAT (1977) has facilitated investigations and prosecutions of drug traffickers and money launderers. According to Guymon (2000), Germany and Russia concluded a bilateral cooperation agreement in 1994 in response to increasing numbers of incidents of nuclear smuggling.

However, MLATs, as well as extradition treaties, tend not to include obligations as to the timeliness of a requested state's response, and some states have lengthy and irrational proceedings for responding. Guymon (2000) further states that many of the MLATs entered into by countries use discretionary language ("may") instead of mandatory language ("shall"), leaving it entirely to the discretion of the parties whether to cooperate in any given investigation.

2.4.2.2 Extradition Treaty

Extradition generally refers to the surrender by one state to another a person accused or convicted of a crime by virtue of a treaty, reciprocity or comity as between the respective states (Bassiouni, 1974). Countries have historically cooperated in matters pertaining to crime control by exchanging wanted criminals and fugitive offenders. These exchanges were made through either formal agreement such as treaties or by more informal means (Bassiouni, 1974). In the present and more recent past, the exchange of wanted criminals is primarily guided by extradition treaties.

Extradition treaties specifically address the attempts of two countries to resolve crimes in which the offender from one country commits a crime in his/her country and takes refuge in another country; or the offender from one country commits a crime in another country and slips back into his/her own country. The extradition arrangements may exist in the form of bilateral or multilateral treaties and conventions. Though there are other forms through which countries exchange or deliver individuals to requesting countries, the two most important features that distinguish modern extradition treaties are “ the conscious purpose, openly and regularly pursued, to restore a person to an authority competent to exercise jurisdiction over him or her” and the “observance of a body of rules imposed by international law and municipal law, governing both the prerequisites for and the consequences of extradition” (Bassiouni, 1974).

Extradition treaties observe the rule of double criminality that “requires that an act shall not be extraditable unless it constitutes a crime according to the laws of both the requesting and the requested States (Shearer, 1971). However, as observed by Guymon (2000) that extradition is plagued by weaknesses as a method of international cooperation. Even countries that are parties to extradition treaties frequently refuse extradition requests on a

variety of grounds: that it would violate the country's law; that it would allow punishment for a crime that is not illegal in the requested state; or simply that it involves a political issue. Currently, extradition treaties bind only a limited number of states, and criminals can simply escape prosecution by "forum living," residing in states not a party to an extradition treaty with the country seeking their prosecution (Guymon, 2000).

2.4.2.3 International Conventions

Adamolli (1998) assert that without universal prohibitions and a strong enforcement regime against international organized criminal activities, these groups will simply continue to find those parts of the world where governments are unwilling or unable to control them. The criminals act without respect for borders, in contrast to law enforcement, which trips over strict notions of sovereignty and domestic control.

2.4.3 Significance of interstate agreements in combating transnational organised crime

While there is paucity of large-scale research studies on the use and impact of bilateral relations to fight organized crime in the SADC region, research elsewhere has shown that interstate agreements are vital instruments for curbing organised crime. For instance, Mutual Legal Assistance Treaties (MLAT).

Building special law enforcement and legal assistance networks among countries can, therefore, be seen as a comprehensive response to the way in which criminal organisations exploit particular trafficking routes. Literature has shown that through a process of co-operation, contacts were established, especially among Western European nations and with Central/Eastern European countries. Adamolli (1998) state that Italy and Albania signed a bilateral agreement on 28 October 1997 aimed at stepping up the fight against organised crime. On 13 December 1996, another agreement of the same kind had been signed by

Albania and Austria Similar bilateral agreements were signed between Albania and Moldova (June 1997), Latvia (March 1997), Poland (May 1996) and Bosnia Herzegovina (April 1996). Another country that concluded agreements on the fight against organised crime is Poland with Slovenia (August 1996) and the United Kingdom (June 1997). On 6 October 1997, the United Kingdom and Russia signed a joint plan for the fight against organised crime. On 4 April 1995, Germany and Belarus signed an agreement for tightening their co-operation in the fight against organised crime and nuclear smuggling (Admolli, 1998).

The establishment of SARPCCO, Joint Permanent Commission on Defense and Security (JPCDS), the Inter-State Defense and Security Committee (ISDC) are fine examples of interstate and multilateral platforms being utilized by various SADC member states. Both Zimbabwe and South Africa have long standing JPCDS and ISDC agreements and the two countries are members of SARPCCO.

Furthermore, co-operation in criminal matters is a very sensitive issue. Its effectiveness often depends on the confidential exchange of information and a common interest in the success of a particular operation. During the cold war, such mutual confidence was rather limited in the community of states. Organised crime was moreover perceived as being primarily a domestic problem. Yet the lack of common interests and mutual confidence, and the slowly developing awareness of the transnational dimensions of organised crime, explain only in part why states have been reluctant to establish a legally binding multilateral framework designed to encourage and promote international co-operation for the suppression of organized crime.

2.4.4 Other essential strategies in curbing transnational organized crime

2.4.4.1 Police co-operation

In the last few years and in most countries across the world, there has been a shift in the behaviour of organised criminal groups. Studies on organised crime have also shown evidence of how law enforcement agencies are trying to change as well counteracting criminal organisations methods in perpetuating illicit activities. Close co-ordination and communication within and between agencies and units is essential if action against organised crime is to be successful. Literature further shows that policing agencies in SADC have taken robust steps aimed at strengthening effective regional responses to organised crime. In 1995, the police chiefs from various member states established SARPCCO. Their main objective was to promote regional police co-operation in combating cross-border crime (Gastrow, 2011).

The principles upon which the organization was founded are that police co-operation within SARPCCO be implemented in accordance with the respect of national sovereignty; equality of police forces/services; non-discrimination and flexibility of working method; mutual benefit to all members; observance of human rights and mutual respect and goodwill. Further, the SARPCCO Constitution provides for member countries to co-operate with one another on a bilateral or multilateral basis and the major issues of common interest include but not limited to:

- formulation of agreements on joint cross border operations
- reduction of time-consuming bureaucratic procedures on cross border operations by recommending amendments to border control legislation
- promulgation and harmonization of regional legislation and practices
- improvements in the dissemination of criminal intelligence/information

- development and maintenance of appropriate regional training structures
- Deliberate efforts to facilitate investigators' movements within the region.

The SARPCCO Agreement in Respect of Cooperation and Mutual Assistance in the field of crime combating is the bases of regional police cooperation (SARPCCO Report, 2018). Among other things it provides for police officers to travel to other countries in the region to undertake investigations or the seizure of exhibits, tracing and questioning witnesses in connection with any such offence. Nevertheless, the local police force/service maintains authority in effecting the relevant police actions.

As part of this co-operation, countless joint regional police operations have been held in SADC member states since 1997. Below is a table showing the joint operations conducted by SARPCCO member states between June 2015 and June 2020.

Table 2.1 Joint Operations conducted by SARPPCO states between June 2015-June 2020

Year	No of Joint Operations	Vehicles impounded	Drugs seized (Cannabis)	Firearms confiscated	Illegal immigrant	No arrested
2015	2	531	5 215kg	33	1 238	1 285
2016	1	318	6 079kg	32	-	32
2017	2	314	3 164kg	110	1 219	489
2018	1	198	4 000kg	96	30	25
2019	3	533	71 277kg	415	4211	117
2020	1	-	-	-	-	135

Source: SARPCCO 2020 Report

SARPCCO has also initiated regional co-operation in a number of other areas, such as training, the harmonisation of legislation, and the sharing of information. While resource constraints and the vast regions involved have meant that, at present, these efforts have not yet managed to provide a long-term deterrent to transnational criminal activity in the region; individual operations have been successful in the short-term. For example, in 2000, SARPCCO introduced a SARPCCO Motor Vehicle Clearance Certificate in order to curb cross-border motor vehicle theft. The production of the certificate is mandatory for every vehicle crossing national borders.

2.4.4.2 Asset seizure and confiscation

Various researchers concur that one of the most efficient means to dismantle criminal enterprises is to attack their capital assets, as emphasized by the recommendations of the 1994 United Nations Ministerial Conference in Naples (UNDOC, 2012). Terms such as “freezing” and “seizure” refer to judicial preventive measures in which a competent authority, in order to guarantee the prosecution of the “criminal trial” deprive the owner of the right to freely dispose of his/her goods. In addition, “forfeiture” and “confiscation” refer to decisions taken by a judicial authority to deprive a convicted person of the ownership of goods related to a criminal offence, goods which are transferred to the state (Adamolli, 1998).

2.4.4.3 Electronic surveillance

Electronic surveillance is one of the most powerful technologies employed to collect evidence. Organised criminal groups make extensive use of wire and oral communications and the interception of such communications to obtain evidence on the commission of crimes, or to prevent their commission, is an indispensable aid to law enforcement and the administration of justice. The American FBI and state and local agencies have utilized both telephone interceptions and micro-phones secreted in cars, homes, restaurants and social

clubs for some of their most important investigations into organised crime. In some cases, the FBI has also been able to pick-up conversations on the streets using high-powered surveillance microphones.

The effectiveness of the electronic surveillance technologies is, from some points of view, limited and works only in the short term. Criminals are adapting to this technology by using encrypted telephones and faxes which render interception impossible. The development of crypto-technology is creating major problems for law enforcement agencies, neutralizing their powerful instruments of electronic surveillance. The debate centers on striking the right balance between individual rights to privacy and the needs of crime control. At issue is whether only one standardized crypto-technology should be available, giving the law enforcement agencies the ability to intercept it, or whether, due to market pressures, different crypto-technologies should be used, making interception more difficult.

2.4.4.4 Using media to prevent and fight crime

In the modern information society, people should have as much information as possible on public institutions to ensure that democratic values are upheld. In this connection, the provision of information on the activities of police forces and the Public Prosecutor in the fight against organised crime could be essential (Guymon, 2000:35). Criminal proceedings have become a means of influencing public opinion through the mass media, and they, in turn, can be influenced by media requirements and dominant political groups. Thus, the effectiveness of criminal proceedings and control of the mass media can be excellent ways for law enforcement agents to gain people's trust in government institutions and even playing a critical role to prevent crime being committed.

Guymon (2000) further points out that broadcasting of news items about the effectiveness of police services or about the speed and timeliness of deterrent sentences certainly discourages potential offenders and may even force them to abandon crime altogether. One of the key functions of sentencing is to serve as a deterrent to crime. In this regard, it is therefore important to gain peoples' trust in the fight against organised crime as this can help break the conspiracy of silence imposed by criminal gangs and encourage people to give evidence or make a complaint against a crime. According to Guymon (2000:30), positive examples publicised by the mass media can be effective in geographical and social groups which have been forced into silence by criminal organisations. The most decisive part, however, of the mass media's role in the fight against organised crime could and should be providing people with examples of social behaviour that are perhaps not collectively considered particularly alarming but which are big-business opportunities for organised crime.

2.5 Conclusion

This chapter has looked into the theoretical framework and the literature review. The researcher highlighted the theories that will guide this research, that is, the interdependence and social constructivism these clearly explain the relations between Zimbabwe and South Africa in the fight against transnational organised crime. This Chapter explicated the impact of transnational organized crime in particular its tentacles on the global, continental and regional levels. The researcher discussed inter-country relations and bilateral agreements which countries enter into particularly in the fight against organised crime. The Mutual Legal Assistance Treaty is one of the examples which countries have used. As elaborated in much of this literature review, TOC indeed threatens the security and well-being of people around the world and jeopardizes the functioning of the global economy. The following chapter will be looking into research methodology.

CHAPTER 3

RESEARCH DESIGN AND METHODOLOGY

3.0 Introduction

This chapter excavates on the research design and research methodology. The researcher employed a case study as the research design since it is exploring in nature. The researcher used triangulation research method. Denzin (1978) defined triangulation as the combination of methodologies in the study of the same phenomenon. This research design enabled the researcher to concurrently use qualitative and quantitative data collection and analysis methods. This research design enhances the credibility and validity of the study to the extent that results from each method converge and indicate the same results. The chapter looks into data sampling techniques, data collection methods, data collection procedures, data presentation, data analysis as well as research ethics that should be adhered to when a research is being carried out.

3.1. Research design

According to Malhotra (2016) a research design is a framework or blueprint for the collection and analysis of data. In the same vein Burns and Groove (2003) opined that a research design is a way of conducting a study with a maximum control over factors that may interfere with the validity of the findings. De Langen (2009) described a research design as a plan that describes how, when and where data is to be collected and analysed. A Research design is a detailed plan specifying procedures and methods of a research, (Zikmundi, 2003). It is the plan and structure of the enquiry conceived to obtain answers to the research questions. Research design is the path that is being followed by the researcher when gathering information on the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime.

Scientific research has quite a number of research designs that can be used in the research literature and the commonly used are exploratory, descriptive, predictive and explanatory research design and in this study the researcher adopted the use of exploratory research design. This study used case study as a research design. The researcher has chosen this research design being aware of the general criticism some scholars have had on it. It has been lambasted to be stereotyped, weak and imprecise method. Case study is probably one of the most criticized social research methods. Nevertheless, this research method has an advantage that it could be exploratory, descriptive or explanatory. In this research a case study of Zimbabwe/South Africa relations was carried out in an exploratory nature. Thus, one can agree with Summers' (2015) notion that a case study can be defined as an empirical research method used to investigate a contemporary phenomenon, focusing on the dynamics of the case, within its real-life context.

According to Lambin (2000), exploratory design is conducted in-order to determine the nature of the problem; hence it is an examination into a subject in an attempt to gain further insight. In the same thought Brown (2006), avers that, with an exploratory research, the researcher starts with a general idea and uses the research as a tool to identify issues that could be the focus of future researches. Thus, the researcher noted that, the problems of the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime need to be explored into.

3.2 Research Approach

Harvey (1995) argues that inductive approach gathers together particular observations in the form of premises, then reasons from these particular premises to a general conclusion. The inductive method of research is a process of using observations to develop general principles about a specific subject. A group of similar specimens, events, or subjects are first observed

and studied; finding from the observations are then used to make broad statements about the subjects that were examined. These statements may then become laws of nature or theories. Thus, inductive reasoning moves from the particular to the general.

3.3 Methodology

Qualitative and quantitative research methodologies were of vital importance in this research for they enabled the researcher to assess if Zimbabwe/South Africa relations are effective or not in combating transnational organised crime. However, the research tilted more towards the qualitative research methodology, it enabled the researcher to access the views and opinions of stakeholders who are involved in transnational organised crime. According to Marshall (1996) qualitative inquiry is crucial for it enables one to understand psychological concepts and issues. Thus, qualitative methodology is richer on data collection for it is concerned much on questions like how, why and what. The researcher interviewed the members of the police service and other stake holders involved in transnational organised crime. Non participatory observations was also used as data collecting method, it enabled the researcher to understand the views of the relevant people involved in the fight against transnational organised crime between Zimbabwe/South Africa.

3.3.1 Target population.

The researcher chose respondents from law enforcement agencies from ZRP Beitbridge, Ministry of foreign affairs, Zimra and Customs officers, South African embassy in Harare, key informants dealing with organized crime from police agencies in the SADC that is from Interpol National Crime Bureau (NCB), from the SARPCCO desk at the Regional Bureau in Harare. Neumen, (2003), postulates that, population represents a grouped people under a study as specified by the objective of the study. Thus, the targeted participants in this research were policing agencies, Interpol, NCB and other responsible authorities in border

management, the South African embassy in Harare and Zimbabwe's Ministry of foreign affairs.

3.3.2 Data Sampling Techniques

These are methods used to sample data in a research. This study employed purposive, convenience sampling techniques when dealing with the targeted population.

3.3.3 Purposive sampling.

This sampling technique were used in this research on the view of the fact that, the power of judgment lies in seeking information that is suitable for in-depth analysis related to the central issues that are being studied. Patton (2002) noted that, purposive sampling is a major tool where a few numbers of people may be well sufficient for understanding human perceptions, problems, needs, behaviour and context. The researcher purposively interviewed police agencies and other stakeholders on the effectiveness of Zimbabwe/South Africa relations in combating transnational organized crime from June 2015 to June 2020.

3.3.4 Convenience sampling

Saunders et al, (2012) opined that convenience sampling is a specific type of a non-probability sampling technique that relies on data collection from population members who are available to participate in the study. It is also known as the availability sampling. Thus, the researcher sampled those who were available at the moment the research was carried out. Therefore, convenience sampling was used primarily on police agencies and other key stakeholders about the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime in SADC region.

3.4 Data collection methods.

These are methods that are used to collect data in the field when one is carrying out a research. Discussed are in-depth interviews which were conducted using interview guides,

observations were done using observational schedule as well as focus group discussions. The researcher accessed and did content analysis of some crime reports maintained at NCB Harare and Interpol Bureau,

3.4.1 In-depth interviews.

The researcher created a list of questions specifically to the selected police agency about the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime. All others involved in fighting transnational organised crime such as the Interpol personnel were also interviewed. According to Bryman (2012), in-depth interview is important in a qualitative research because the researcher will have direct information from the interviewees.

3.4.2 Non participatory observation

Neumen (2000) argued that in observation, mere watching is not enough but there should be extensive thinking. So extensive thinking or deep observation was vital in this research. Observations are purposive in nature because they are limited to those facts and details that will help in achieving the specified objectives of the research. The researcher travelled from Harare where he is based to Beitbridge border post where he made observations of police officers on duty curbing transnational organised, the researcher was more interested in the strategies police officers used to combat transnational organised crime.

3.4.3 Focus group discussions.

Marshall and Rossman, (1989) reasoned out that focus group discussions allow deeper examination of complex issues than any other form of a survey research because when people hear others talk, it often triggers responses or ideas that they did not think of before. So, the researcher carried a group discussion with a small group of (6-10 people). The major role the researcher played during the focus group discussions was to facilitate and lead the interviews.

3.5 Data collection procedures

These are procedures that the researcher uses when collecting data. Thus in this study the researcher gathered data through primary and secondary sources of data.

3.5.1 Sources of data

Hair et al (2000) point out that data sources are devices used to measure data collected. The sources of data identified were the primary and secondary data. Thus, the researcher used both primary and secondary data.

3.5.1.1 Primary data

The information gathered using primary sources reliably helped to address the research objectives. Amphora (2016) is of the view that primary data is originated by a researcher for the specific purpose of addressing the problem at hand. Zikmund (2013) argues that primary sources are those original sources of data from targeted respondents; it generally provides problem specific data of a current nature hence the researcher adopted the use of primary data because it enabled the collection data direct from the respondents. Interviews and observations were adopted by the researcher in this study so as to enhance the quality of the gathered information on the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime. The interviews and observations were developed basing on the constructed objectives of the study. Wilson (2006) supports the researcher adopting primary data by arguing that primary data is more valuable since it addresses the exact problem at hand not basing on history to predict the future. It enabled the study to have a higher control over how the information was collected.

3.5.1.2 Secondary data

Thi (2010) argues that secondary data is data that is being re-used to set a base or foundation of a study. In the same vein, Thomas (2010) asserts that secondary data is the data that is

readily obtainable from other writers but it is not for the study at hand. Secondary data is therefore some data that is readily available, authored by someone else for other purposes. This data was then used in the form of a comparison from various authors and analysing its relevance towards the current research. Jewel (2010) the researcher utilised, newspapers, journals, textbooks and various publications. Malhotra (2016) justify the researcher for opting for secondary data since the data helped to identify the problem. Secondary data had the capacity to answer certain research questions.

3.6 Data presentation and analysis

Thematic analysis was be of greater importance in this research because it provided more and nuanced account of one particular theme or group of the themes within the data, (Clarke and Kitziiger, 2004). Through thematic analysis, the researcher formulated themes then analyzed data easily. As for discourses analysis, the researcher noted that, there were differences in expression of points and views by different individuals who are involved in the fight against transnational organised crime between Zimbabwe/South Africa. Thus, the researcher will employed thematic and discourse analysis for data analysis purposes during presentation and discussion.

3.7 Reliability

Reliability is the degree to which the findings of the research are independent of accidental circumstances, (Silverman 2004), It is closely related to assuring the quality of field notes and guaranteeing the public access to the process of the publication of the research results. According to Joppe (2001), reliability is the extent to which results are consistent over time, and are an accurate representation of the total population under study. If the results of a study can be reproduced under a similar methodology, then the instrument is considered to be reliable. In this study the researcher correlated the interview responds as a way to get correct

findings. Haradhan, (2017) highlighted that the results of a researcher are considered reliable if consistence results have been obtained in similar situations but different circumstance.

3.8 Ethical Considerations.

Cresswell (2014) lists several objectives of ethics including the protection of participants and ensuring that the research is done in a manner which benefits the whole community. Key elements in research are informed consent, confidentiality, privacy and anonymity. The researcher took note of the ethical consideration in a research, which included being honest, sought informed consent, sought permission through gatekeepers, confidentiality privacy and anonymity. Thus, these core principles guided the researcher to conduct a research that in no way deceived people in any aspect of the research process and in every way ensured that participants were protected respected and appreciated during and after the study. Also, the researcher avoided coercing participants or any other means of deception as it is against the research ethical standards.

In the Zimbabwe Republic Police, authority to carry out a study within the police can only be authorized by the Commissioner General of Police. Obviously, the ethicality of obtaining permission is arduous yet carrying out an unauthorized research could have civil and criminal implications to the researcher. One therefore had to plan the research work in such a way that permission was obtained before anything was done. The researcher was guided by a letter of introduction which was used by the study to explain the purpose of the research to potential respondents and request their voluntary participation in the study this helped the sampled respondents to respond to the interviews freely thereby giving quality information. The respondents were briefed about the purpose of the study and how or why they are chosen. As such they were free from deception or stress that might arise from their participation in this research.

The researcher also informed the participants of the objectives of study to avoid inconveniences. The researcher revealed why they participated in this research, what would happen to the data they contributed and whether they are any negative or positive consequences of their participation before they agreed to participate. Payne and Payne (2004) put it that the ethical duty of confidentiality includes obligations to protect information from unauthorized access, use, disclosure, modification, loss or theft. Fulfilling the ethical duty of confidentiality was essential to the trust relationship between the researcher and the participants. Harm can involve physical harm, loss of confidence, stress therefore the researcher guaranteed the participants that there was no harm and whatever information disclosed about their experiences will be safeguarded.

3.9 Conclusion.

The above chapter had looked into the research design and research methodology. The researcher employed both qualitative and quantitative methodology and the research is exploratory in nature. There was also the discussion of data collecting methods as well as data sampling and analysis techniques. This chapter also highlighted the ethical considerations that one should take note of when carrying out a research. The next chapter will be looking at the data presentation, analysis and discussion of findings.

CHAPTER 4

DATA PRESENTATION, ANALYSIS AND THE DISCUSSION OF FINDINGS

4.0 Introduction

This chapter looked into data presentation, data analysis, and the discussion of findings. The researcher went in to the field to collect data through face to face interviews, semi-structured interviews, content analysis of crime reports, focus group discussions as well as observational analysis. The researcher found out that Zimbabwe/South Africa relations are quite sound in dealing with TOCs, however in certain areas their relations are more pronounced on paper as compared to what is on the ground. The researcher noted that the two countries do not have proper framework to be used by those operating on the ground especially in dealing with TOCs such as human trafficking and illegal immigrants. The findings of the study are presented basically in qualitative form but in some instances, it is shown in quantitative form. The findings are presented theme by theme and data presented shall be critically analysed and interpreted. According to De Vos (1998:203), data analysis entails that the analyst breaks down data into constituent parts to obtain answers to research questions and to test hypotheses. The purpose of interpreting data is to reduce it to an intelligible and interpretable form so that the relations of research problems can be studied and tested and conclusions drawn. On the other hand, when the researcher interprets the research results, he/she studies them for their meaning and implications (De Vos, 1998:203).

4.1 Views of Law enforcement agencies

Findings have revealed that there are different perceptions over the effectiveness of Zimbabwe/South Africa relations in fighting transnational organised crime. The views of commanders and operatives differed a lot. The researcher interviewed the Officer

Commanding ZRP Beitbridge District (Dispol), about the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime. The Dispol acknowledged that, 'there exist cordial and effective relations as various bilateral platforms are utilized by these countries to address various problems impacting them.' He goes further to explain that, 'we often hold several bilateral meetings with all the stake holders directly involved in Beitbridge border management to curb organised crime.' 'As a result these meetings have spawned various joint operations, joint investigation as well as simultaneous operations.' However, he confessed that some of the operations have experienced some problems for instance limited resources, logistics and lack of technology. He said that, 'our border is demarcated by Limpopo river which is so long and criminals take advantage and use several crossing points to smuggle goods, yet we have no technology to monitor what is happening along this big river.'

The researcher went out and interviewed police operatives at Beitbridge border post. The views of the sampled police officers differed due to their length of service, age, sex and deployments. One of the respondents pointed out that, 'the menace caused by transnational organised crime will take South Africa and Zimbabwe decades and decades to deal with.' According to the correspondent, 'this is because these two country's interstate relation weak.' This police officers goes on to say that, 'the problem of transnational organised crime such as smuggling of goods seems to benefit South Africa or Zimbabwe's economy depending on the flow of goods, that is when goods are smuggled from South Africa, its market benefit and vice versa.' In such scenario the respondent feels that cooperation is compromised. However one senior police officer believes that, 'it is not a question of policy alone but the fight against transnational organised crime depends on the attitude, length of service, age, sex and marital status of the law enforcement agencies from both countries especially those deployed at Beitbridge border to curb TOCs.' The senior officer went on to say that, 'police

officers are human and at sometimes they will not enforce laws that cost them as individuals.’ He gave an example of people being trafficked from West Africa to South Africa, if one dares to arrest them, ‘whose cost will it be to feed and send them back?’ He questioned. He gave an example of some Ethiopians and Somalis illegal immigrants who were arrested by the South African police crossing the Limpopo River into South Africa; he said that, ‘I was shocked to see the South African police surrendering those criminals to ZRP Beitbridge.’ He went further explaining that ‘I was the one on duty and those illegal immigrants were supposed to be handed over to me and that situation took us the whole day before we could agree on what should be done.’ ‘My bosses were saying tell the south African police to take those illegal immigrants to their country and deal with them, yet the South African police argued that when they arrested them, they were coming from Zimbabwe.’ The researcher noted, from this narration that there is a lot of blame game and fear of taking responsibility between South Africa and Zimbabwe police agencies. Therefore the researcher inferred that Zimbabwe/South relations are at times not effective to fight transnational organised crime like human trafficking and illegal immigrants, at times the law enforcers are left with no option other letting it happen.

4.1.1 Demographic data of the law enforcement participants

Data regarding personal attributes of interviewees was gathered to understand their background. Table 2 below presents information pertaining to the attributes of age, sex, marital status and period of service.

Table 4.1 Demographic information of members of the Police Service

Variables		Interviewees , n=25	
		Frequency	Percentage%
Sex	Male	15	60 %
	Female	10	40 %
Age	18-25 years	01	04 %
	26-30	02	08 %
	31-35	03	12 %
	36-40	12	48 %
	41+	7	28 %
Marital status	Married	23	92 %
	Single	01	04 %
	Divorced	00	00 %
	Widowed	01	04 %
Years of service	1-10 years	02	08 %
	11-15 years	08	32 %
	16-20 years	10	40 %
	21-25 years	03	12 %
	26 + years	02	08 %

Source: Primary Data

4.1.2 Sex

The above table 2 indicates that the 60% of interviewees were males and the 40% females.

The sex variation shows representation of both males and females who deal with organised crime. One female respondent feels that ‘male officers over trust women’, she went further to say that ‘in the year 2016 3 female criminals were cleared by male officers but later on were

arrested by a senior female officer who went on to do thorough searches and found out they were hiding a pistol each in their pizza boxes.’

4.1.3 Age

The age groups above show that those between the ages of 36-40 years have better experience in dealing with complicated transnational organised crime. One police officer aged 48 and who has been a detective for 10 years at Beitbridge border post said that, ‘criminals who deal in organised crime are complicated such that our young officers with no experience may fail to detect.’ He said I have engaged in some operations with some young officers whom I have directed to arrest some smugglers after I took a lot of time observing, to my surprise these young police officers had observed nothing.’

4.1.4 Years of Service

From the statistics obtained, organised crimes are rated as the most complicated and demanding Cases that call for more experienced investigating officers who are mature and have a better understanding of organised criminal activities. One junior officer confessed that, ‘I was shocked when her senior officer arrested two criminals intending to cross at border with some drugs logged inside their bread.’ She went further to say that, ‘the two criminals were looking innocent and no one could suspect them of anything.’

4.2 Knowledge of the problem and experience

Data gathered revealed that 15 (60%) interviewees had excellent knowledge of the problem of transnational organized crime and 10 (40%) had scanty knowledge of the problem. Of the 10 Police Detectives, 08 once investigated crimes of transnational nature which required extra-territorial investigations in other countries. One of the detectives who once investigated a TOC which required him to go across Beitbridge into South Africa feels that, ‘the problem between South Africa and Zimbabwe is that the South African police behave like our big

brother, and always view us as their juniors with inferior knowledge.’ He went further to say, ‘before we deal with these issues of transnational crimes better to deal with our relations first.’ He explained that, ‘the bad relation between us as police officers is a barrier to our efforts in dealing with TOCs.’ The other 02 Police detectives had not investigated such crimes but had knowledge of the existence of such crimes. All the participants concurred that TOCs are rampant, and are sometimes made difficult to curb because of ‘some South African police Officers, who have a bad attitude towards us,’ said one senior police detective. Therefore the researcher noted that Zimbabwe/South Africa relations are somehow weak in the area of the law enforcement agencies on the ground whose services are crucial in dealing with TOCs. The above information about the officers’ knowledge of TOCs is graphically represented below:-

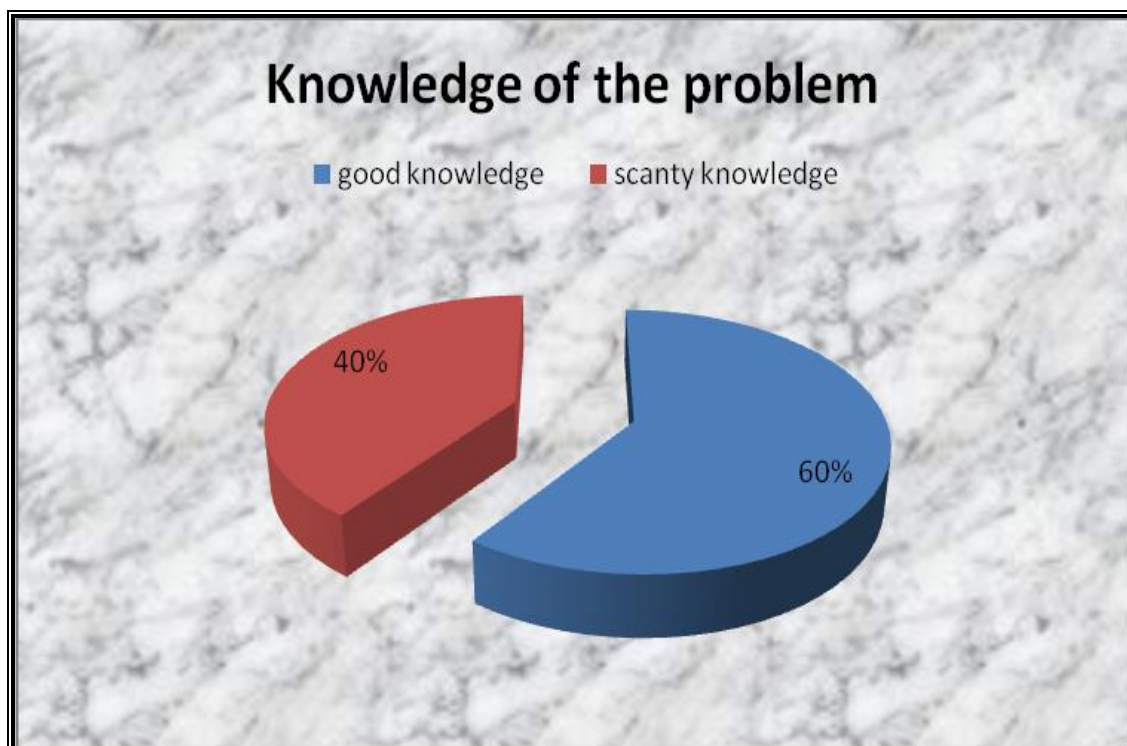


Fig 4.1 Knowledge of the Problem

4.3 Views of the Key informants

The researcher interviewed key informants in the SADC that is from the SARPCCO desk at the Regional Bureau in Harare, Interpol National Crime Bureau (NCB) and other Departments and authorities involved in border management such Zimbabwe Revenue Authority (Zimra), Customs officers at Beitbridge, Zimbabwe's Ministry of foreign affairs and the South African embassy in Harare. The researcher went to the Interpol offices in Harare and interviewed the Regional Director for Interpol and SARPCO about the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime. The Director said that, 'both countries are members of the SADC and SARPCO who are mandated by Interpol regulations to have joined planning and operations to curb TCOs.' He explained further that, 'Police agencies in these two countries have an Interpol National Crime Bureau which act as a focal point for collating criminal data which they effectively share, in conjunction with my office.'

The researcher managed to squeeze in for a focus group discussion after a morning brief at the Interpol regional Bureau. Upon interviewing the regional specialized officers, the one in charge of human trafficking desk said that, 'Zimbabwe and South Africa have records of joint operations which have yielded more arrests of criminals dealing in organised crime as compared to other countries which share borders in the SADC.' However the regional specialized officer in charge of drugs and narcotics desk had a different view that, 'these countries share the busiest border in the region where there is more TCOs committed, so the more arrests from the joint operations between these two countries cannot be enough proof for effective relations.' The regional specialized officer in intellectual property crime desk opined that, 'no matter how good the relations between these two countries they still lag behind in their strategies that deal with intellectual property crimes.' Therefore the researcher noted that the specialized officers have different perceptions on the effectiveness of

Zimbabwe/South Africa relations in dealing with TOCs. However, most respondents noted that in Southern Africa, organised crime was mostly prevalent in vehicle theft, smuggling, drug cultivation and trafficking and firearms trafficking. This finding resonates with the observations made by Gastrow (2001:19) who observed that organised criminal activities that constitute the most serious threat to the SADC region are theft and hijacking of motor vehicles, robbery, drug related offences, illicit dealing in gold, diamonds and emeralds, and illicit dealing in firearms and ammunition. One key informant managing the SARPCCO desk at Regional Bureau in Harare, said that, ‘from our collected data pertaining to organised crime, there is sufficient evidence suggesting that there are more case of cyber fraud, drug and human trafficking, smuggling of goods, precious minerals and theft and robbery of motor vehicles.’ The forms of organized crime prevalent between Zimbabwe and South Africa as per the responses of key informants at the Regional Bureau were graphically presented below for better analysis:

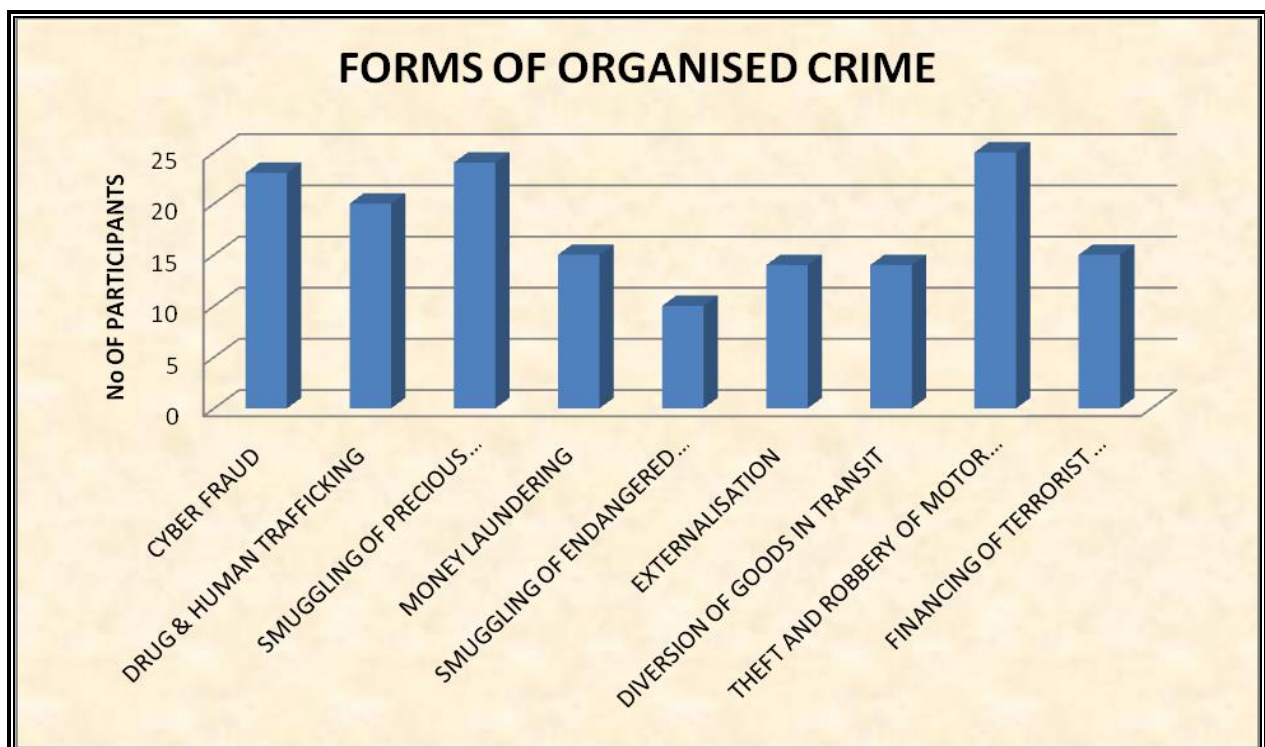


Fig: 4.2 Forms of organised crime.

One senior respondent at the NCB Harare pointed out that, ‘police agencies’ operations in curbing give organized crime in the SADC region give priority on theft and smuggling of stolen vehicles.’ He explained further that, ‘these have been always taking priority on our joint police operations in the SADC region since its inception.’ The ISS (2000) further stated that since the formation of SARPCCO countless joint police operations in Southern African countries targeting motor vehicle theft, drug cultivation and trafficking, firearms-trafficking, wanted criminals, diamond-smuggling, illegal immigrants, among others, had been conducted.

The key participants at the NCB Harare’s responses show that they have different perceptions on the effects of organised crime on interstate relations, half of the respondents opined that TOCs weaken relations yet the other half thought the other way round. One key informant from the ministry of foreign affairs says that, ‘organised crime enhances cooperation.’ He further explained that ‘member States have a common interest of fighting organised crime such that it enhances cooperation between States.’ ‘Zimbabwe and south Africa have the same view that organised crime is a threat to their people’s security.’ However, this view is contrary to what most of the participants from Beitbridge customs department held.

One Customs officer said that ‘organised crime strains relations between these two countries, as accusations and counter-accusations are made usually South Africa apportion the blame upon Zimbabwe for failing to contain her illegal immigrants.’ Contrary to this view one key respondent at the South African embassy in Harare said that, ‘my country and Zimbabwe from a longtime enjoy good relations and our laws do not oppose each other, we work together to fight TOCs.’ As a result the researcher noted that respondents who operate on the ground seem to doubt the effectiveness of Zimbabwe/South Africa relations in combating

TOCs; while those in high offices talk of good and cordial relations, between the two countries. Therefore the researcher noted that there are good policies that guide Zimbabwe and South Africa in the fight against TOCs, but basing on the views of the respondents operating on the ground, the two countries lag behind when it comes to the implication of certain policies.

One correspondent from the NCB Harare acknowledged that, ‘organised criminal groups involved in the theft and cross-border smuggling of vehicles in Southern Africa are also involved in the trafficking in drugs, firearms, diamonds and illegal immigrants.’ She further explains that, ‘these forms of criminal activities are closely linked and, except for the trafficking in illegal immigrants, feature prominently among the five most threatening organised crime activities in the region.’ She also points out that, ‘the domestic nature and patterns of crime generally determine whether a police agency will establish specialized police units to address specific crime categories. The number of such units and their functions will therefore differ from country to country. For instance, South Africa has Diamond and Narcotic Squad, Serious Crime Squad while in Zimbabwe there is Drug and Narcotics Squad, Vehicle Theft Squad, Homicide Section and Commercial Crime Division.’

4.4. Impact of Interstate Relations in Curbing Transnational Organised Crime.

Responses obtained from the participants show that to a greater extent bilateral relations have managed to contain the situation on the proliferation of transnational organised crime. One of the key respondents at the ministry of foreign affairs opined that, ‘there is an increased cooperation between Member States as far as issues to do with extra-territorial investigations and extradition are concern.’ Some of the research participants highlighted that Zimbabwe and South Africa in particular enjoy cordial relations despite some isolated frosty diplomatic encounters. Morapedi (2011) in a research study noted that the two governments have not

allowed isolated incidents boil out of control and ruin the otherwise cordial relations between them which are essential for African economic integration, democratization and the African renaissance. Consequently, several research participants acknowledged that various bilateral platforms are being utilized by both countries to address various problems impacting them. These include Joint Permanent Commissions on Defense and Security, Inter-State Meetings on Defense and Security, SADC, SARPCCO, among others and as result joint operations, joint investigations as well as simultaneous operations are often carried especially between Zimbabwe and South Africa. Collected data on the impact of bilateral relations in curbing organised crime has been processed and tabulated below for better analysis.

Table 4.2 Impact of interstate relations on organised crime.

IMPACT/CHANGE	NUMBER OF PARTICIPANTS IN SUPPORT
Increased Cooperation	25
Resuscitation of lost confidence in Member States	10
Reduced crime rate in Member countries	20
Successful completion of criminal cases	20

4.5 Strategies put in place to curb TOC in SADC (June 2015 – June 2020.)

The officer in charge NCB Harare said that ‘these two countries have done a lot to fight TOCs and currently they are using several strategies to combat TOCs.’ He identified the following strategies as currently in place:-

- training of officials who deal directly with organized crime,

- harmonising different pieces of legislation that outlaw illicit cross border trade, repatriation of exhibits,
- zero tolerance to corruption,
- programmes to combat illicit drug trafficking
- initiatives to prevent theft of motor vehicles such as the issuance of the SARPCCO Vehicle Clearance Certificate
- anti-stock theft regional strategy
- anti-poaching and other wildlife management protocols aimed at preventing poaching and illicit trade in wildlife

4.6 Effective Legislation in curbing TOCs

Research participants at Interpol Regional Bureau were asked whether they thought that additional or more effective legislation against organised criminal groups would assist in combating organised crime more effectively. One of them noted that, ‘law enforcement agencies in both countries were on several times hamstrung by lack of harmonized legislation and coherent legislative provisions for the forfeiture of the assets of criminal.’ Some research participants pointed out that while efforts to address some of the legal constraints are made through the Joint Permanent Commission on Defence and Security, Inter-State meetings on Defence and Security, some challenges persist and continue to be manipulated by criminal syndicates. Interpol and SARPCCO regional director stressed that, ‘there is need for SARPCCO through the Legal Subcommittee to also harmonize legislation that impacts on organised crime as this will enhance the fight against crime in the region.’ The table below shows some legislative areas requiring improvement.

Table 4.3 Areas requiring harmonization of legislation

COUNTRY	AREAS REQUIRING HARMONIZATION OF LEGISLATION
South Africa	<ul style="list-style-type: none"> • Money-laundering. • Mutual legal assistance. • Provision of stiffer penalties. • Legislation on banks to disclose/report unusual transactions.
Zimbabwe	<ul style="list-style-type: none"> • Legislation should be more specific to organised crime. • Legislation to provide for stiffer and mandatory sentences. • Bail to be precluded from certain classes of organised crimes.

4.7 The importance of international assistance in curbing transnational organized crime

The researcher interviewed officers, at Beitbridge border post, on the importance of international assistance in the fight against organized crime. The Dispol noted that, ‘some joint initiatives between South Africa and Zimbabwe had failed to materialize due to a plethora of constraints hence international assistance was vital in enhancing the various facets of law enforcement such as training, modern equipment, among others.’ Goredema (2005) shared this view by pointing out that “if transnational organised crime is to be combated effectively in the Southern African region, such as through international responses envisaged in the UN Convention against Transnational Organised Crime, then the international community should play a pivotal role in facilitating the provision of modern crime fighting equipment as well as skills transfer. Areas identified as requiring international assistance by both South Africa and Zimbabwe include detective training, border control, intelligence

management, surveillance systems, creation of organized crime sections, resources such as modern information technology, among others. According to the ISS (2000) both bilateral and co-ordinated multilateral assistance programs are paramount in assisting countries in SARPCCO especially in the arena of training and equipment as this builds capacity of law enforcement agencies. Consequently, one of the key components of SARPCCO is the Training Subcommittee, which should however play a critical role in identifying training needs in member countries and to develop relevant curricula for the training of police throughout the region.

4.8 The importance of co-operation between Zimbabwe and South Africa

Document analysis of bilateral reports between South Africa and Zimbabwe revealed that the two countries have held more than fifteen, Joint Permanent Commission on Defense and Security meetings on mostly annual basis since 1990 although on some occasions such meetings were never held. According to records, Police authorities and other law enforcement agencies between the two countries had also managed to hold several bilateral and multilateral meetings in an effort to curb organized crime. However, one participant at Beitbridge Zimra noted that, ‘the absence of political support in some instances had culminated in failure to hold such high level meetings.’ In the same vain the Dispol opined that, ‘political will should be our driving wheel especially in enhancing cooperation within bilateral meetings such as Joint Permanent Commission on Defense and Security should be conducted on a more regular basis and senior political figures such as government ministers should always attend in order to allow for crime matters to be discussed at such high levels.’ He further asserted that, ‘lack of political will on the part of some cases pose obstacles to law enforcement cooperation in combating transnational crime.’ Therefore the researcher noted that Zimbabwe and South Africa in certain areas do not enjoy sound bilateral relations because of political and economic reasons, they are unwilling to enter into bilateral

cooperation agreement on matters of crime control which they assume as unwarranted interference within their legal sovereignty.

4.9 Ways to improve co-operation in the fight against organised crime between the Zimbabwe and South Africa

The various research participants pointed out several ways in which cooperation especially between the two countries could be improved. One NCB member stated that, ‘there is need to strengthen the supervision of passport issuance and the endorsement of protection of passports against tampering and counterfeiting.’ He added that, reliable evidence gathering techniques, such as electronic surveillance, undercover operations and controlled delivery should be considered in national law. More importantly, is the carrying out of vigorous education and awareness programs that stimulate public awareness on organized crime, the need for public participation in its prevention and the promotion of public security.’ Other research participants underscored the importance of heightening the sharing of criminal intelligence, engaging other stakeholders including non-state actors to mobilise resources aimed at supporting joint operations and continuously reviewing extradition procedures, enhancing mutual legal assistance in criminal matters and response to requests. Another key informant at the Interpol regional Bureau stated that, ‘it was pertinent to extend criminal databases including those for Interpol to all ports of entry and exit in order.’ An important observation was however noted by Gastrow (2001:60) who stated that law enforcement agencies across the world tend to be reluctant to share information on organised crime. Sometimes, this reluctance is motivated by the desire to conceal inadequacies.

4.10 Other measures that can be employed by SADC region in curbing organized crime

Interpol and SARPCCO regional Director pointed out that, ‘transnational organized crime is an international activity hence requires countries to pool their resources in order to collectively enhance peaceful, economic, social growth and development for the mutual benefit of all.’ He went further and advocated for the establishment of special courts with general international application to deal squarely with transnational organized crime. Thus, enforcement of other sanctions such as search, seizure and confiscation of criminal proceeds of crime, special investigation techniques and exchange of information and training, was noted as possible measures that can curb organized crime. One key informant also at Interpol identified a number of strategies that enhance the fight against organized crime in the region and also between the two countries namely establishment of National Organised Crime Agencies affiliated to Regional Organised Crime organ within SADC as well as political will and support in the fight against Organised Crime to empower the communities and law enforcement. Furthermore, two key informants bemoaned that despite several SADC member states being signatories to international and regional conventions and protocols on the fight against transnational organised crime and terrorism, some have not ratified instruments or domesticated these into their national laws.

4.11 Conclusion

The above chapter looked into data collection, data analysis and the discussion of findings. The researcher went into the field and gathered data through interviews, focus group discussion, observational analysis, as well as content analysis of crime reports. The researcher conveniently sampled those who were available at the moment the research was carried out. The researcher formulated themes from the findings and clearly analyzes them so that they can be easily understandable. During data gathering, the researcher noted that, the

law enforcement agencies operating on the ground were not convinced that Zimbabwe/South Africa relations are good enough to enable an equal response from those on frontline in fighting TOCs. This is because, the enforcement agencies on the ground expected real frameworks to be in place especially in crimes that involve illegal immigrants and human trafficking. However respondents from high offices showed satisfaction with the cordial relations, for them these two countries carry out joint operations, joint planning and investigation of the TOCs, and this was enough proof for the effectiveness relations in combating TOCs.

Also, the findings revealed that there was somehow lack of political will especially in the enhancement of cooperation within bilateral meetings. The meetings should be conducted on a more regular basis and senior political figures such as government ministers should always attend in order to allow for crime matters to be discussed at such high levels. Lack of political will on the part of some senior politicians poses obstacles to law enforcement cooperation in combating transnational crime. Therefore the researcher noted that despite that these two countries carry out joint planning, joint investigation and joint operations more is required on implementation of certain bilateral agreements. The next is chapter 5 which is the last of this research. It will be looking at the summary, recommendations and conclusion.

CHAPTER 5

SUMMARY, CONCLUSIONS, RECOMMENDATIONS AND AREAS FOR FURTHER RESEARCH

5.1 Introduction

This Chapter succinctly summaries salient points of the study; draws conclusions from the Study and also advances some recommendations. The chapter will look into the summary of the whole dissertation from chapter one to chapter five. The researcher is also going to discuss the conclusions, analyzing whether they are in support with the existing theories that have been introduced in chapter two. The researcher is going to draw the conclusions from the research finding, that is, the conclusions are going to be based on the objectives and the research questions coming from the analyzed data. In this chapter, there will be also the discussion of recommendations which will be answering the constraints or challenges identified in the research. These recommendations are going to be presented based on the research findings. Lastly, the researcher will guide future researchers on what needs to be researched.

5.2 Summary

In chapter one, the researcher presented the introduction of the study, which dealt with introducing the reader to concept of study under review. In the background of the study, the researcher talked of transnational organised crime as one of the most dangerous scourges affecting the world in the twenty-first century. The researcher also looked into the purpose of the study, the problem statement, objectives of the study, research questions as well as the significance of the study. The researcher also unveiled the delimitations and limitations of the study. This chapter also covered the proposed chapter outline.

In chapter two, the researcher looked at the theoretical framework and literature review. The theoretical framework is centred on the theories employed in a research. In this research, the researcher employed interdependence and social constructivism theories of understanding the international relations. The literature review espoused the works of different scholars about the multi-dimensional perspective of transnational organised crime. The researcher looked on inter-country relations and bilateral agreements which countries enter into particularly in the fight against organised crime. This researcher explicated on the impact of transnational organized crime in particular its tentacles on the global, continental and regional levels. The researcher noted that a lot has been researched concerning transnational organised crime in some parts of the world but not much about it in Southern Africa, therefore feels that there was a need to look at it using Zimbabwe and South Africa as case study. In chapter three, the researcher looked at the research design and research methodology. The researcher employed a case study as the research design since the research was exploring in nature. Both qualitative and quantitative research methodologies were used in this research. There was the discussion of data sampling techniques, data collection methods, data collection procedures, data presentation, data analysis as well as research ethics that one has to consider when carrying out a research.

In chapter four, the researcher looked into data presentation, data analysis, and the discussion of the findings. Apart from engaging agencies from NCB, Interpol Regional Bureau, the South African embassy, ministry of Foreign affairs, ZRP, the researcher who is based in Harare, went to Beitbridge border post to collect data through face to face interviews with law enforcement agencies, including Zimra and Customs officers on the ground, focus group discussions as well as observational analysis. The researcher found out that those operatives on the frontline in the fight against TOCs were not convinced about the effectiveness of

Zimbabwe South Africa relations in combating TOCs. However there were critical issues, which emerged from the study. Firstly acknowledged interstate platforms are undeniably essential pedestals for strengthening the fight against organised crime. Consequently, the regular conducting of bilateral and multilateral meetings through Joint Permanent Commissions, Inter-State Meetings on Defense and Security, remain critical tools for eradicating various forms of organized crime. Secondly, the proliferation and complexity of transnational crimes within the SADC region and between South Africa and Zimbabwe has also made law enforcement capital intensive and cumbersome thus the imperative need for international assistance in the form of capacity building especially in training, resource mobilization, among others. Thirdly, transnational organized criminal organisations are not only sophisticated but also heavily financed; there is need for harmonization of relevant laws that impede investigations, prisoner transfer, search, seizure and confiscation of criminal proceeds of crime. Lastly, organized crime groups affect more than one country hence strategies need to be comprehensive by taking into cognizance knowledge of criminal organisations present in a country or region, their dynamics, appropriately collating, analyzing and disseminating information for use by law enforcement agencies.

In chapter five, the researcher discussed the summary of the whole dissertation from chapter one to chapter five. There is also the discussion of conclusions, basing on the research findings, research objectives and questions. The researcher talked about the recommendations basing on the challenges noted during data collection. Lastly, the researcher shed light on what needs to be researched on by future researchers.

5.3 Conclusions

Basing on the findings of the research, the researcher concluded that: Zimbabwe and South Africa interdepend on each other in fighting TOC. The two counties are demarcated by the

Limpopo River, which is so long and this river makes these two countries to cooperate and exchange ideas in tracking down criminals who cross on the river illegally. The researcher found out that security agencies are deployed jointly on most of the known illegal crossing points from both sides and joint operations were being carried. From the anti-crime planned and implemented by both sides the research concluded that the two countries relate well in the fight against TOC. However policing along the long Limpopo river has challenges as the law enforcement confessed that they had no resources to monitor criminal activities carried along the river.

The researcher also concluded that the relations between Zimbabwe and South Africa are quite good in that both countries do not condone TOC. The Limpopo River which demarcates Zimbabwe and South Africa makes these two countries to be interwoven so much so that what affects one state invariably affects the other, therefore the researcher found that the two countries naturally were bound to be concerned with the well-being of citizens of the other country. This is because ideally both countries have a linked system which is meant to deal with the TOC. The behavior by both countries' agencies operating at Beitbridge border post is in line with what the interdependence theorists suggested namely that states are naturally inextricably interlinked, hence cooperation, division of labour and exchange of ideas. Dependence on each other very importantly brings out the fact that Zimbabwe and South Africa do not need to use force against each other to deal with the menace caused by TOC rather cooperation is the best way to go for these countries to effectively deal with it.

The situation is that criminals in organised crime affected both these two countries. Therefore the researcher found out that both countries' are in agreement that TOC represent a security threat to their states and SADC. This idea is in accordance with social constructivist theory in that the concept of security is not limited to national security alone instead the law enforcements at the border from both sides were more concerned with individual's security,

thus both countries demanded passports for all travellers, this was done to curb human trafficking and illegal immigrants. Several roadblocks were mounted in and around the border in both countries checking for TOC. However the researcher found out that the law enforcement agencies from the Zimbabwean side were not happy with the superior and inferior attitude displayed by their fellow officers from the South African side at times when they do joined operations. From those views the researcher concluded that though there are sound relations between these two countries as purported by respondents from high offices who spoke a lot about the SARPPCO constitution which provides for equality of police services more should be done to strengthen relations to those operating on the ground.

The researcher also found out that most of the strategies put in place by law enforcement at Beitbridge are now compromised by the new phenomenon commonly known as *Vanamaliyicha*. These are transporters who frequently cross the border and are now known by everyone in the borders such that their vehicles are no longer checked at all crossing points, hence the researcher found out that both countries seem to lack a proper policy to deal with the menace which is now caused by *Vanamaliyicha* and failing to deal with them is in a way promoting TOC because through them goods and humans are smuggled day and night through the legal entry points. This phenomenon is causing corruption to be rampant at the border and the researcher concluded that TOC will not come to an end soon if this problem is not dealt with by these two countries. These transporters were smuggling goods in full view of the border management authorities. The researcher concluded that if the policy makers from both countries do not quickly put in place proper strategies to deal with *Vanamaliyicha* efforts and strategies to deal with TOC will not yield the intended results, it will be like filling water in a drum with big holes at the bottom.

5.4 Recommendations

This study recommends that:

- The international community should play a pivotal role in facilitating capacity building especially in skills transfer and resource mobilization in the SADC region. Areas to be targeted should include border control and management, detective intelligence management, surveillance systems, creation of organized crime sections, resources such as modern information technology, among others.
- Sound political will is vital in strengthening support for bilateral platforms such as JPCDS; ISDS as such senior government officials such as ministers should attend regular JPCDS and be seized with various crime matters.
- South Africa and Zimbabwe should continue to find common avenues for cementing the cordial relations for those operating on ground between the two countries as closer bilateral co-operation is essential in preventing organised crime.
- There is need for both countries to undertake vigorous education and awareness programs aimed at stimulating public awareness on organized crime as well as eliciting public participation in the prevention of TOC.

5.5 Areas for further research

The researcher is of the opinion that further research studies should be undertaken to establish the impact of contemporary technologies in enhancing interstate platforms in combating TOC. The upcoming researchers should also look at the role and impact of *Vanamaliyicha* in the spread and prevention of TOC and their impact on interstate relations in combating TOC.

5.6 Conclusion

The above chapter has looked at the summary of the whole dissertation from chapter one to chapter five. It also looked at the conclusions which were made by the researcher based on the research objectives, research questions as well as research findings. There was also the discussion of recommendations based on challenges found when the researcher got into the field for data collection. Lastly, the researcher talked about what future researchers should look into based on the research findings.

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Appendices

These are guides that the researcher uses during interviews, focus group discussions as well as observations.

Appendix A- Interview Guide For both in-depth interviews and focus group discussion for Law Enforcement Officers in Zimbabwe over the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime.

- (a) Thank you for participating in this interview and information you provide is confidential.

 - (b) It is important that you answer questions to the best of your knowledge and experience in this field.
1. Have you been involved in investigation of organized crime and for how long?
 2. What do you understand by the term ‘Transnational Organized Crime’?
 3. What forms of organised crime have been prevalent between Zimbabwe and South Africa since June 2015?
 4. What are the causes of organized crime?
 5. What forms of data on organised crime do you maintain at national level?
 6. What strategies have been put in place to fight organised crime since June 2015?
 7. What forms of inter-country relations have you utilized in combating organized crime?
 8. What has been the impact of interstate relations in curbing organized crime?
 9. What effect has organised crime had on interstate relations between Zimbabwe and South Africa?

10. Were there any awareness campaigns conducted to reduce organized crime and what have they been targeting?
11. What technical assistance is required to enhance the fight against organize crime?
12. What new strategies can be put in place to curb organised crime between Zimbabwe and South Africa?
13. What other suggestions do you have to make the SADC region a crime free and secure place for all?

Thank you very much for your cooperation

Appendix B - Interview Guide for Key Informants over the effectiveness of Zimbabwe/South Africa relations in combating transnational organised crime.

(c) Thank you for participating in this interview. Information you provide shall be confidential and shall solely be for academic purposes.

(d) It is important that you answer questions to the best of your knowledge and experience in this field.

1. What do you understand by the term ‘Transnational Organized Crime’?
2. What forms of organised crime were prevalent in the SADC region between June2015-June2020?
3. Which forms of organised crime were prevalent between June2015-June2020 in Zimbabwe and South Africa?
4. What are the major causes of organized crime in the SADC region?
5. What forms of data on organised crime is maintained at Interpol/SARPCCO?
6. What strategies are in place to curb organised crime?
7. Have interstate relations had any impact in curbing organized crime?
8. What effects has organised crime had on inter-country relations between Zimbabwe and South Africa?
9. What strategies can be put in place to curb organised crime in the SADC region?
10. Do you have any suggestions that can help make the SADC region a crime free and secure place for all?

Thank you very much for your cooperation

Appendix C- Letter for Authority

FACULTY OF SOCIAL SCIENCES & HUMANITIES

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Peace and Governance Department



BINDURA UNIVERSITY OF SCIENCE EDUCATION

OFFICER COMMANDING
ZIMBABWE REPUBLIC POLICE
BEIT BRIDGE DISTRICT

TO WHOM IT MAY CONCERN

RE : REQUEST TO UNDER TAKE RESEARCH PROJECT IN YOUR AREA

This serves to introduce the bearer, SOAFREY S. MAHUNI 81952379 who is a student doing **MASTERS IN INTERNATIONAL RELATIONS** in the Department of Peace and Governance, Bindura University of Science Education. The student is carrying out a research project in your area.

Your usual co-operation and assistance is therefore being sought.

Thank you for the continued support.

Yours faithfully

DR. D. MAKWERERE
CHAIRPERSON PEACE AND GOVERNANCE



Introduction.

I am a final year student at the above stated institution and undertaking a research aimed at: Assessing the effectiveness of Zimbabwe/South Africa relations in combating transnational organised June 2015- June 2020. This is in partial fulfillment of Masters of Sciences in International Relations Degree, I am currently pursuing. Your participation to the interview questions attached to this letter will be a remarkable contribution to the success of the study. The information and personal views that you provide will be treated with great confidentiality and will be used solely for this study. Your contribution to this research will be greatly appreciated.

Yours faithfully,

Mahuni Godfrey. S. (B1953379). Contacts: 0712 094976. Email mahunigs1@gmail.com