

**BINDURA UNIVERSITY OF SCIENCE EDUCATION**



**AN ASSESSMENT ON THE EFFECTIVENESS OF THE SADC PROTOCOL IN  
COMBATING ILLICIT DRUG TRAFFICKING. A COMPARATIVE STUDY OF  
ZIMBABWE AND SOUTH AFRICA**

**BY**

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**A PROJECT PROPOSAL TO THE DEPARTMENT OF INTERNATIONAL RELATIONS  
IN PARTIAL FULFILMENT FOR THE REQUIREMENTS FOR THE MASTER OF  
SCIENCE IN INTERNATIONAL RELATIONS DEGREE BINDURA, ZIMBABWE**

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## ABSTRACT

The researcher noted that there is an increase in drug flow and drug uptake in the region prompting the need to analyse the effectiveness of the SADC protocol on combating drug trafficking between Zimbabwe and South Africa. Consequently, research objectives are:

- 1) To assess the effectiveness of the destruction of seized drugs as a tool toward combating drug trafficking.
- 2) To evaluate the effectiveness of maximum custodial sentence as both a deterrent and punishment in combating drug trafficking.
- 3) To analyse the effectiveness of mutual assistance between states in combating drug trafficking.
- 4) To examine the effectiveness of tracing, freezing and seizure, confiscation and forfeiture of proceeds in combating drug trafficking.
- 5) To evaluate the effectiveness of rehabilitation on offenders in drug trafficking.

The population size is 60 inclusive of managerial and non-managerial staff. The sample size is 30. Sampling methods used were the convenience and stratified sampling. A descriptive approach was adopted whilst the research instruments which included; questionnaires, interviews and documentary sources were used. Questionnaires were self-administered and validity was enhanced through a pilot test of questionnaires before final distribution. Ethical consideration was maintained through privacy confidentiality.

Obtained data was analysed, interpreted and presented on graphs, tables and pie chart. Findings were that there is mutual cooperation between Zimbabwe and South Africa in combating drug trafficking through effecting of the SADC protocol. Recommendations included the need by the two nation states to remunerate workers, sharpen the law enforcement agencies through training and development and capacitate institutions engaged in combating of illicit drugs.

## **DECLARATION**

I Munyonga Misheck do hereby declare that this dissertation is the result of my own investigation and research, except in the Acknowledgements, References and by comments included in the body of the report, and it has not been submitted in part or for any other degree to any University.

DECLARATION FORM

Bindura University  
of Science Education



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## **DEDICATION**

I dedicate this dissertation to my colleagues at CID headquarters Chaplaincy Department, my wife Marjorie Munyonga and my Sons Tinodaishe and Zitarashe. Thank you for the support and understanding.

## **ACKNOWLEDGEMENT**

There is always light at the end of the tunnel. Doc Katsinde my supervisor, thank you for the encouragement, time, patience and effort during your supervision.

Thank you so much ZRP CID Province for the support. You stood by me. Acting Chief Director CID Ass Comm Nyabasa, Interpol staff and CID Drugs Section, you did a marvellous task.

My last acknowledgement goes to the Munyonga family, my workmates – Ass insp Masakadza, Ass insp Matara and Sgt Moyo, Natasha, Mr Dzobo, Doc Ncube for all the support and running around to make this project a success. I can never thank you enough.

## **ABBREVIATIONS AND ACRONYMS**

SADC -Southern Africa development community

CID -Criminal investigation department

INTERPOL – international police

AU - African union

WHO - World health organisation

UNODC – United nations office of drugs and crime

ZNDMP – Zimbabwe National drug master plan

FELCN – La Fuerza Especial de Lucha Contra el Narcotrafico

## Table of Contents

ABSTRACT.....	ii
DECLARATION .....	iii
DEDICATION.....	iv
ACKNOWLEDGEMENT .....	v
ABBREVIATIONS AND ACRONYMS .....	vi
List of tables.....	xi
List of figures.....	xii
CHAPTER ONE .....	1
INTRODUCTION.....	1
1.1 Background of the study .....	1
1.2 Statement of the problem .....	4
1.3 Purpose of study.....	4
1.4 Objectives.....	4
1.5 Research questions .....	5
1.6 Assumptions of the study.....	5
1.7 Justification of the study .....	5
1.8 Delimitations .....	6
1.9 Limitations .....	6
1.10 Definition of key terms .....	6
1.11 Summary .....	7
CHAPTER TWO .....	8
REVIEW OF RELATED LITERATURE .....	8
2.1 Introduction .....	8
2.2 Conceptualizing illicit drug trafficking.....	8
2.3Theoretical framework .....	9
2.3.1 Rational choice theory .....	9
2.3.2 Economic Theory .....	10
2.4 Seized drugs and the combating of drug trafficking.....	11
2.5 Maximum custodian sentencing and drug trafficking.....	14
2.6 Mutual assistance and drug trafficking .....	16
2.7 Tracing of proceeds and drug trafficking.....	18
2.8 Rehabilitation of offenders and drug trafficking.....	21
2.9 Chapter summary .....	24

CHAPTER THREE .....	25
RESEARCH METHODOLOGY.....	25
3.1 Introduction .....	25
3.2 Research Philosophy .....	25
3.3 Research approach.....	25
3.4 Research Design.....	26
3.5 Population.....	27
3.6 Sample size.....	27
3.7 Sampling techniques .....	27
3.7.1 Convenience Sampling .....	28
3.7.2 Stratified Sampling .....	28
3.8 Sources of data .....	29
3.9 Data collection method.....	29
3.9.1 Interviews .....	29
3.9.2 Semi-structured questionnaires.....	30
3.10 Data presentation and analysis .....	30
3.10.1 Thematic Analysis .....	30
3.11 ETHICAL CONSIDERATIONS .....	31
3.11.1 Prior authority from Interpol .....	31
3.11.2 Informed consent .....	31
3.11.3 Confidentiality .....	32
3.11.4 Beneficence .....	32
3.12 Chapter summary .....	32
CHAPTER FOUR.....	33
DATA PRESENTATION, ANALYSIS AND DISCUSSION.....	33
4.1 Introduction .....	33
4.2 Bio-data .....	33
4.2.1 Gender .....	33
4.2.2: Age .....	33
4.2.3: Level of Education .....	34
4.3 Destruction of seized drugs and drug trafficking .....	35
4.3.1 Transparency and drug trafficking .....	35
4.3.2 Compliance and drug trafficking.....	36
4.3.3 Neutral observers and drug trafficking.....	37
4.3.4 Restriction of movement and drugs.....	38

4.4 Maximum custodian sentencing and drug trafficking.....	39
Table 4.2: Maximum Custodian Sentencing (No 30).....	40
4.4.1 Custodial sentencing and drug trafficking.....	40
4.4.2 Possession of drugs and drug trafficking.....	41
4.4.3 Use and trade of drugs and drug trafficking .....	42
4.4.4 Maximum custody and drug trafficking .....	42
4.4.5 Deterrent offences and drug trafficking.....	43
4.5 Mutual cooperation and drug trafficking .....	44
4.5.1 Inter- ministerial committees and drug trafficking.....	45
4.5.2 Role of Inter-ministerial committees and drug trafficking .....	46
4.5.3 Joint border operations and drug trafficking .....	46
4.5.4 Results of joint border operations and drug trafficking.....	47
4.5.5 Extradition of offenders and drug trafficking.....	48
4.6 Freezing and Seizure of proceeds and drug trafficking.....	48
4.6.1 Freezing and seizure of drugs and drug trafficking.....	49
4.6.2 Confiscation and forfeiture of proceeds and drug trafficking .....	50
4.6.3 Tracing proceeds of crime and drug trafficking .....	51
4.7 Rehabilitation of offenders and drug trafficking.....	51
Table 4.5: Rehabilitation of offenders (NO 30) .....	52
4.7.1 Rehabilitation of offenders and drug trafficking. ....	52
4.7.2 Reformation of offenders and drug trafficking.....	53
4.7.3 Rehabilitation reinforcement and drug trafficking .....	53
4.7.4 Society integration and drug trafficking.....	54
4.8 Chapter Summary.....	55
CHAPTER 5 .....	56
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.....	56
5.1 Introduction .....	56
5.2 Summary .....	56
5.2.1 Summary of findings .....	56
5.3 Conclusions .....	57
5.4 Recommendations .....	58
5.5 Area for Further Studies.....	58
REFERENCES .....	60
APPENDICES .....	68
APPENDIX 1: A questionnaire survey.....	68

SECTION A- DEMOGRAPHIC INFORMATION.....	68
SECTION B: destruction of seized drugs and drug trafficking.....	69
SECTION C: maximum custodian sentencing and drug trafficking.....	69
SECTION D: mutual assistance and drug trafficking. ....	70
SECTION E: freezing and seizure of proceeds and drug trafficking. ....	70
SECTION F: rehabilitation of offenders and drug trafficking. ....	70
APPENDIX 2: Interview guide.....	71
APPENDIX 2: INTERVIEW GUIDE.....	71
SECTION A .....	71
SECTION B: Drugs Unit.....	71
SECTION C: Drugs Unit.....	71
SECTION D: Interpol.....	72
SECTION E: Drugs Unit.....	72
SECTION F .....	72

## List of tables

Table 1.1.....	27
Table 4.1.....	35
Table4.2.....	40
Table 4.3.....	44
Table 4.4.....	49
Table 4.5.....	52
Table 4.6.....	63

## List of figures

Fig 4.1.....	33
Fig 4.2.....	34
Fig 4.3.....	34

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the study

On the 26 of August 1996 the Heads of State and Government of the Southern African Development Community (SADC), signed the Treaty establishing the SADC Protocol combating Illicit Drugs. Stakeholders pledged their commitment to the establishment of a regional institutional framework for cooperation in combating illicit drug supply, demand and corruption in Member States, through legislative and social policies and both South Africa and Zimbabwe were part of the grouping. It is against this background that the study seeks to establish the effectiveness of the protocol as a comparative study of South Africa and Zimbabwe. The proposal therefore details the background of the study, problem statement, objectives as well as research questions. The proposal also details the assumptions of the study, research design and methodology, delimitations, limitations and ethical considerations. The definition of key terms, dissertation outline and the proposed time frames shall be discussed.

Balamurugan (2018) contents that drug abuse is also known as substance abuse, and can be defined as a patterned use of a drug in which the user consumes the substance in amounts or with methods that are harmful to them or others. Mukwenha et al., (2022) contents that when an individual persists in the use of alcohol or other drugs despite problems related to the use of the substance, substance dependence may be diagnosed. Thus, compulsive and repetitive use may result in tolerance to the effect of the drug and result in withdrawal symptoms when use is reduced or stopped. Globally the use of Narcotic drugs according to Leduc and Lee (2003) in ancient days was mainly for medicinal purposes and the trafficking of drugs in the Andean region noted for producing cocaine (Colombia, Ecuador, Peru and Bolivia) dates back to the colonial days when “coca” the leaf from which cocaine is produced was chewed in order to sustain long hours of work on high altitudes of the Andes Mountain line. (Alvarez, 2011).

Drug trafficking into the USA started gaining reasonable attention after the World War II with the boom of the American economy.” Evidence of the widespread addiction of cocaine and heroin galvanised prohibitionist forces in the West to agitate for its restriction as Europe and North America took page from lessons learnt about widespread opium addiction in China in

the 19<sup>th</sup> and early 20<sup>th</sup> century (Akyeapong, 2005). The international community therefore responded to control narcotic drugs usage due to the widespread “high addiction, dependency and abuse”; coupled with the pressures mounted to control such substances. This resulted in three major United Nations (UN) Conventions for the illegal drugs controls as summarised by Madi (2003); a single convention on Narcotic Drugs (1961) limits the production of Narcotic drugs for licit medical and scientific purposes only; the Convention on psychotropic substances (1971) was developed in order to control the negative and rapid dependency on synthetic drugs as LSD and other stimulates; Convention against illicit Trafficking (1988) was developed as international community realised it is hardly impossible to solve the threat of drugs without joint efforts; sharing of data; in order to meet the challenge from growing illicit drug trafficking.

Resolution number A/RES/S-20/2 was signed by 185 member states in 1998 acknowledging that; Drugs destroy lives and communities; undermine sustainable Human development and generate crime. Drugs affect all sectors of the society in all countries in particular. Drug abuse affects the freedom and development of young people; the world’s most valuable asset. Drugs are a grave threat to the health and well-being of mankind; the independence of states, democracy, the stability of nations, the structure of all societies and the dignity and hope of millions of people and their families. (Leduc and Lee, 2003). The illicit drug trade has become a global integration of destructive forces with the United Nations indicating that the drug trade remains a powerful transnational player able to capitalize on weak states and economies in a world where power and control over such vulnerable regions become increasingly important (Bhattacharya 2005 pp 91-93). More worrisome is the fact that globalization is posing entirely new challenges or threats to human security which include the global expansion of the drug trade (Adekanye, 2004). While globalization has been welcomed as a vehicle for fostering free trade and economic prosperity; it casts a dark shadow by providing opportunities for criminals and non-state actors to enrich and empower themselves through the exploitation of attractive illicit markets.

According to continental reports in 2018; from the African Union Member States, the consumption and trafficking of controlled substances have escalated in all five AU Regions. Women especially those from low-income backgrounds continue to be vulnerable and fall victim of recruitment as drug couriers. The African Union has since 1996 adopted Action Plans to address drug control and associated crime prevention on the continent. This has resulted in the establishment of institutional mechanisms in member states. Regional Economic communities and all the AU Commission to coordinate balanced and integrated responses to

drug control challenges. The AU Plan of Action on Drug Control and Crime Prevention (2019-2023)(AUPA) has an overall objective to improve the health, security, and socio-economic well-being of the people of Africa by addressing the drug trafficking and problematic drug use in all its forms and manifestations and preventing the outset of drug use.

SADC realising that the region is increasingly becoming a conduit for drugs destined for international markets; developed the protocol on combating illicit drug trafficking. The protocol encourages member states to establish drug demand reduction; institutional programmes and effective measures between enforcement agencies to curb corruption. Drug trafficking is a concern to the African Continent and with it is the expansion of transactional crimes threatening to derail any form of development. Africa; according to the Progress report on the implementation of the AU Plan of Action on Drug Control (2013-2017) is facing rapidly rising consumption of drugs the mushroom of illicit drug production sites and an increase in the volumes of drugs trafficked within and through the continent. T

The EU Action Plan on drugs cite these challenges as contributing towards serious health consequences; including drug use disorders; HIV and AIDS and other infectious diseases; malnutrition and death as well as severe social risks such as discrimination; exclusion and violence and lucrative conditions for criminal activity in the illicit drug markets. Drug trafficking is linked to organised crime; money laundering; illicit financial flows and \terrorism financing among others. The undermining of the rule of law and good governance resulting from drug trafficking poses new challenges with regards to the exchanging of intelligence; training of border officials and enhancing preparedness to fight new and emerging organised crimes such as cybercrime; mafia-style crimes – rise in gangs; extortion; violence and criminal governance.

Drug trafficking affects all parts of the world as either source: transit or destination regions. Criminal networks traffic a range of drugs including Cannabis heroin and methamphetamine. As international borders become increasingly porous; global abuse and accessibility to drugs have become increasingly widespread. This international trade involves growers, producers, courier's suppliers and dealers. It affects almost all countries undermining political and economic stability; running the lives of individuals and damaging communities. The end users and addicts are often the victims of a powerful and manipulative business system. Drug trafficking is often associated with other forms of crime such as money laundering or corruption. Trafficking routes can also be used by criminal networks to transport other illicit

products. Criminals continue to be sophisticated as they devise creative ways of disguising illegal drugs for transportation. This poses a lot of challenges to law enforcement agents who have to be at their best to detect such concealed substances. Law enforcement agents need to always be aware of new trends and products on the illicit drug trafficking.

## **1.2 Statement of the problem**

It becomes clear that there is no part of the world that is free from the curse of drug trafficking and drug addiction (Mukwenha, 2022). Drug abuse has become a serious problem which has affected millions of people including the youth who are supposed to be the torchbearers of the next generation in both South Africa and Zimbabwe (Mukwenha, 2022;Peltzer, 2022). Drug abuse has deteriorated the lives of millions of drug addicts throughout the globe, as it has forced them to live a miserable life, where they cannot distinguish between life and death. Porous Zimbabwean borders have seen drugs such as bronchi Clear (containing codeine) finding their way illegally into the country in huge volumes, especially from South Africa. Common drugs between South Africa and Zimbabwe include glue, bronchi Clear, mangemba, cane spirit, marijuana, codeine, and methamphetamine/crystal meth. Despite efforts in place to enforce the SADC protocol on abuse of these illicit drugs, blame has been on efforts being made by both jurisdictions to reduce if not eliminate the challenge (Jakaza&Nyoni, 2018; Pelttzer, 2022). Thus, the researcher finds it prudent that a study be undertaken to determine the effectiveness of the protocol application against the rising use and abuse of substances in both South Africa and Zimbabwe.

## **1.3 Purpose of study**

To understand the effectiveness of the protocol on combating drug trafficking between Zimbabwe and South Africa.

## **1.4 Objectives**

1. To assess the effectiveness of the destruction of seized drugs principle as a tool toward combating of drug trafficking between Zimbabwe and South Africa.
2. To evaluate the effectiveness of maximum custodian sentencing as both punishment and a deterrent in combating drug trafficking.

3. To analyze the effectiveness of mutual assistance between states in combating drug trafficking.
4. To examine the effectiveness of tracing, freezing, seizure, confiscation, and forfeiture of proceeds in combating drug trafficking.
5. To evaluate the effectiveness of rehabilitation of offenders in combating drug trafficking.

### **1.5 Research questions**

1. How has the destruction of seized drugs been effective in combating drug trafficking?
2. How has the implementation of custodial sentence on offenders been effective in combating of drug trafficking?
3. What is the level of cooperation between South Africa and Zimbabwe in managing the in and outflow of illicit drugs?
4. How has tracing, freezing and seizure; confiscation and forfeiture been effective in the combating of drug trafficking?
5. How has the rehabilitation of offenders been effective in combating drug trafficking?

### **1.6 Assumptions of the study**

1. The study assumes that all participants have experience in the destruction of drugs.
2. The study assumes that the participants understand the SADC protocol and bilateral relationships between Zimbabwe and South Africa.

### **1.7 Justification of the study**

The research will benefit the Ministry of Health as well as the Ministry of Home Affairs in areas of strategic planning. The Ministry of Health will benefit in terms of statistics and data that will inform on how deeply drug abuse has affected society. This will help in proper planning in areas of prevention; medication and rehabilitation thus informing of relevant policies to curb the situation. The Ministry of Home Affairs will benefit from the findings in the study in that if recommendations are adopted and complemented; the ministry will have an

upper hand in the war on drug trafficking. The findings will also inform the government through the two ministries of policies to put in place to combat drug trafficking. Academics and scholars will also be able to add to what is available and exploit the gaps created by this study for further research.

### **1.8 Delimitations**

The study shall obtain data from Interpol Headquarters in Zimbabwe where South African police together with Zimbabwean Police jointly cooperate. Diplomats and foreign affairs departments are also represented at Interpol level. Interpol is housed at the CID headquarters in Harare the capital city of Zimbabwe.

### **1.9 Limitations**

Resource limitation has the capacity to affect the researcher as the nature of the study requires a comprehensive interview and focus group discussion. To manage this the researcher shall have a budget and seek resources from family and friends.

Another limitation may be time limitation. Under this there is a possibility that carrying out all the interviews and questionnaires may require more time yet the researcher is racing against time to manage online interviews and questionnaires shall be used.

### **1.10 Definition of key terms**

Illicit substance abuse – Box (2020) defines Substance abuse as the harmful or hazardous use of psychoactive substances, including alcohol and illicit drugs.

The World Health Organization (2016: 05) defines substance abuse as the harmful or hazardous use of psychoactive substances, including alcohol and illicit drugs.

Interpol-International organisation that facilitates worldwide police cooperation and crime control.

Drug- substances that when taken in or administered into ones system, affect mental processes (WHO 2023).

Illicit – unlawful, not allowed by law or custom (WHO 2023).

Trafficking – a global illicit trade or practice (UNODC 2021)

## **1.11 Summary**

Chapter 1 shall cover the background of the study, problem statement, objectives as well as research questions. The chapter shall also detail the assumptions of the study, research design and methodology, delimitations, limitations and ethical considerations. The definition of key terms, dissertation outline and the proposed time frames shall be discussed

Chapter 2 shall cover the review of literature. The literature shall be the relevant literature as per the objectives of the study. Theories that cover the study shall also be discussed.

Chapter 3 shall cover the research methodology focusing mainly on the research philosophy, research design and the research approach. This shall be followed with the sampling procedure, sample frame and techniques. Methods of data collection shall be detailed by the chapter as well.

Chapter 4 shall focus on the presentation of and analysis of data. The chapter shall first look at the response rate and then followed by the demographics and then this shall be followed by the discussion of the different themes.

Chapter 5 shall focus on the summary of the findings, conclusions and recommendations.

## **CHAPTER TWO**

### **REVIEW OF RELATED LITERATURE**

#### **2.1 Introduction**

This chapter shall deal with the review of the literature. The literature review shall be guided by the main themes of the study. Equally, the chapter shall discuss the definition of major terms as well as detail the theories that underpin the study. The literature shall be relevant literature that addresses critical issues concerning the protocol and drug abuse.

#### **2.2 Conceptualizing illicit drug trafficking**

According to Aziani (2018), drug trafficking is a worldwide illegal industry that involves the production, distribution, and sale of drugs that are illegal under international law. Drug trafficking is the act of producing and distributing illegal narcotics across the nation by private individuals (Berlusconi, Aziani, & Giommoni, 2017). The illicit drug trade, sometimes known as drug trafficking, is a worldwide black market devoted to the production, distribution, and sale of illegal narcotics. According to Shaw and Tuesday (2019), most jurisdictions employ drug prohibition laws to restrict the trade of many different forms of drugs, unless it is done so with a license. As a result, drug trafficking is widely considered by legislators to be a serious crime worldwide. The number of narcotics being trafficked, their nature (and classification in the country into which they are being brought), where they are sold, and how they are disseminated all have an impact on the penalties. The consequences for trafficking may be more severe if the narcotics are sold to minors than they would otherwise be. Just like any country in the world, the war against the use of the illicit drug continues to haunt both South Africa and Zimbabwe. It is on record that COVID-19 as a pandemic accelerated the use of drugs. This is identified by Mukwenha et al., (2021) who suggest that Zimbabwe's illicit substance use problem has increased dramatically during the COVID-19 pandemic. The authors lament and raise particular concern about the upward trend in drug/substance use among adolescents and youths. Commonly used substances in Zimbabwe include glue, bronchi Clear, mangemba, cane spirit, marijuana, codeine, and methamphetamine (crystal meth). Mukwenha et al. (2021) further pointed out that the porousness of the Beitbridge border has been sorely responsible for this trend. It appears the use increased during the COVID-19 pandemic in Zimbabwe and poses a serious impending public health disaster.

On the other hand Box (2020) reiterated that porous borders have seen drugs such as broche (containing codeine) finding their way illegally into the country in huge volumes, especially from South

Africa where the bulk of Zimbabweans are domiciled. Dos Santos, (2019) pointed out that in South Africa alone, alcohol and drug use are estimated to be responsible for around 5% of the global disease burden. South Africa has the highest rate of alcohol-related deaths, 58% of deaths on the road are associated with alcohol consumption. Alcohol abuse affects human behaviour and that leads to unruly behaviour. Many road rage deaths and fights are associated with the abuse of alcohol. Alcohol abuse affects the psychological behaviour and causes the mental disorder which affects the compulsive behaviour (Lago, et al., 2017). Alcohol abuse is the hazard not only for the user but also for others. In South Africa, the latest estimations point to cannabis being the most widely-used drug out of all substances tracked by the UN. Approximately 3.7% of the country's population use cannabis, followed by cocaine (1%), amphetamines (1%), opioids (0.5%), opiates (0.4%), and ecstasy-type drugs (0.3%) and prescribed opiates (0.1%). These drugs exclude those that are made locally by small players in South Africa.

## **2.3 Theoretical framework**

### **2.3.1 Rational choice theory**

The rational choice theory, which is used in this study, is based on the fundamental principles of classical criminology and embraces the idea that people voluntarily choose their behaviour based on the desire to avoid pain while pursuing pleasure (Shon, Chong Ho, and Barton-Bellessa, 2015). The theory has been expanded throughout time to incorporate routine activity theory as well as sub-theories on crime deterrent and situational crime prevention (Loughran, Paternoster, Chalfin & Wilson, 2016). The rational choice concept has been extended to all types of corruption, including drug usage and white-collar crime. Shon, Chong Ho, and Barton-Bellessa highlight that biological influences may also be included in the Rational Choice Theory. According to research in the field of neuropsychology, several brain processes influence our "rational choices." People evaluate their options based on each one's potential to bring them advantage, pleasure, and happiness. According to Shin, Chong Ho, and Barton-Bellessa (2015), rational choice offers a thorough understanding of the motivations behind why criminals choose to engage in criminal acts. People commit crimes for a variety of fundamental reasons. In essence, crimes that are lucrative, simple, fulfilling, and enjoyable pique a person's need for pleasure.

The fundamental tenet of this theory, however, is that the vast mass of society is composed of rational individuals who are susceptible to control because of their fear of punishment. According to the rational choice theory, criminals are rational people who decide whether to commit a crime depending on the rewards and drawbacks of doing so (Liu, 2017). Criminal decision-making is deterministic by nature and is based on the principle of free will, "which necessitates observation of opportunities, circumstances, and situations that could affect the successful perpetration of the planned crime," according to the American Psychological Association. According to Brown, Esbensen, and Geis (2008), rational decision-making in relation to crime may also involve decisions made by victims that can affect the type of crime, the modus operandi, the time and place the crime will be committed, as well as what will happen thereafter (Liu, 2017).

This suggests that thieves would first scout out potential victims to identify weak points. Location, times when the victims are most vulnerable, and even the victims themselves, may offer the best way to hide their criminal activities from law enforcement and other capable guardians (Liu, 2017). However, some proponents of rational thought contend that criminals differ in the choices they make depending on their motivations, perceptions, aptitudes, and capacities to recognize opportunities as circumstances direct their decision-making processes (Lanier & Henry 2004). Three elements that characterize rational decision-making are described by Liu (2017). An integrated framework to describe the trafficking of women and girls for forced prostitution is created using free will, cost, and advantages.

### **2.3.2 Economic Theory**

The study will also draw on Becker's (1968) economic theory. Because of its connection to Rational Choice Theory, the economic theory is occasionally used to explain crimes, acts, and behaviours that compute the profits and benefits derived from engaging in a specific endeavour. According to the economic theory of crime, people make decisions for criminal as well as non-criminal reasons (Witt & Witte 2000). It implies that potential offenders are motivated by money and react strongly to the dissuasive incentives provided by the criminal justice system (Moeller, 2018). When the expected rewards from illicit activity outweigh the rewards from legal work, criminals are more likely to commit crimes.

Economic theory's core tenet is that criminals consider advantage vs. cost. According to Eagle & Betters (2007), people commit crimes when they believe the advantages of doing so outweigh the risk of getting caught and facing the consequences. According to Pratt (2008),

people will take legal or criminal action depending on the benefits they expect from doing so. The fact that predicted advantages from crime outweigh the proportionate incomes from legitimate work influences trafficking activities. In accordance with this hypothesis, punishment—or the lack thereof—is a factor in human trafficking. If the sentence is light, offenders are treated with less concern, then human trafficking rises (Liu, 2017). Also expressing this worldview is McKay (2006). The likelihood of getting caught and prosecuted as well as the anticipated result of the sentencing can frequently be used to gauge the severity of a crime.

#### **2.4 Seized drugs and the combating of drug trafficking.**

The argument that seized drugs need to be managed through complete destruction is being adopted by several countries. Duxbury and Haynie (2019) suggest that the early destruction of illegal drugs seized in police operations will reduce the burden on evidence custodians in safekeeping the items. The News Desk of India (2023) for example pointed out that to make India drug-free, police from all states and anti-drug agencies often carry out raids at several locations in the country based on inputs. During such raids, a huge or small number of drugs are seized by the cops and then samples are taken for analysis by the forensic science laboratory. The seized drugs are then destroyed close to police officers. This appears to be the solution to the drug challenges. Salmassi (2014) notes that in the UK there are no uniform rules for burning evidence. Some local governments allow more flexibility than others. However, the principle is the same burning, and any other method of destruction reduces the spread of these drugs.

Rise (2015) suggests that South Africa's approach to policing illegal drugs has been largely punitive and based on the "war on drugs" model. This has proven ineffective at reducing drug use, arrest and conviction rates remain low, and drugs have become more affordable over time. The punitive approach fails to address the underlying causes of drug use, which are often socio-economic factors like poverty, unemployment, and alienation. Drug use can be a coping mechanism for people in difficult circumstances. Fadlallah et al (2016), also come with significant collateral damage, including high levels of police corruption, violence against drug users, and the criminalization of marginalized communities. Harm reduction approaches that

seek to mitigate the harms of drug use, rather than eliminate drug use entirely, have been shown to be more effective.

Janaki (2016) points out that changing the discourse around drugs to avoid stigma and scapegoating can also help reduce some of the harm. However, implementing harm reduction in South Africa faces challenges due to conservative attitudes and legislation that is still largely punitive. Despite these challenges, small steps toward harm reduction can be taken. These include reducing drug-related arrests, which are a waste of police resources and do not treat addiction. Focusing police efforts on higher-level drug dealers could also be considered a form of harm reduction. Africa is at a crossroads as far as addressing her drug problem is concerned. On the one hand, the continent is experiencing a rise in drug trafficking coupled with an expansion in crime. On the other hand, the continent is facing rapidly rising consumption of drugs the mushrooming of illicit drug production sites and an increase in the volumes of drugs trafficked within and through the continent. This provides a case for the need to destroy the drugs.

Shaw and Tuesday (2019) reiterate the need to ensure that drugs have been destroyed when found because of their effects. These challenges contribute toward serious health consequences, including drug use disorders, HIV and AIDS and other infectious diseases, malnutrition, and death, as well as severe social risks such as discrimination, exclusion, and violence are also challenges and lucrative conditions for criminal activity in the illicit drug markets. Drug trafficking is linked to organized crime, money laundering, illicit financial flows, and terrorism financing, among others. The undermining of the rule of law and good governance resulting from drug trafficking poses new challenges in exchanging intelligence, training border officials, and enhancing preparedness to fight new and emerging organized crimes such as cybercrime, and mafia-style crimes rise in gangs, extortion, violence, and criminal governance. There are multiple causes for the rise in drug use and trafficking on the continent, among others, poverty, social exclusion, conflict, violence and trauma, gender inequality, high levels of income inequality, a high share of youth in populations and youth unemployment, high rates of urbanization, low levels of criminal justice resources, mental health factors and lack of treatment opportunities, high levels of availability of drugs, lack of recreational space and recreation activities, family factors, homelessness (Shaw & Tuesday, 2019).

Within the framework of the Results Presentation of the Fight against Drug Trafficking, organized by the Ministry of Government, the United Nations Office on Drugs and Crime

(UNODC) presented the Final Report on the Destruction of Drugs Seized in Bolivia in 2021. This activity is developed with funding from the European Union in Bolivia and in coordination with national counterparts. The event was attended by the President of the Plurinational State of Bolivia Luis Arce Catacora, the Minister of Government Eduardo Del Castillo, national authorities, and the UNODC Representative Thierry Rostan, who presented insights of UNODC's support in the destruction process of illegal drugs seized in the country during the 2021 administration.

UNODC corroborates the information on the destruction of illegal drugs in Bolivia under the framework of its Support Program for the Implementation of the Action Plan of the Strategy to Combat Drug Trafficking and Reduce Excess Coca Crops in the Plurinational State of Bolivia, funded by the European Union. In 2021, the FELCN and the Public Prosecutor's Office carried out 565 acts of destruction of illegal drugs, 21% higher than the 467 acts of the previous year. In 2021, UNODC validated 38% of the acts of destruction of illicit drugs, equivalent to 213 of them. That year, 18.2 tons of cocaine (10.9 tons of cocaine base and 7.3 tons of cocaine hydrochloride) were seized. Likewise, they confiscated 9.8 tons of marijuana intended for sale. The UNODC Representative in Bolivia stated that UNODC participated in the destruction of 84% of cocaine base (9.2 tons), 92% of cocaine hydrochloride (6.7 tons), and 80% of marijuana for sale (7.7 tons). UNODC validated the destruction of 84% of the total amount of illegal drugs seized in Bolivia in 2021, the highest percentage of drug validation since the beginning of this activity in mid-2013.

Among the conclusions and insights of the work conducted during 2021, UNODC indicated that, based on the sample collected through the accompaniment to the acts of destruction in addition to the number of controlled substances destroyed and validated, it is possible to state that in Bolivia, in 2021, the procedure of destruction of illicit drugs was performed with significant levels of transparency, safely and in compliance with legal standards. UNODC in Bolivia participates as an observer in the destruction of the seized drugs for sale in the national territory, verifying the destruction of illegal drugs since their extraction from evidence rooms until their obliteration in the field, strengthening the national and international reliability of the institutions responsible for the incineration/destruction of illegal drugs, promoting the transparency of the acts and the coordination of the entities involved.

Some of the principal recommendations of the UNODC are to maintain the standards and good practices applied in the destruction of drugs to strengthen the continuous training of those involved, to conduct periodic maintenance of the scales used in the weighing and re-weighing of seized controlled substances, and to promote environmental studies or diagnostics regarding possible impacts of the destruction of drugs. Thierry Rostan expressed gratefulness to the European Union for the assistance and financial support to validate the information on the destruction of illegal drugs. He also praised the work and efforts of the Ministry of Government, the Vice-Ministry of Social Defence, the FELCN, and the Public Prosecutor's Office. Since the performance of the Plurinational State of Bolivia against illicit drug trafficking reflects significant progress, Mr. Rostan congratulated all the operational personnel who risk their lives fighting against this scourge for the welfare of the community, in addition to the authorities who promote the development of a sovereign strategy with successful results, regional coordination, modernization and a sovereign approach yielding successful results. Therefore, he congratulated all authorities on promoting policies and leading interdiction tasks.

## **2.5 Maximum custodian sentencing and drug trafficking**

Drug trafficking is illegal in Zimbabwe and is punishable by a maximum prison sentence of 5 years and a level 10 fine. The possession, use, and trade of drugs are also harshly punished in Zimbabwe. Possession of illegal drugs like cannabis and heroin, as well as the recreational use of prescription drugs such as histalix and pethidine, can attract long jail sentences. The Zimbabwe National Drug Master Plan (ZNDMP) (2020-2025) offers an integrated and comprehensive approach that addresses a range of drug-related issues. Skelton (2015), points out that sentencing is a process within the criminal justice system in which a person who has been convicted of a crime, following due process, is punished for his or her offense. It is a process of assessing the appropriate punishment. The process is required at law to involve the investigation of all the relevant circumstances against which a sentence in a particular case must be assessed and determined.

Sentencing is an integral part of the penal system of any modern society anchored on the rule of law. This is because where the rule of law exists, there are legal rules to which all citizens are accountable. The fact that the law may require a punishment to be imposed on a person who would have breached it is significant. It spells out that the sentence that is imposed on an offender is one that is to be determined through the law itself and not by the individual judicial

officer. However, in most cases, the law does not set out the specific sentence that must be imposed on an offender in a particular case.

Given that the sentence that ought to be imposed on a person who has been convicted of committing a crime is contemplated by law and that the law does not always fix the sentence, the procedure of sentencing directs the court to the factors the law requires to be taken into accounting arriving at the sentence contemplated by the law. Notwithstanding the fact that a court may have discretion in determining a sentence, the punishment imposed on an offender must be of the degree of severity intended by the law. Sentences imposed as punishment on offenders are a means to an end. The theories of punishment suggest that sentences are imposed on offenders for the purpose of achieving one or more of the following objectives – general deterrence, special deterrence, prevention, reformation, and retribution according to A Skelton (2015),

When a judicial officer metes out a sentence, he or she must bear in mind that the theory of retribution is an inherent feature of the criminal justice system. This means that when the sentence is imposed by the Judge after conviction, he or she ought to give effect to society's disdain for the deviant conduct of the perpetrator. The classical purpose of criminal law is to punish the offender who violates the social order within the confines of the law. This acts as a guard against the state of nature theory which Hobbes articulated as characterised by the "war of every man against every man", a constant and violent condition of competition in which each individual has a natural right to everything, regardless of the interests of others.<sup>1</sup> The State, through the Judiciary, is endowed with the authority to balance the scales when a sentence is imposed upon a duly convicted Person.

Bowen and Thompson (2017) put forward the case of *R v. Clotworthy* (*Clotworthy*) is celebrated in New Zealand as establishing a persuasive precedent for RJ's relevance to serious offending. In *Clotworthy*, the offender, having spent the day drinking alcohol, stabbed another man (the victim) in an act described as one of aggression. It was established that the stabbing was random and without explanation. The offender was charged with the offence of wounding with intent to cause grievous bodily harm, an offence punishable by up to 14 years' imprisonment. Based on previous decisions of a similar nature, an appropriate sentence for the crime would have ranged from three and a half to six years in prison.

Deterrence is generally regarded as one of the most important purposes of sentencing. The rationale behind deterrence as a purpose of sentencing is the belief that "criminal penalties do

not just punish violators, but also discourage other people from committing similar Offences”. The United Nations Office on Drugs and Crime provides. It is worthwhile to reiterate that deterrence has been pushed to the forefront as a viable alternative to retribution, because retribution is often limited since there is no way to undo the harm which has already taken place in most instances where criminal law becomes relevant. The threat of criminal sanctions such as the death penalty acts as a deterrent to society’s inclination to subvert the law. It prevents citizens from taking the law into their own hands when relating with other members of their respective communities. The very threat of imprisonment is presumed to compel citizens to conform to the established laws. For those who are sentenced to custodial prison terms, deterrence operates on the presumption that upon their reintegration into society they will shy away from deviant behaviour due to the threat of another term behind bars. Accordingly, the Judiciary plays a role in imposing deterrent sentences that discourage would-be offenders. The effectiveness of criminal law as a deterrent is, however, highly contentious. This is because of the high rate of recidivism in addition to continued incidences of criminal activity. The often-doubtful effect of deterrent sentences, in turn, undermines the role and importance of the Judiciary in sentencing.

## **2.6 Mutual assistance and drug trafficking**

Rosen(2015) points out that Since the First AUPA was implemented in 1996, AU Member States established drug control units or divisions mostly in their Ministries of Police or State Security and. Over time, a gradual shift took place where Ministries of Health, and Social Development (with all stakeholders represented, including those in supply reduction) assumed a joint or sole mandate for coordinating the implementation of their national drug control strategies or Drug Master Plans (DMPs). At present, close to 80% of AU Member States have national inter-ministerial drug control committees that meet regularly, and 62% implement revised drug control strategies and produce annual drug situation reports.<sup>12</sup> The remaining Member States are revising their DMPs, while some will commence it before long with technical assistance from the AU Commission, the UN Office on Drugs and Crime (UNODC) and other international partners.

Gberie, L.(2015) ,The implementation of the AU Plans of Action on Drug Control and Crime Prevention were additionally galvanised by Regional Drug Control Strategies implemented by Regional Economic Communities (RECs), such as the Economic Community of West African

States (ECOWAS), the Southern African Development Community (SADC) and the East African Community (EAC). An important output of the Regional Economic Communities was the strengthening of epidemiological surveillance on drug use and trafficking trends in regions and in some Member States. Some challenges were encountered, mainly when funding from supporting partners decreased. At continental level, the Project, “Strengthening Research and Data Collection Capacity for Drug Use Prevention and Treatment in Africa” was launched in 2015 with the support of the US Government and it has been rolled out in 15 Member States (3 in each of the 5 AU Regions.) The overall objective of the project is to develop and implement a drug surveillance system with a public health orientation for the collection and dissemination of comparable data on drug use and related problems in Africa. In addition to information from surveillance systems, there is a critical need for research and data collection on drugs, such as school, workplace and community surveys and qualitative studies on targeted populations. The improved knowledge and understanding of the drug use and trafficking situation will facilitate the successful development, revision, and implementation of regional and national drug control strategies to address problems associated with drug use and trafficking.

According to Olukoshi, (2013) the revised AUPA builds upon existing activities in Member States and in some African regions, including research, training and preventive activities that could be shared with other countries, and on the successful outcomes of drug demand reduction training, in prevention and treatment, conducted by the Drug Control Program Management Unit within the AU Commission and by other partners in Member States. Furthermore, responses to prevent the transmission of blood-borne diseases associated with drug use, such as HIV and viral hepatitis are more strongly included in the revised AUPA. The AUPA takes into consideration the right to health of all citizens and that drug use is a complex condition to be managed. Children and other family members of people who use drugs should not suffer victimization through losing a parent or loved one. People who use drugs should be supported to overcome the problems that they may be facing.

The AUPA also responds to the contemporary challenges in drug supply reduction, such as the diversion of precursor chemicals, online drug markets, new psychoactive substances, and the linkages between drug trafficking and organised crime – of which drug trafficking is usually the first link in the chain of illicit flows. In this regard, the revised AUPA focuses on drug-related violence, and the profiling of high-level actors and enablers of drug trafficking and drug related crime (such as illicit arms dealers, corrupt officials, and money launderers).

The drug problem in the West African region has also been placed on the agenda of the UN Peacebuilding Commission, while UNODC long active in the region continues to provide analysis and technical assistance through its regional and global programmes. The UN Security Council also in response to the drug trafficking menace in West Africa have also adopted several UN Security Council Presidential Statements (S/PRST/2012/2) in which “the UN Secretary-General was urged to consider mainstreaming the issue of drug trafficking as a factor in conflict prevention strategies, conflict analysis, integrated missions’ assessment and planning and peace building support” in the region Aning et al (2015).

Lastly, the revised AUPA provides for international cooperation nexuses and continental coordination for its implementation with the involvement of all relevant international and national stakeholders and partners. In this regard, the African Union Commission was a founding partner of the International Society of Substance Use Professionals (ISSUP) in 2015. ISSUP is a focal point for information about substance use prevention and treatment and raining for prevention and treatment workforce. African Member States and organizations have played an active role in its development, with Kenya that hosted the 4th International ISSUP Conference in December 2018 – the first on African soil. A second major aspect of Africa’s international cooperation is its role in the International Consortium of Universities for Demand Reduction (ICUDDR), which promotes university education and training in addiction prevention, treatment, and public health interventions.

## **2.7 Tracing of proceeds and drug trafficking.**

Pavlidis and Satolias (2019) suggest that pproceeds of economic crime represent criminal income. They manifest themselves as assets, some of which are the object of the crime itself, such as the stolen vehicle or funds. In more complex economic crimes, the asset to be linked to the offence is more likely to be the product of an intervening transaction and is in a fungible form. Tracing the proceeds of crime is premised on the assumption that through transformation, the origin of assets as criminal income can be concealed, and they can be easily and speedily moved between places, or across borders. Boucht (2017) went on to suggest that they can be mingled with others and converted into other forms. This makes the task of identifying the original assets difficult for the victim or for any other claimant. Unless they can identify what,

they have been dispossessed of, or what has otherwise been unlawfully acquired, the victim or claimant cannot enforce their right to benefit from the asset.

In his book *Accounting Guide to Asset Tracing*, Dave Melton defines asset tracing in the context of divorce proceedings as “an accounting process that traces an asset from its separate property beginnings through all of its mutations and demonstrates that the resulting asset in existence at the date of divorce is either separate, marital, or a combination of the two”. The definition can be adapted for investigative processes into proceeds of crimes, such as fraud, drug trafficking, money laundering and corruption. Tracing proceeds of crime involves identifying assets with or from their criminal origins, through all mutations, if any, to the eventual form and state in which they exist at the time that they are located. During mutation, proceeds mingle with lawfully accrued resources and can diminish or grow in quantity or appreciate. Proceeds of crime are commonly conceived by criminal laws as: Property derived or realized directly or indirectly from a (serious) crime, (the initial criminal proceeds) and includes property resulting from the conversion or transformation of the initial criminal proceeds (secondary criminal proceeds) and income, capital or other economic gains derived from either the initial criminal or the secondary criminal proceeds.(end quote) (Adapted from definitions in the laws of South Africa, England, Zimbabwe and the bill on money laundering in Malawi.)The right to decide what to do with the retrieved assets or their progeny vests in the victim of the original crime or with the authority empowered to enforce the law.

These general propositions appear to have achieved universal acceptance within and beyond Southern Africa. There are, however, formidable challenges still encountered in locating and retrieving proceeds of crime. This is particularly so where proceeds of organized economic crime are involved or where the proceeds have been moved across borders. State responses to organized crime and transnational movement of proceeds of crime are not always organized or coordinated. Policy makers and law enforcement agencies are aware that tracing the proceeds of crime, whether organized or not, predatory or market based, can be stifled by money laundering techniques. This is at least part of the reason for the ascendancy of anti-money laundering measures up the scale of global priority issues. Since the advent of the United Nations Convention Against Narcotics and Psychotropic Substances (1988), measures to detect and retrieve proceeds of crime have been accorded prominence. The emphasis was repeated for a broader range of crimes in the United Nations Convention Against Transnational

Organized Crime (2000). The regional SADC Protocol Against Corruption (2001) adopted this approach for the proceeds of corruption, as did the African Union Convention on Preventing and Combating Corruption and Related Activities (2003) and the United Nations Convention Against Corruption (2003).

Boucht, J. (2017) is of the view that the role of confiscation regimes in anti-money laundering mechanisms is also not questionable. At the same time, the attention devoted to effective strategies and laws to trace proceeds of crime in Southern Africa is still inadequate. This chapter discusses some of the key challenges in establishing effective systems. It argues that some of the most persistent challenges are policy-related. In the second part, the chapter highlights some of the milestones that have been achieved in the sub-region and elsewhere, with a view to drawing lessons for the evolution of this aspect of combating economic crime. Canonico et al (2017) reiterated that criminal income is not homogenous. Its nature, magnitude and perhaps relationship to the economy on which it impacts depend on the nature of the crime from which it is derived. Economic crime analysts draw a functional distinction between predatory crime and market-based (or related) crime. The categorization is admittedly woven around stereotypes, but it is useful. At its simplest, predatory crime involves: the redistribution of existing wealth. The transfers are bilateral, involving victim and perpetrator and the transfers are involuntary, commonly using force or the threat of force, although deceit may suffice. The victims' individuals, institutions or corporations are readily identifiable. The losses are also simple to determine" a robbed (or defrauded) person, institution or corporation can point to specific money and property lost. The victims of predatory crime are not always readily identifiable. This is so for instance, in cases of grand corruption.

Bergström (2018) pointed out that market-based crimes, on the other hand: involve the production and distribution of new goods and services that happen to be illegal by their very nature. The exchanges are multilateral, much like legitimate market transactions, involving (among others) producers, distributors, retailers, and money managers on the supply side and final consumers on the demand side. Because the transfers are voluntary, it is often difficult to define a victim, unless it is some abstract construct like 'society'. Therefore, there are no definable losses to any individual from the act itself (although there may be indirect consequences of the act. Against that background, it is necessary to determine who has an interest in detecting and recovering the proceeds of crime. On that determination may depend on the subsequent processes pursued, the difficulties that may arise, and the prospects of

success. In predatory crime, the victims of the crime will typically be anxious to get compensation. Their interest may be shared, or pursued on their behalf, by prosecutors, forensic investigators, accountants, anti-corruption agencies, anti-money laundering investigators, and the courts.

Riccardi and Levi (2018) reiterated for market-based crimes, the absence of direct victims means that the keenest interest to uncover connections between crime and its proceeds is harbored by the agency mandated to represent the public, the state, or even ‘society’ or a section of society. There may be a multiplicity of institutions with this role, or that perceive themselves as having it. They typically include police departments, taxation authorities, asset forfeiture agencies, intelligence agencies, and banks. Such ‘victims’ may be classified as representative victims. Whether they can effectively act to recover the proceeds ultimately depends on their capacity” which in turn is centered on the extent to which their role is recognized and supported by law. While it cannot eliminate all the hurdles, the backing of the law can ease the processes involved in finding proceeds of crime, regardless of whether the victims are actual or representative victims.

## **2.8 Rehabilitation of offenders and drug trafficking.**

The South African prison population is the eleventh largest in the world, and its justice system continues to face serious challenges besides overcrowding (Jacobson et al., 2017). In the 1990s, South African prisons were changed to correctional facilities, with prison reform initiatives aimed at humanising the prison services from a penal towards a rehabilitation focus (South African government White paper 8, (2016). The transition was more apparent with the new political dispensation post-1994, which ended apartheid-era penal practices, with an emphasis on rehabilitation methods and social restoration (South African Government White Paper 8, 2016). The South African Government White Paper 8 (2016) proposed a rehabilitative-centred system inclined towards a needs-based plan of intervention, catering to the offender’s needs, and reducing the risk of reoffending Newsome & Cullen, (2017).

The present South African the rehabilitative model includes psychological, social work, educational, religious, and recreational intervention programmes aimed at enhancing successful offender rehabilitation and reintegration into society Jonker, (2011). This model assumes a focus on psychological and social supports for influencing behavioural change

enabling the rehabilitated ex-offender new ways of thinking about and interacting with the environment around them. This could reduce the risk for recidivism. The correctional rehabilitation services are based on behavioural change, social learning approaches Auty et al (2017), and for ex-offenders to acquire social responsibility competencies Curlewis, (2016)

Also, Marsch et al. (2014) developed a computerized based education system called the Therapeutic Education System (TES) that provides education on drug abuse issues. It has a self-training module whereby an individual must listen audios and do some homework provided by the system, the other part on this application is for alcohol and drugs awareness which provides opportunities for people to learn about drug abuse issues, it also provides different courses on drug abuse issues (Marsch et al., 2014).Leban, (2016) Assisting offenders to become prosocial citizens has been a preoccupation of criminologists, psychologists, psychiatrists, and other related professionals for over a century. Efforts to reduce re-offending and increase prosocial behavior are located mainly in the criminal justice system and the success in achieving these two goals has been elusive. It is argued that despite the intervention of different community formations and non-governmental organizations that fight against alcohol abuse, the level of alcohol abuse is going up daily (Mail & Guardian, 2017). In South Africa, alcohol abuse is postulated to be linked with high levels of HIV infections, Mental illness and relationship breakups. The same can be said for Zimbabwe. Alcohol abuse in many instances led to intimate partner abuse and mainly resulted in an unplanned pregnancy. Depressed women resort to taking alcohol as a way of feeling better or trying to forget about the abuse caused by their partners. Alcohol abuse in South Africa is also found among pregnant women who in the main, harms the health of the mother and the baby (Davis, 2017). Against this background efforts from both countries have been to try and reduce the abuse of illicit substances.

The South African government has attempted to control this by passing the age limit to consuming alcohol (Ismail, 2017). The government has been attempting to develop a social program that ensures that young people are not abusing alcohol. The current programs developed by the government to bridge the gap and close the unemployment vacuum are not adequate to replace the abnormal use of alcohol (VinePair, 2018). Similar strategies haven't been deployed in countries like Zimbabwe as well. Keanu, Egan & Hawk (2018) pointed out that the most effective way to handle drug abuse and dependency is to prevent its onset. Prevention involves a multi-disciplinary approach to keep people away from drug abuse or addiction. Prevention of drug abuse is not normally the duty of one group of professionals alone.

Katz, Goodnough & Sanger-Katz (2020) pointed out that health awareness and education programmes need to be regularly provided and incorporated into the curricula of most educational institutions. The target groups should be educated on the psychological, social and economic implications of dependency producing drugs and appropriate measures should be employed to keep people away from drugs of addiction. Supportive relationship with the drugs abuser during the de-toxification period usually affects his attitude favourably in the stages of rehabilitation. Heaton (2018) went on to suggest that reduction of the physical and psychological discomforts during the de-toxification period is always accomplished through many comfort measures. This involves the coordination of client care through appropriate referrals and careful monitoring. Emphasis here is on the re-integration of the individual into the community. Wakeman et al (2020) recommended counselling and therapy to all victims. They also suggested the use of activities potent in distracting his attention from his plight. It may be necessary to refer client for special counselling sessions and other supportive services.

For a period (approximately from the mid-1970s to the early 1990s) many researchers and practitioners held the belief that little could be done to rehabilitate offenders. However, the 1990s saw a flood of new research and analysis that yielded a much more optimistic view of the effectiveness of some treatments to change the behavior of offenders towards more prosocial behaviors. A number of meta-analytic reviews of the offender treatment literature have been conducted that reveal patterns in what makes some treatment programs more effective than others. Meta-analyses of the treatment literature compile and compare many studies to provide an overall estimate of the effectiveness of treatment. The first major meta-analytic review of this literature was conducted in 1990 and since then there have been over 40 such reviews. In general, the reviews identify the characteristics of treatment that reduce recidivism.

Gilfillan, (2017) have identified 19 characteristics or principles that are found to be associated with reductions in re-offending. Some of these principles are overarching principles that set the general human values and theoretical context to effective intervention (e.g., provide services rather than relying on punishment to change behavior). Other principles relate to offender risk assessment, program delivery, and organizational factors. However, it appears that there are three principals at the core of effective intervention with offenders. The first principle is called the Risk Principle and states that to increase treatment effectiveness the level of service must be matched to the risk level of the offender (i.e., low-risk offenders receive minimal intervention, and high-risk offenders receive intensive services). The second principle, the

Need Principle, says that treatment should target those problematic needs of offenders that are related to offending (i.e., criminogenic needs). Finally, the Responsivity Principle calls for providing cognitive behavioral treatment and tailoring the intervention to the learning style, motivation, abilities, and strengths of the offender.

When treatment programs adhere to all three principles there is a significant impact on recidivism. Offenders receiving treatment in residential or custodial settings show lower recidivism rates than offenders who do not receive treatment. When the treatment is delivered in community settings the effectiveness of the intervention is even greater. Finally, the reviews also reveal a gap in effectiveness between the controlled, experimental settings and the “real world” interventions. This is most likely due to the varied levels of quality and integrity of service delivery in everyday situations.

The policy implications include and not limited to Providing human services to offenders shows reductions in recidivism demonstrating that offender rehabilitation can be an effective approach to enhancing community safety. The treatment interventions that are offered to offenders should follow the principles of Risk, Need and Responsivity. To deliver the most effective interventions in real world settings, considerable care should be given to selecting, training and supervising staff.

## **2.9 Chapter summary**

The chapter looked at the review of the literature. Literature was reviewed guided by the major themes.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

This chapter sought to explore the different types of methods and techniques that were used in carrying out this research. It focused on research philosophy, research design, population and sample, research instruments, data collection procedure, and data analysis procedure. It looked at the research instruments used, highlighting how data was collected, and the validity and reliability of the instruments employed. These were detailed as discussed below.

#### **3.2 Research Philosophy**

Philosophically the study adopted an interpretive paradigm. Patel and Patel (2019) suggested that research methodology was the science of studying how research is done scientifically. Lucas, Fleming, and Bhosale (2018) argued that methodology commonly refers to a frame of reference that researchers use to find solutions to a problem supported by a method of inquiry based on a specific set of guidelines. The research approach is the strategy for conducting a study that includes the phases from general assumptions to specific techniques for gathering, analysing, and interpreting data (Grover, 2015). Interpretivism, also known as interpretivism involves researchers interpreting elements of the study, thus interpretivism integrates human interest into a study. Accordingly, interpretive researchers assume that access to reality (given or socially constructed) is only through social constructions such as language, consciousness, shared meanings, and instruments. Interpretivism is associated with the philosophical position of idealism, and is used to group together diverse approaches, including social constructivism, phenomenology, and hermeneutics; approaches that reject the objectivist view that meaning resides within the world independently of consciousness. According to the interpretive approach, it is important for the researcher as a social actor to appreciate differences between people. Thus, this is ideal to appreciate the effectiveness of the protocol in combating illicit drugs from the standpoint of both Zimbabwe and South Africa.

#### **3.3 Research approach**

The study shall utilise a qualitative research approach. Qualitative research involves collecting and analyzing non-numerical data (e.g., text, video, or audio) to understand concepts, opinions, or experiences. It can be used to gather in-depth insights into a problem or generate new ideas for research. Saunders et al (2000) define a qualitative approach as a method that allows one to dig deep into the subject matter thus reaching people's feelings and attitudes about the subject understanding. In addition, qualitative approach consists of studying specific phenomenon or facts in the place where it happens. Qualitative research is characterized by its aims, which relate to understanding some aspect of social life, and its methods which (in general) generate words, rather than numbers, as data for analysis. The qualitative research tests theories inductively without any intention of quantifying findings and hence this study will use this approach to test the theories from the literature using information obtained from the respondents. Qualitative research often involves fieldwork to make observations that will lead to hypotheses and theories, thus it is the mandate of this study for the researcher to visit DLS to obtain data to achieve the objectives of the study. This approach enabled the researcher to get a deeper understanding of people's expressions, opinions, feelings, and experiences on the SADC protocol for combating illicit drug trafficking.

### **3.4 Research Design**

A research design is the 'procedure for collecting, analyzing, interpreting, and reporting data in research studies. Kinner and Taylor (1995) depicted that research design is the masterplan that specifies the methods and procedures for collecting and analyzing needed information. The research solely relied on primary data collection. This means that the data was collected from employee's firsthand information. The researcher made use of the case study because it focused on analyzing specific issues within the boundaries of a specific environment, situation, or organization. According to Gerring (2004) case study is an intensive study of a single unit for the purpose of understanding a larger class of similar units. It is a case study because the researcher referred to Interpol with both Zimbabwe and South African counterparts focusing on the effectiveness of the SADC protocol on combating illicit drugs. A case study was selected as it allowed the researcher to deal with complex social situations and provides a great amount of description and details therefore with this, the researcher at the end of this research was able to accomplish the objectives of the study.

### 3.5 Population

Population refers to any collection of specified groups of human beings or no human entities such as objects, projects, or events. Bhandari (2020) suggested that a population is the entire group that you want to draw conclusions about. The population is the entire group that conclusions are drawn from. In this study, the population is comprised of 60 people who represented Interpol Staff at the headquarters and CID drug section, of whom 10 were senior officers, 20 junior officers and 30 were members from both Interpol and CID Drugs Unit.

### 3.6 Sample size

Shukla (2020) suggested that a part of the population that represents it completely is known as a sample. It means, the units, selected from the population as a sample, must represent all kind of characteristics of different types of units of the population. It is viewed as a random selection of members of a population. It is a smaller group drawn from the population that has the characteristics of the entire population. The observations and conclusions made against the sample data are attributed to the population. The research targeted a sample of 30 participants as depicted bellow.

**Table 1.1 Sample Size**

Category	Population	Targeted	Percentage
Senior Officer	10	8	80%
Interpol Officer	30	14	46.6%
CID Drug Section	20	8	40%
	60	30	50%

### 3.7 Sampling techniques

A sample of the population was selected for the purpose of data collection. A sample is the specific group of individuals from whom data will be collected from. There are two types of sampling methods namely: probability sampling methods and non-probability sampling methods. Probability sampling can be further classified into four main types which are: simple random sampling, systematic sampling, stratified sampling and cluster sampling. Non-



probability sampling methods can also be broken down to: convenience sampling, voluntary response sampling, purposive sampling and snowball sampling. The non-probability sampling method was employed using the convenience and purposive sampling methods.

### **3.7.1 Convenience Sampling**

According to Rahi (2017), convenience sampling describes the data collection process from a research population that is effortlessly reachable to the researcher. A convenience sample simply includes the individuals who happen to be most accessible to the researcher. Thus, this method was applied to senior officers who are always swamped up by cases. This convenience sampling was selected because it yielded various benefits. First, the researcher consumed less effort to select the participants compared to other non-random sampling techniques (Berndt, 2020). Second, convenience sampling was selected because it required the researcher to select participants at a very low cost. Third, the researchers invested less time since the sample taken from the target population was readily accessible. Finally, the researcher did not need to prepare a list of all the population elements (Alvi, 2016). It also provided a wealth of qualitative data. Thus, this method was extremely speedy, easy, readily available, and cost-effective, causing it to be an attractive option to most researchers (Elfil&Negida, 2017).

### **3.7.2 Stratified Sampling**

Thomas (2023) posited that in a stratified sample, researchers divided a population into homogeneous subpopulations called strata (the plural of stratum) based on specific characteristics (e.g., race, gender identity, location, etc.). Every member of the population studied should be in exactly one stratum. Stratified random sampling is a method of selecting a sample in which researchers first divide a population into smaller subgroups, or strata, based on shared characteristics of the members and then randomly select among each stratum to form the final sample. Hendlin, Vora, Elias, Ling (2019) By organizing a population into groups with similar characteristics, researchers save data collection time and can better manage a sample that would otherwise be too large to analyze. The research costs for this sampling method are minimized as researchers save money by dividing a large population into smaller groups containing similar members rather than sampling every individual of a larger population. Saunders et al (2012) Stratified sampling can produce more precise estimates than simple

random sampling when members of the subpopulations are homogeneous relative to the entire population.

### **3.8 Sources of data**

The study utilized both primary and secondary sources of data. Kabir (2018) suggests that primary data included the use of surveys, questionnaires, interviews, and observations. The use of secondary data involved reanalyzing data that already existed for other purposes. It included both raw data and published summaries. The researcher used Interpol monthly reports, minutes, and operation reports. Kabir (2016) affirmed that secondary data is essential because it is possible to capture past experiences and events by conducting a new survey. The secondary data was used to corroborate primary data and fill gaps that existed in primary collection.

### **3.9 Data collection method**

The researcher utilized both interviews and questionnaires for data collection. Interviews targeted senior officers while questionnaires were used for junior officers.

#### **3.9.1 Interviews**

Taherdoost (2021) suggest that interviews are used to obtain in-depth information about the participants' experiences by interpreting them. This interaction provides the opportunity to record everything in their lives. An interview is a conversation for gathering information. A research interview involves an interviewer, who coordinates the process of the conversation and asks questions, and an interviewee, who responds to those questions. Interviews can be conducted face-to-face or over the telephone. This method, therefore, provided the opportunity to gather rich data, and emerging new concepts; however, it required expert conductors who could explore when and how to ask questions promptly as well as gather the responses without missing any data (Doody, 2013) The internet is also emerging as a tool for interviewing. Semi-structured interviews: In a semi-structured interview, the interviewer used a set of predetermined questions, and the respondents answered in their own words. Some interviewers use a topic guide that serves as a checklist to ensure that all respondents provide information on the same topics (Taherdoost, 2016b). The interviewer can probe areas based on the

respondent's answers or ask supplementary questions for clarification. Semi-structured interviews are useful when there is a need to collect in-depth information in a systematic manner from several respondents or interviewees.

### **3.9.2 Semi-structured questionnaires**

Taherdoost (2021) suggested that a questionnaire is a research instrument consisting of a series of questions and other prompts for the purpose of gathering information from respondents. Generally, a questionnaire refers to a device for securing answers to questions by using a form which the respondent fills in by himself. It consists of a number of questions printed or typed in a definite order. A questionnaire is a systematic compilation of questions that are submitted to a sampling of the population from which information is desired. Charmaz and Bryant (2016) conceptualized a semi-structured questionnaire as a research instrument that consists of a series of less structured questions for the purpose of eliciting information from research subjects. In this context, semi-structured research questions are designed in such a way that provide blank spaces for participants to write transcriptions as they respond to the research questions. Alboloushi (2020) argued that semi-structured questionnaires are often used in cases of large enquiries. To this effect, this research adopted them in lieu of gathering multiple responses from junior officers. The study adopted this research instrument due to its ability to gather large amounts of data in a short space of time. Semi-structured questionnaires were adopted in order to corroborate findings from the semi-structured interviews which is a critical aspect in data triangulation as agreed by Birks and Mills (2015).

## **3.10 Data presentation and analysis**

Data findings on demographic information were tabulated and objectives presented in themes. Emerging sub-themes also were taken note of during the data presentation. Thematic analysis method was subsequently adopted during the subsequent discussion of findings.

### **3.10.1 Thematic Analysis**

According to Kiger and Varpio (2020) thematic analysis is data analysis technique blatantly used for qualitative data analysis-it follows a search for the identification, description, analysis and reporting of repeated patterns across a data set. Similarly, Biddle and Schafft (2015) argued

that thematic analysis concerns itself with identifying key themes or patterns emerging from qualitative data sets thereby deducing meaning for the purpose of reporting the findings. Yin (2018) contended that principles of thematic analysis are applicable grounded theory, narrative and phenomenology research designs as well since data familiarizing, coding, theme searching and refinement as well as reporting of findings is inherent in the bulky of qualitative research designs. Braun and Clarke (2013) identified six stages of qualitative data analysis using thematic approaches as follows;

On the first phase, the researcher first familiarized with the raw data by reading the transcriptions from questionnaire responses and listening to audio responses from semi-structured interview guide administered face-to-face to managerial participants. This was done so as to be fully acquainted with the findings to be obtained from Interpol regarding the research topic beforehand. On the second phase, the data was consolidated into meaningful initial codes by jotting down points raised on each question. On the third phase, related codes were inspected and classified into primary themes conceived by bringing similar patterns of responses per research question into themes.

The fourth phase ensured the researcher reviewed initial themes and assembled relevant data to the generated initial themes. It was also worth noting that just after amending initial themes at the fourth stage, the researcher named and further defined as per the identity and meaning attached to the data context in pursuit of the final refinement of themes at the fifth phase. Lastly, at the sixth phase, a detailed report was compiled by the researcher which showed data findings and discussion as was evidenced in the ensuing chapter.

### **3.11 ETHICAL CONSIDERATIONS**

#### **3.11.1 Prior authority from Interpol**

The researcher secured a stamped research letter from Bindura State University's HR department which was then signed by the dissertation supervisor to precisely seek cooperation from Interpol's responsible authorities to grant the researcher permission to collect data in their firm for academic endeavours. The approval or consent letter was granted by the case organisation.

#### **3.11.2 Informed consent**

Informed consent was sought from the research subjects by informing them what the research is all about. Participants were allowed to opt out of the study at any moment during the research period.

### **3.11.3 Confidentiality**

The researcher guaranteed the participants that the information collected from them were strictly used for academic purposes not for any publication that will divulge into their privacy. Both the research request letter and the consent letter from Interpol indicated that the study is strictly for academic purposes and not for any publication.

### **3.11.4 Beneficence**

It was based on the principle that research studies are to do better than harm research subjects. In this respect, the researcher gave a copy of the study to Interpol so that the recommendations of the study may enhance the effectiveness of the SADC protocol.

## **3.12 Chapter summary**

The chapter discussed in detail the research methodology starting with the research design and approach. The chapter also focused on the population to be considered, the sample size and the sampling methods. This was followed by a discussion on the sources of data where both primary and secondary sources of data were discussed in detail. This was also followed by a discussion on the methods of primary data collection followed by the methods of data analysis and concluded by the ethical considerations.

## CHAPTER FOUR

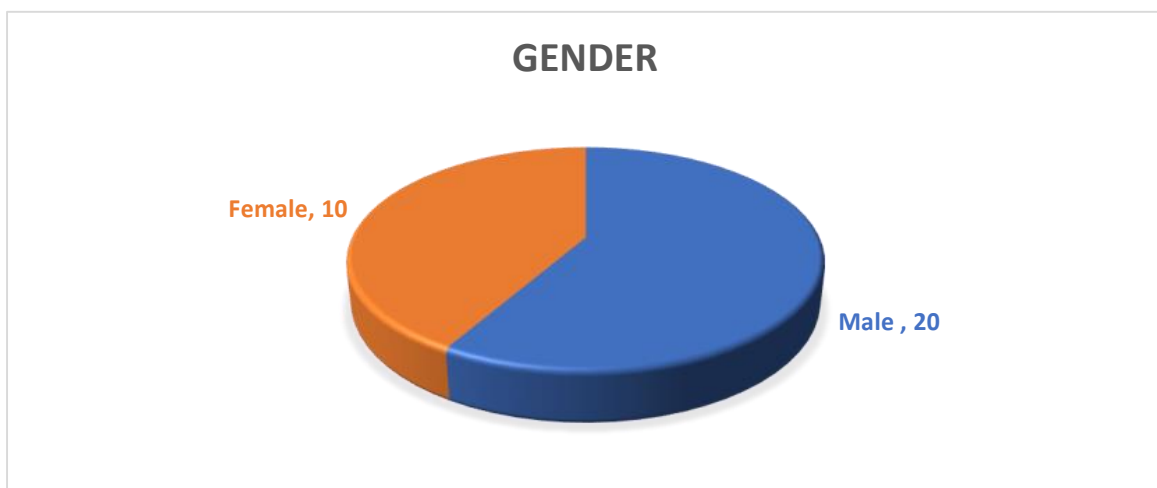
### DATA PRESENTATION, ANALYSIS AND DISCUSSION

#### 4.1 Introduction

This chapter shall deal with the presentation and analysis of the data obtained through the questionnaires and interviews undertaken by the researcher.

#### 4.2 Bio-data

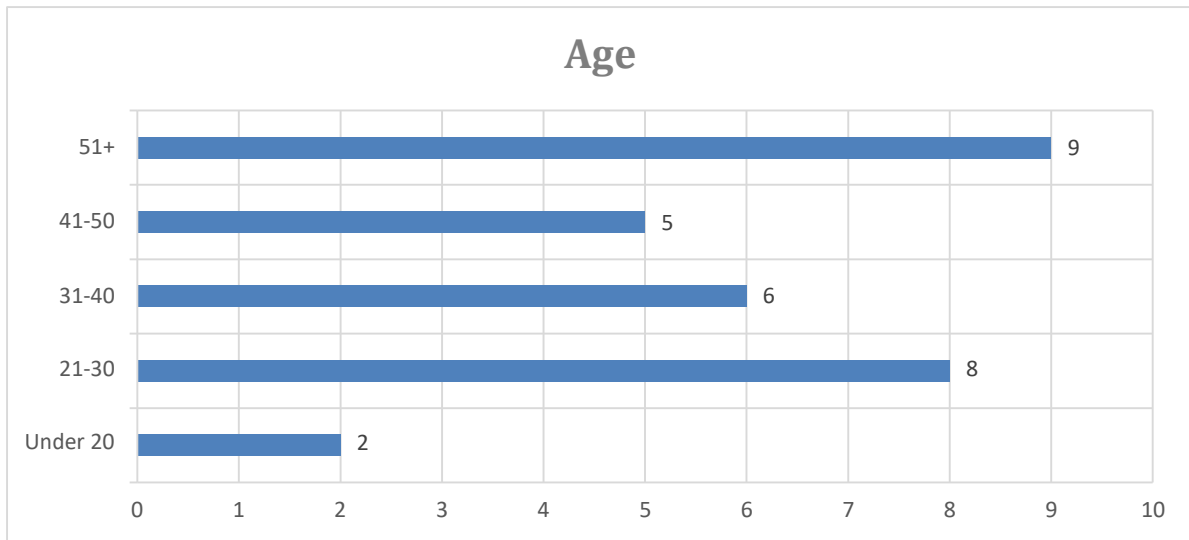
##### 4.2.1 Gender



**Fig 4.1(No 30)**

Figure 4.1 above reveals that most of the respondents 20(67%) were male and 10(33%) were female. Having a female voice from the respondents gives a different perspective thereby enriching the research.

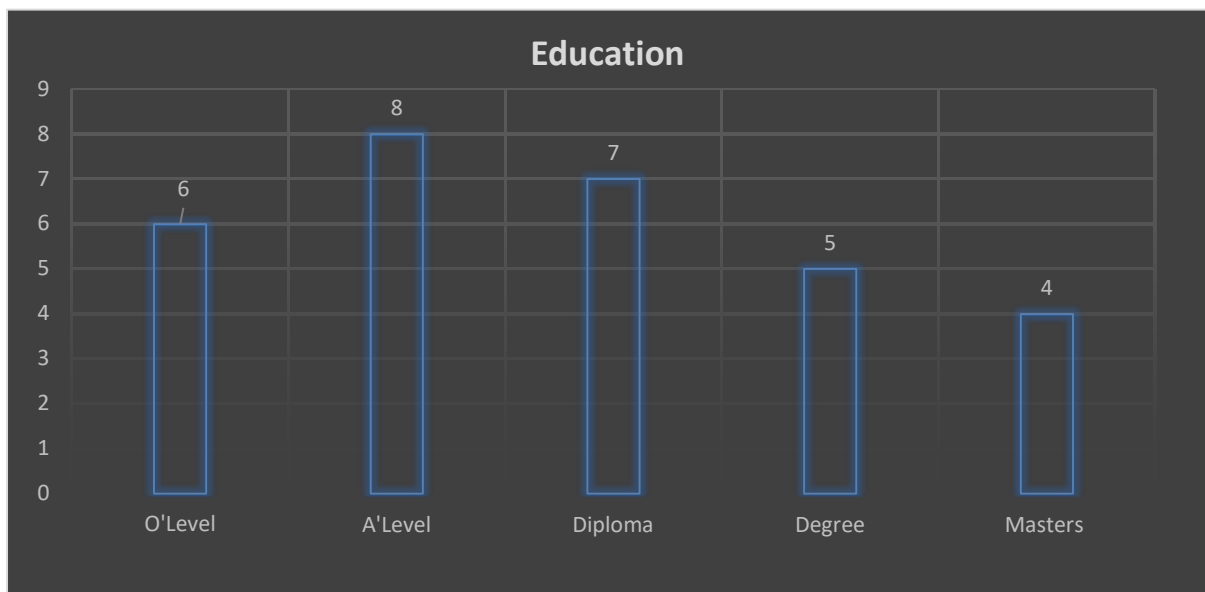
##### 4.2.2: Age



**Fig 4.2 Age (No 30)**

Figure 4.2 depicts the age distribution of the respondents. Of the 30 who took part in the study only 2(6%) were below the age of 20. The majority of the respondents 14(47%) were between 41years and above. The two stations have a blend of the young and the matured and the majority of the respondents have stayed longer in the organisation giving an experienced view to the research.

#### 4.2.3: Level of Education



**Fig 4.3(No 30)**



Figure 4.3 above shows that out of the 30 participants who took part in the study 6(20%) had Ordinary Levels. The majority of the respondents 8(27%) had Advanced Level qualifications. The respondent's level of education makes it easier to respond to the research satisfactorily.

### 4.3 Destruction of seized drugs and drug trafficking.

The research sought to find out the influence of destroying seized drugs as a tool to reduce drug trafficking. The following subtopics emerged for this first objective; transparency and drug trafficking, compliance and drug trafficking, neutral observers and drug trafficking, restriction of movement and drug trafficking. In analyzing the data strongly agreed (SA) and agree (A) responses were merged as they meant the same and similarly strongly disagree (SD) and disagree (D). The table below summarizes the findings from the questionnaires that were distributed.

**Table 4.1: Destruction of Drugs (No 30)**

	<b>Statement</b>	<b>SA</b>		<b>A</b>		<b>N</b>		<b>D</b>		<b>SD</b>	
		<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
<b>1</b>	Transparency with legal standards is important in the destruction of seized drugs	18	60	4	13	2	7	3	10	3	10
<b>2</b>	Compliance with legal standards is important in the destruction of seized drugs	20	67	4	13	6	20	0	0	0	0
<b>3</b>	Neutral observers play an important role in the destruction of drugs	22	72	2	7	2	7	2	7	2	7
<b>4</b>	Destruction of illicit drugs is reducing the volumes of drugs trafficked through the two states	18	60	3	10	3	10	3	10	3	10

#### 4.3.1 Transparency and drug trafficking

As depicted on Table 4.1, the first statement centred on transparency and drug trafficking. The majority 22 (73%) strongly agreed that transparent legal standards is key to destruction of drugs. Key informants had similar views as the respondents.

A key informant from Interpol said that:

*Laws pertaining to the destruction of drugs must be clear and transparent. Procedures as to who is entitled to perform the task, when, where and how should be specific and clear also. The law should be seen punishing offenders fairly and equally. It is noteworthy that laws that govern drug trafficking must be clear for it is these laws that are followed through to make destruction of drugs easy.*

Another key informant an attaché from Interpol South Africa chipped in saying that:

*Legal laws and procedures need to be specific as you know citizenry is suspicious about this whole issue of drug disposal. It should be seen that the dictates of the law is followed through leading to the destruction of the seized drugs. Transparency includes standardizing procedures for making and changing laws, engagement and consultation of stakeholders, publication of the laws and offering of effective appeals processes.*

Research findings from data and interviews point out that transparency with legal standards creates confidence with the legal system which is key to the destruction of drugs. This observation in line with the views of Michael (2002) who wrote that transparency is one of the central pillars of effective regulation. It supports accountability, promoting confidence in the legal environment, securitising laws, in turn opening doors for competition, trade and investment.

#### **4.3.2 Compliance and drug trafficking**

The second statement focused on compliance and drug trafficking. The majority of respondents 24 (80%) strongly agreed that compliance was critical to the destruction of the drugs.

The overwhelming response from the respondents received a positive endorsement from the interviewees on the same topic.

One of the senior Officers at Interpol pointed out that;

*Compliance puts a lid on corruption. Our biggest challenge lies on the rate of corruption amongst law enforcements from both nations. Seized drugs if not destroyed may disappear within the holding bays and exhibit rooms. It's not a secret some exhibits have gone missing because of non-compliance.*

Another participant supported the argument by explaining that:

*Destroying drugs is essential than keeping them and risk losing them. Compliance means meeting legal requirements so as to reduce the risk of facing legal penalties. An agreement between the two nation states that once drugs are discovered at either side of the border they are destroyed as soon the paperwork is done. This eliminates the risk of drugs being stolen or finding their way back in circulation.*

Research findings from both, data and key informants point out that compliance to drug destruction sets the wheels of justice off. It is in compliance that the law is seen to be on course to accomplish what it is meant to do. Compliance links so well with the deterrence theory which expresses that punishing behaviour will decrease the violations both by the offender and potential offender. In a similar way the UN report on India (2023) resonates well with the research result from both data and interviewees noting that police from all states and anti-drug agencies frequently conduct raids at multiple locations in the nation based on inputs to make India drug-free. In these raids, cops seize large or small amounts of drugs, and samples are taken for analysis by the forensic science lab. Then, the drugs that have been taken are destroyed close to the police. Compliance with legal standards enables the following of rules and regulations without cutting corners making it an effective tool for the destruction of drugs.

#### **4.3.3 Neutral observers and drug trafficking**

The third statement centred on neutral observers and drug trafficking. Almost all of the respondents 24(80%) shared the same view that neutral observers are central in the destruction of illicit drugs. This view is further strengthened by information obtained from the key informants.

A key informant highlighted that:

*Destruction of drugs in Zimbabwe is constituted under the criminal law codification reform act which explicitly states that drugs must be destroyed under the watchful eye of the ZIMRA*

*Commissioner General, the Director General of MCAZ, the Attorney General and the Custodian Police. Key stakeholders ensure transparency giving credibility to the process.*

Another key informant said:

*Drugs in South Africa are dealt with in the same way as any other evidence. After analysis by the forensic science laboratory and conclusion of the case drugs are destroyed at the Police station under the supervision of an officer. All drugs are destroyed under controlled conditions and with the necessary authorisation. Society no longer has faith in police operatives because of corruption allegations levelled against the force. The destruction of drugs in the presence of neutral observers gives credence to the process and assurance that seized drugs do not remain in the system.*

Research findings show that destruction of drugs reduces the burden of keeping exhibits and ensure compliance with the set legal standards. The two nations comply with the destruction of drugs under strict supervision giving the process credence. The research findings resonate well with the writings of Salmassi (2014) who notes that there are no uniform rules in the UK for burning evidence as some local governments allow more flexibly rules than others. However, the principle is the same that neutral observers are always present all the time. This reinforces the idea of transparency and compliance giving credibility to the whole process.

#### **4.3.4 Restriction of movement and drugs**

Finally, the fourth statement on this objective narrowed on the restriction of movement and drug trafficking. The majority 21 (70%) strongly felt that the destruction of drugs reduces the flow of drugs. This opinion also drew support from the key informants.

A key informant, a senior officer at Interpol reiterated that:

*The strategy to destroy the seized drugs has been effective. It has witnessed the destruction tones and tones of drugs which range from heroin, nicotine, and marijuana. After such an exercise we witness a slump in the movement of drugs for some time signifying the blow destruction of drugs saves on syndicates. So over the years, we have intercepted these drugs on either side of the border.*

Another participant pointed out that:

*The SA border is a hive of activity as both ends of Limpopo appear to have different types of Drugs. Reports from South Africa show that in the 2022-2023 financial year 20.8 tonnes of drugs with a street value of 2 billion rand was destroyed and to date 3 destruction processes have been carried out.*

The senior officer at Interpol weighed in again saying that:

*The SADC protocol empowers states to collaborate in the same manner South Africa and Zimbabwe are collaborating in doing away with crime and substance abuse. Destroying these drugs significantly reduces the continued use and danger posed by these to the two societies.*

Research findings show that destruction of drugs reduces the movement of drugs. The slow movement of drug consignments after each destruction proves the effectiveness of the process forcing the drug lords to rethink and re-strategies to minimise on loses. Similarly Shaw and Tuesday (2019) point out that destroying of drugs retards the swift movement of drugs and the after effects associated with drug trafficking which are; organized crimes, money laundering, illicit financial flows, terrorism financing among others.

Research findings on the first objective echo on the views of the economic theory, which according to Eagle and Betters (2007) states that; people commit crimes when they believe the advantages of doing so outweigh the risk of getting caught and facing the consequences. Destruction of seized drugs therefore becomes a risk for business for cartels. If the risk of losing the contraband is higher the desire to deliver is limited. Similarly, Liu (2017) in explaining the rational choice theory points out that, criminals are rational people who decide whether to commit a crime depending on the rewards and drawbacks of doing so. Destruction of drugs becomes a drawback making the trade less lucrative and too risky to undertake.

#### **4.4 Maximum custodian sentencing and drug trafficking**

The second objective sought to evaluate the effectiveness of maximum custodian sentencing both as punishment and deterrent. The following subtopics emerged: custodial sentencing and drug trafficking, possession of drugs and drug trafficking, use and trade of drugs and drug trafficking, maximum custody and drug trafficking and deterrent offences and drug trafficking.

**Table 4.2: Maximum Custodian Sentencing (No 30)**

		SA		A		N		D		SD	
		No	%	No	%	No	%	No	%	No	%
<b>1</b>	Drug trafficking is always punished by a custodial sentence	<b>22</b>	<b>74</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>13</b>	<b>4</b>	<b>13</b>	<b>0</b>	<b>0</b>
<b>2</b>	Possession of drugs should call for a custodial sentence	<b>30</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>3</b>	Use and trade of drugs should call for a custodial sentence	<b>30</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>4</b>	A maximum sentence of 5 yrs and a level 10 fine is deterrent enough for drug trafficking.	<b>9</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21</b>	<b>70</b>	<b>0</b>	<b>0</b>
<b>5</b>	Drug trafficking offenses must be deterrent enough to discourage potential offenders	<b>30</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Respondents were asked to respond to the statements derived from the objective.

#### **4.4.1 Custodial sentencing and drug trafficking**

The majority of respondents 22(74%) strongly felt that a custodial sentence is an ideal punishment for drug traffickers. The response received similar sentiments from key informants.

A key informant at Interpol said that:

*A custodial sentence involves some element of imprisonment or detention. In Zimbabwe the custodial sentence is 5years imprisonment or level 10 fine whereas in South Africa the maximum sentence is 25 years. A deterrent custodial sentence is key to harnessing drug trafficking. Take a leaf from the Asian region where offenders are given life imprisonment sentences and at times death penalties, drug trafficking is at its lowest.*

A similar opinion was given by a key informant from the drugs section who said:



*Light sentences have proven to promote deviance. A sentence should send a shiver down the spine of a potential offender. In essence a sentence must be deterrent enough.*

Research findings suggest that custodial sentencing presses weight on the gravity of the offence and must be able to deter potential criminals. Criminals should think twice before they engage in crime knowing that they would be punished for a long-time.

The research findings are similar to Skelton(2015) who notes that the theories of punishment suggest that sentences are imposed on offenders for the purposes of achieving one or more of the following- general deterrence, special deterrence, prevention, reformation and retribution.

#### **4.4.2 Possession of drugs and drug trafficking**

All the participating respondents 30(100%) agreed that possession of drugs should call for a custodial sentence. The position agreed upon by the respondents received similar views from the key informants.

A key informant from the drug section said that;

*Possession of a controlled drug happens when a person is in an unlawful physical control or possession of any substance or product prohibited at law with or without the knowledge that it is controlled, even when it is in the custody of another. Meting a custodial sentence on mere possession deters potential offenders. However political will is necessary to push on this good and noble cause.*

Another informant chipped in saying:

*Regardless of political affiliation influential persons should call and advocate for stiffer custodial sentences. Drug trafficking has long lasting economic consequences. With proper and stiffer legislation drug trafficking can be dealt with.*

The research findings point to the fact that custodial sentence should compel citizens to conform to the established laws of the land and desist from possession of drugs. Similarly, Bowen and Thompson (2007) reiterate the same sentiments by saying that the rationale behind deterrence as a purpose of sentencing is the belief that criminal penalties do not just punish violators but also discourage other people from committing similar offences.

#### **4.4.3 Use and trade of drugs and drug trafficking**

All of the 30 (100%) respondents indicated that the use and trade of drugs warrant a custodial sentence. Research data collaborated with the findings from the research interviews.

A key informant from Interpol said that:

*Without a clear message that use and trade of drugs will be met with harsh punishment drug peddlers will increase. This message can only be conveyed well if drug users and traders are seen to be punished.*

A Senior Officer heading CID Drugs added on saying;

*Communities know the drug peddlers and suppliers and are sometimes frustrated with law enforcers when such information is passed on to stations but little is done to deter other potential offenders through effecting custodial sentences on these known criminals.*

It is clear from the research findings that without custodial sentence on drug offenders the community loses confidence in the judicial system as conviction acts as a punishment and deterrent. On the contrary Keanu, Egan and Hawk seem not to agree with the findings citing that the most effective way to handle drug abuse and reliance is to prevent its onset. Prevention requires a multi-disciplinary approach to keep people off drug abuse or addiction.

#### **4.4.4 Maximum custody and drug trafficking**

Most of the respondents 21(70%) indicated that a maximum of 5 years and a level 10 fine are not deterrent enough for drug traffickers hence a need for stiffer sentences. Key informants, in their contribution echoed the same views as the respondents.

An informant from the Drugs section said that;

*A maximum of 5 years for drug trafficking is a mockery and traverse of justice especially comparing with South Africa where the maximum custodial sentence is 25 years. Drug trafficking is an economic crime just as stock theft but stock theft warrants not less than 10yrs. Just imagine the effects of drugs on the nation.*

Similarly, another respondent chipped in saying that;

*One of the reasons why citizens lose confidence in the justice system is when they see offenders roaming the streets in no time after serving. Offenders just pay the fine, escape custody and resume their trade. Remember drug peddling is a lucrative business that can easily offset such fines.*

The research findings point out that a custodial sentence must cause the offender to shy away from deviant behaviour due to the threat of another long term behind bars if a similar offence is committed. In the same spirit with the research findings the UNODC's human rights guidance (2012) notes that custodial sentence must align with the principle of proportionality. The principle says that responses to drug law offences must be proportionate. Instead of just thinking of conviction, punishment and detention sentencing may embrace community-based treatment, education and rehabilitation.

#### **4.4.5 Deterrent offences and drug trafficking**

Ultimately all respondents 30(100%) strongly agreed that drug trafficking offences must be deterrent enough to discourage potential offenders. Research findings from gathered data received backing from the interviewees who echoed the same sentiments.

A key informant from Interpol said that;

*A harsh sentence meted on an offender by the justice system must have the consideration to stop other people from committing the same crime. A great change can be witnessed in no time in this area of trafficking if deterrent sentences are put in place. Ask travellers who have been to big airports they will tell you that you cannot just help a stranger at the airport to carry his or her language. Drug traffickers are using that modus operandi to hire people unknowingly. Many are languishing in Asians jails because of their good Samaritan escapades. Custodial sentences given to these offenders have instilled discipline among travellers.*

Similarly, another key informant chipped in saying that;

*Deterrent sentences are enough to produce positive results not only in punishing offenders but in preventing potential offenders also.*

Data from respondents and interviewees show that deterrent sentences discourage offenders and potential offenders acting both as a punishment and deterrent. These observations are supported by economic theory as cited by Moeller (2018); which states that potential offenders





5	Offenders who skip prosecution from Zimbabwe into South Africa are extradited to face justice	5	17	5	17	20	66	0	0	0	0
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#### 4.5.1 Inter- ministerial committees and drug trafficking

All the 30 (100%) respondents concurred that the inter-ministerial drug control committees of Zimbabwe and South Africa meet regularly. Key informants shed light on inter- ministerial committees supporting the respondents.

A key informant from Interpol said;

*International Cooperation on Criminal Matters Act and the Proceeds of Crime Act allows the South African operatives to cooperate with international and regional bodies as well in an endeavour to combat drug trafficking. Every institution thrives on its ability to plan and organise. Inter- ministerial committees meet regularly for the purposes of planning and information sharing. This kind of interaction is key to the busting of drug syndicates.*

Similarly, another key informant chipped in saying that:

*Both Zimbabwe and South Africa are members of the SADC and members of the Southern African Regional Police Chiefs Cooperation Organisation. Furthermore, South Africa has an international drug and organised crime liaison officer based here in Zimbabwe. All these forums deal with drugs issues at depth. Similar meetings are held at Provincial and District levels with our South African counterparts of Limpopo Province sharing information on crime and other territorial issues. Drug issues always appear on the agenda because of the porous nature of our borders. The minutes from these meetings always feed into the Inter- ministerial committees.*

Research findings show that inter –ministerial committees meet regularly and these research findings are similar to what Rosen (2015) notes out about the international platform, when he says that close to 80% of all member states have ministerial drug control committees as well as regional inter-ministerial committees that meet regularly to share and implement drug control strategies.

#### **4.5.2 Role of Inter-ministerial committees and drug trafficking**

Most of the respondents 21(70%) strongly agreed that the role of the inter-ministerial committees is to strengthen surveillance on drug trafficking trends between the two nation-states. Key informants in agreements with the respondents gave their insights of the issue.

A Senior Officer at Interpol highlighted that:

*Constant information gathering and sharing of intelligence, surveillance as well as monitoring trends and implementing drug control strategies are some of the key result areas digested in these forums. Countries use the Interpol X400 system to circulate the identities of potential couriers employed by drug traffickers to alert law enforcement agencies of other countries.*

Another key informant weighed in saying that:

*As you know intelligence gathering is key in busting drug syndicates, information gathered and shared from these forums has proved useful as it has led to confiscation of contraband in both countries.*

The research findings shows that inter-ministerial committees are the engine behind the operations of operatives. Intelligence gathering, surveillance and information sharing are critical in busting syndicates. The research findings move in line with Gberie (2015) who states that the initiative of AUPA to regional bodies is to strengthen surveillance on drug use and drug trafficking within the regions and member states as an aid to combating drug trafficking.

#### **4.5.3 Joint border operations and drug trafficking**

All 30(100%) respondents alluded to the fact that Zimbabwe and South Africa hold joint operations on drug trafficking. Responses from key informants moved in tandem with the respondents.

A key informant from the Drugs section said:

*Long, porous borders and weak border control systems, including undermanned ports of entry and numerous secondary airports give traffickers nearly unlimited access to Zimbabwe and South Africa. In addition to poorly monitored borders some entry points have ill equipped customs. All these factors point to the need for joint border patrols.*

On a similar note, another key informant said:

*The quality of air and sea travel connections via South Africa to many parts of the world offers drug traffickers opportunities for business. Joint border and port operations have produced positive results showing the seriousness the two nation states places on the need to combat drug trafficking.*

The research findings point out to the fact that due to the porousness of the borders of the two states increased joint border operations are critical in the fight against drug trafficking. Similarly the economic theory agrees with the findings pointing out that criminals consider advantage vs cost. Joint border operations are a disadvantage and cost to the syndicates indicating that when operations are in full swing drug warlords withdraw a bit to avoid losses.

#### **4.5.4 Results of joint border operations and drug trafficking**

All 30 (100%) respondents admitted that joint border operations between the two states yield tangible results. Research findings from the respondents were in agreement with the contributions from key informants.

A key informant from Interpol shed some light into this by saying that:

*Regional operations carried out at the instigation of the regional body always produce satisfactory results. The results are an indication that systematic and continuous joint operations can bring a significant change in this area.*

In addition to this another informant said:

*Joint border operations would be more effective if domestic laws of the two countries were in harmony. The domestic laws of Zimbabwe and South Africa on drugs are different making it difficult for operatives to cooperate effectively.*

Another informant weighed saying that:

*For instance, in South Africa possession of a certain number of drugs is not a criminal offence whereas in Zimbabwe a mere possession of drugs warrants a custodial sentence. These two stances seem to contradict and cause some friction between operatives.*

The research findings emphasize the need to increase joint border operation as they are effective in reducing drug trafficking. This resonates well with the recommendations of the SADC Protocol in promoting cooperation among member states which stipulates that member

states shall promulgate and adopt domestic legislation which shall satisfy the provisions of the conventions (Article 4).

#### **4.5.5 Extradition of offenders and drug trafficking**

A significant number of respondents 20 (60%) remained numb on the cooperation of the two states on the issue of extraditing drug offenders. Respondents were not knowledgeable of the extradition treaties between Zimbabwe and South Africa hence remained neutral as opposed to the key informants.

An informant from the Drug section said:

*The issue of extradition is beyond our domain what we know is that issues that go across our borders are dealt with through Interpol and the relevant bodies after we furnish them with relevant documents.*

Another informant from the same section weighed in saying that:

*Interpol knows better what follows and are better positioned to answer if their initiatives produce results or not.*

A Senior Officer at Interpol noted that;

*Extradition has become ever important given the spread of transnational crimes. Countries forge ties so they can pursue fugitives and other wanted individuals beyond their jurisdiction. South Africa has been cooperative in extradition requests regarding submissions we make as a nation but there is a challenge in matters where an offender is likely to face a death sentence here. South African legislation has outlawed death sentence and South Africa is reluctant to extradite an offender who falls in that category. This ricochets back to the issue of harmonising domestic laws for smooth prosecution between the two nations.*

The research findings created a knowledge gap between the respondents and key informants concerning extradition however key informants emphasized the need by the two states to find a way of harmonising their domestic laws as a means of removing bottlenecks so as to efficiently discharge their mandate of combating drug trafficking.

#### **4.6 Freezing and Seizure of proceeds and drug trafficking**

*The fourth objective sought to examine efficiency of tracing, freezing and seizure, confiscation and forfeiture of proceeds in combating drug trafficking. The following sub themes emerged for the fourth objective: freezing and seizure and drug trafficking, confiscation and forfeiture and drug trafficking and tracing proceeds of crime and drug trafficking*

**Table 4.4: freezing and seizure of proceeds (No 30)**

		SA		A		N		D		SD	
		No	%	No	%	No	%	No	%	No	%
1	Freezing and seizure contribute to the reduction of drug trafficking.	30	100	0	0	0	0	0	0	0	0
2	Confiscation and forfeiture contribute to the reduction of drug trafficking.	30	100	0	0	0	0	0	0	0	0
3	Tracing helps in identifying proceeds of crime	30	100	0	0	0	0	0	0	0	0

#### **4.6.1 Freezing and seizure of drugs and drug trafficking**

All respondents 30(100%) agreed that freezing and seizure contributes so much to the reduction of drug trafficking. Key informants provided more information on freezing and seizure of proceeds of crime.

A key informant from the Drugs section said that:

*The Money Laundering Act empowers the Zimbabwean government to freeze and seize proceeds of crime. Lifestyle audits are very important and compel individuals to live within their means and held accountable when riches begin mushrooming without trace.*

Another informant from Interpol said:

*Our economy hasn't been performing well for some time with industry closing down. One wonders of the boom that is taking place right now. The mining industry is on the rise with a little activity in agriculture and you wonder what many of the flashy individuals are doing for*



*a living. On the other hand, drug abuse is on the rise and of late schools have fallen victim. This gives a clue that there is a sector of people who are heavily involved in the drug industry.*

The same informant continued to say that:

*Freezing and seizure of suspected proceeds of crime become critical as it acts as a deterrent to would be offenders.*

The research findings show that freezing and seizure of crime proceeds brings sanity in the communities as it deters potential offenders fearing to lose proceeds to the state. The findings are supported by from the recommendations of the United Nations Convention against Narcotics and Psychotropic Substance which encourages nations to detect and retrieve proceeds of crime.

#### **4.6.2 Confiscation and forfeiture of proceeds and drug trafficking**

All 30 (100%) respondents concurred that confiscation and forfeiture reduce drug trafficking.

One key informant from the Drugs unit said:

*The prevention of organized crime act (1998) gives broad powers of civil and criminal asset forfeiture to law enforcement outlawing membership in criminal organisations. There is no easy way of putting a clear message through to citizens that crime does not pay and will be punished accordingly than confiscating and forfeiting proceeds of crime to the state.*

Another informant chipped in saying that:

*Confiscation and forfeiture put the government in the driving seat and the burden of innocence lie with the individual to challenge the process through the courts putting forward evidence of how the property was acquired.*

Research findings show that confiscation and forfeiture aid the government to have an upper hand on the suspected proceeds of crime in successfully prosecution offenders combating illicit drug trafficking. The research findings are similar to the writings of Pavlidis and Satolias(2019) who point that proceeds of economic crime represent criminal income. They manifest as assets, some of which are the object of the crime itself such as stolen vehicles of funds. Confiscation of such items is a setback to syndicates and an effective way in combating drug trafficking.

### **4.6.3 Tracing proceeds of crime and drug trafficking**

Most of the respondents 18 (60%) agreed that tracing is critical in identifying the source of drugs and proceeds of crime. Key informants further elaborated on this view.

An Interpol informant observed that:

*Without tracing, proceeds of crime can be concealed and moved from one place to another and across borders. Once proceeds of crime have been established tracing, freezing, and seizure of such is critical. Enforcing the law becomes of paramount importance.*

Addressing the same issue, another key informant pointed out that:

*The SADC region in establishing the SADC protocol on drug control adopted the measures to detect and retrieve proceeds of crime and corruption.*

On the contrary one key informant from the drugs unit said:

*Whilst freezing and seizure, confiscation and forfeiture interrupt the swift movement of drugs, it hardens the criminal syndicates prompting them to design and promote new techniques to evade detection. This is the reason why drug trafficking cannot be eradicated. Criminals are always ahead improvising new modus operandi.*

Research findings highlight the importance of tracing which leads to the source of drugs making it easier to bust syndicates leading to confiscation and forfeiture of proceeds of crime. However, findings also point out that tracing hardens criminals prompting syndicates to invent new techniques to evade detection. These findings are in tandem with what Boucht (2017) said that without tracing, proceeds of crime can be mingled with others and converted into other forms.

### **4.7 Rehabilitation of offenders and drug trafficking**

The fifth objective sought to evaluate the effectiveness of rehabilitation of offenders in combating drug trafficking. The following subtopic emerged for the fifth objective: rehabilitation of offenders and drug trafficking, reformation of offenders and drug trafficking, rehabilitation reinforcement and drug trafficking and society integration and drug trafficking.

**Table 4.5: Rehabilitation of offenders (NO 30)**

		SA	A	N	D	SD
		No %	No %	No %	No %	No %
1	Rehabilitation of offenders is important as it reduces partaking of drugs.	30 100	0 0	0 0	0 0	0 0
2	Offenders who receive rehabilitation reform	0 0	9 30	0 0	0 0	21 70
3	Much can be done to rehabilitate offenders	24 80	0 0	0 0	6 20	0 0
4	Society integrates so well with rehabilitated offenders	6 20	0 0	0 0	0 0	24 80

The fifth and final objective seeks to evaluate the effectiveness of rehabilitation on offenders. The researcher combined data of respondents, for strongly agreed (SA) and agrees (A) as well as disagree (D) and strongly disagree (SD) as they indicated the same outcome.

#### **4.7.1 Rehabilitation of offenders and drug trafficking.**

All 30 (100%) of respondents concurred that rehabilitation of offenders influences the reduction of drug intake and trafficking.

A key informant from the Drugs section said that:

*Drugs are destroying the fabric of the future generations. A lot needs to be done to save this generation. The socioeconomic environment has not been favourable for some time. The effects of sanctions which include unemployment, poverty, poor climatic conditions and more are driving young people to drug consumption. One of the possible solutions to redeem this generation is rehabilitation.*

Similarly, another informant weighed in saying that:

*Rehabilitation influences behaviour change giving the offender and victim a fresh page to reorganize life.*

Research findings indicate that rehabilitation influences behavioural change that is a critical element in reducing drug consumption. The department of correctional services in South Africa serves to reintegrate and rehabilitate offenders and this is proving effective.

Gilfillan (2017) agrees with most respondents that, rehabilitation reduces recidivism thereby enhancing community safety. Similarly, Leban (2016) points out that assisting offenders to become prosocial citizens has become a preoccupation of criminologists, and psychologists, Psychiatrists and other professionals for over a century.

#### **4.7.2 Reformation of offenders and drug trafficking.**

A greater part of the respondents 21(70%) disagreed with the belief that offenders who receive rehabilitation reform.

A key informant chipped in saying that:

*Our rehabilitation institutions here in Zimbabwe are in a sorry state because of economic sanctions. With functional infrastructure, well well-trained and resourced personnel, the rehabilitation of offenders can do wonders. In our situation, take a closer look at Parirenyatwa Annex, like any other rehabilitation centre across the country; it cannot cope because of scarce resources. This alone points to a disaster and many offenders are released back into society without reform.*

Another informant weighed in saying that:

*Cases of drug relapse are on the increase showing that victims are getting released early from rehabilitation institutions.*

The rational choice theory, which is used in this study, is based on the fundamental principles espoused by Sho, Chong Ho, and Barton-Bellessa (2015) which embrace the idea that people voluntarily choose their behaviour based on the desire to avoid pain while pursuing pleasure. As evidenced in this document, rehabilitation influences behavioural change which is critical in reforming an offender.

#### **4.7.3 Rehabilitation reinforcement and drug trafficking**

Almost all respondents 24 (80%) felt more could be done by the two nations to rehabilitate offenders. Similar reactions were received from key informants.

A key informant from Interpol said;

*Rehabilitation reduces overcrowding in prisons and also serves to redeem first time offenders and other victims of circumstances from being coached into hardcore criminals.*

Another key informant weighed in saying that:

*Rehabilitation reforms the justice system from a penal focus to a correctional one. Citizens who fall short of the requirements of the law are reformed and brought back into the communities as responsible citizens. More rehabilitation facilities mean more reformed citizenry.*

The research findings emphasize on the need for correctional service rather than penal pressing on the two nations to embrace rehabilitation more. The research findings are similar to writings of Newsome and Cullen (2017) who quoted the contents of the South African Government White Paper 8 of 2016 which proposed a rehabilitative centred system bend towards a need-based plan of intervention reducing the risk of reoffending.

#### **4.7.4 Society integration and drug trafficking**

A greater number 24(80%) of respondent disagreed that society was doing much to integrate offenders. Key informants concurred with the respondents.

A key informant said that;

*Everyone knows that rehabilitation influences behavioural change enabling the offender to receive a new lease of life. Society does not forgive so easily and labels all deviants to such an extent that convincing society that you are born again is a mammoth task.*

Another key informant chipped in saying that:

*Society needs to be taught how to relate with reformed offenders. Many ex-offenders relapsed back into old ways because they could not fit back into the community. Society has old scars perpetrated by the offenders which invoke reservation.*

The research findings singled out society as a hindrance to offender integration. Curlews (2016) applauds the rehabilitation of offenders as means of equipping ex-offenders with requisite social responsibilities competencies a scenario that goes to waste as such competences are resisted by society.

## **4.8 Chapter Summary**

In this chapter, the data collected under the study was presented, analyzed, and discussed. Research findings were tabulated using tables, pie chart, figures, and graphs. Research findings showed that the destruction of seized drugs influences the reduction of drug trafficking. Transparency and compliance with legal standards as well as the supervision by neutral observers give credibility to the process. Maximum custody was observed as a deterrent to potential offenders, whereas cooperation between states promotes surveillance, intelligence sharing, and gathering and implementation of joint operations. The findings further showed that tracing, freezing and seizure, confiscation, and forfeiture of proceeds unveil riches acquired illegally removing them thereby deterring would-be offenders. Lastly, the research findings clearly stated that rehabilitation of offenders influences behavioural change. The next chapter gives a summary of the study, conclusions drawn from the research findings, and proposed recommendations. Areas for further research will also be proposed.

## **CHAPTER 5**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 Introduction**

The study aims to assess the effectiveness of the SADC protocol in combating illicit drug trafficking. This section covers the summary of findings as well as the overall conclusion of the study. It follows the similar themes developed in chapter 4 above.

#### **5.2 Summary**

##### **5.2.1 Summary of findings**

The research findings for the first objective showed both Zimbabwe and South Africa destroyed drugs in a transparent manner complying with set down laws. However, exhibits disappeared from stations due to corruption of law enforcement agents. Nevertheless, the strategy to destroy seized drugs proved effective in combating drug trafficking.

Findings for the second objective showed that deterrent sentencing discourages potential offenders effectively combating drug trafficking. However, sentences must be proportional to the crime committed, considering that besides punishment, prevention is also an effective strategy.

The findings for the third objective pointed out those frequent meetings of inter-ministerial committees are hubs of intelligence gathering, surveillance and implementation of drug control strategies which are the drivers of successful joint border operations in combating drug trafficking. However, the research also found out that extradition issues were not equally known by law enforcement agencies and joint border operation were not adequate.

The research findings for the fourth objective highlighted the importance of tracing drugs. Freezing and seizure, confiscation and forfeiture were found to be effective ways in combating drug trafficking. Tracing leads to the source of drugs whilst freezing and seizure, confiscation and forfeiture eliminate proceeds of crime from circulation and benefitting criminals.

The research findings for the fifth objective showed that rehabilitation of offenders influences behaviour change reintegrating reformed offenders back into society which is effective in

combating drug trafficking and decongesting prisons. Relapse of ex-offenders was as a result of incapacitated rehabilitation institutions and failure by society to embrace ex-offenders.

### **5.3 Conclusions**

The research findings on the first objective concluded that both Zimbabwe and South Africa destroy seized drugs in a transparent manner complying with set down laws. However, corruption amongst law enforcement agencies needs serious attention.

The research findings for the second objective concluded that proportionate sentences deter potential offenders. It was noted that although stiffer sentences deter deviance sentences must be proportionate to the crime committed.

The research findings on the third objective concluded that inter-ministerial committees' intelligence gathering, surveillance and implementation of drug control strategies are effective in combating drug trafficking. Law enforcement agencies need to be knowledgeable on extradition.

The research findings on the fourth objective concluded that tracing, freezing and seizure, confiscation and forfeiture are effective in combating drug trafficking. Tracing leads to the source of drugs whilst freezing seizure, confiscation and forfeiture eliminate proceeds of crime from circulating and benefitting criminals.

The research findings on the fifth objective concluded that rehabilitation of offenders' influences behaviour change, reintegrating reformed offenders back into society which is an effective way of combating drug trafficking and decongesting prisons. Relapse of offenders was as a result of incapacitated rehabilitation institutions and failure by society to embrace ex-offenders.

Drug trafficking poses a great danger to the fulfilment of the 2030 Agenda for sustainable development goals. Drug trafficking promotes hunger when able bodied persons indulge in illicit activities. Hunger gives birth to poverty and poverty affects development. People's health and well-being becomes compromised. As drugs move into school quality education is also affected leading to unprotected sex, unwanted pregnancies, drop out and eventually organised crime. Therefore, strategies formulated to tackle drug trafficking and abuse create a conducive environment for fulfilling the target for Sdgs.

#### **5.4 Recommendations**

The study revealed that exhibits often went missing in police custody due to corruption by law enforcement agencies. Cartels hold hordes of money to buy their way out. Given this reality the researcher recommends that employees be remunerated sufficiently so that they be lured, enticed or bribed easily.

The research study also revealed that law enforcement agencies were not knowledgeable on extradition treaties. Given this scenario the researcher recommends that training and development be increased in order to capacitate and sharpen agencies to keep abreast with and be way above syndicates.

The research findings revealed that relapse of offenders was on the increase. The researcher therefore recommends that governments of both nations resource institutions involved in combating drug trafficking and capacitate society on rehabilitation and integration of ex-offenders through public awareness campaigns.

#### **5.5 Area for Further Studies**

The researcher views that there is a need for research on how harmonized domestic laws of both Zimbabwe and South Africa can improve the efficiency of the SADC protocol on drug trafficking. Notably, SADC is made up of 14 member states and the study focused on 2 members. While one can generalize the findings there is a need to ensure that another comprehensive study is undertaken on the same area but covering all member states or comparing findings with other Northern African countries.

# AN ASSESSMENT ON THE EFFECTIVENESS OF THE SADC PROTOCOL IN COMBATING ILLICIT DRUG TRAFFICKING. A COMPARATIVE STUDY OF ZIMBABWE AND SOUTH AFRICA

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May you please assist the student to access data relevant to the study, and where possible, conduct interviews as part of a data collection process.

Yours faithfully

A handwritten signature in black ink, appearing to be 'D. Makwerere', written over a dotted line.

D. Makwerere (Dr)



1  
*from Chaplin*  
  
 ZIMBABWE REPUBLIC POLICE  
 CRIMINAL INVESTIGATION DEPARTMENT HEADQUARTERS  
 COMMISSIONER GENERAL  
 ZIMBABWE REPUBLIC POLICE  
 P.O. BOX CY 683  
 CAUSEWAY  
 HARARE ZIMBABWE  
 TEL (263) 42 706883  
 FAX (263) 42 799456  
 D.C. *Adonis*  
 ZIMBABWE REPUBLIC POLICE  
 DIRECTOR  
 CRIMINAL INVESTIGATION DEPARTMENT  
 01 SEP 2023  
 P. BOX CY 683  
 CAUSEWAY, HARARE, ZIMBABWE

30 August 2023

31 AUG 2023

Commissioner General of Police  
**POLICE GENERAL HEADQUARTERS**  
 P.O. BOX CY 34, CAUSEWAY  
 HARARE ZIMBABWE

*BCG(C)*  
*APPROVED*  
*[Signature]*  
*31/08/23*

**Attention:** Deputy Commissioner General Crime

**RE: REQUEST FOR PERMISSION RESEARCHING DATA FROM INTERPOL BY NUMBER 114213B DETECTIVE INSPECTOR MUNYONGA M**

The above subject matter is pertinent.

The above mentioned Junior Officer is studying for a Master's Degree in International Relations on block release with the Bindura University.

Currently he is conducting a research titled 'an assessment on the effectiveness of the SADC protocol on drug trafficking the case of Zimbabwe and South Africa'. The research involves comparing data related to drug trafficking and information obtained shall be treated in strict confidentiality.

The organisation will benefit from the information gathered in that it will contribute to policy formulation and evaluation on existing strategies.

It is against this background that member is requesting authority to have access of the data from CID Drugs and Narcotics as well as Interpol NCB, Harare.

The office has no reservation on member's request.

*J A I CID*  
*[Signature]*  
 CID

Respectfully referred for approval please.

ZIMBABWE REPUBLIC POLICE  
 DIRECTOR  
 CRIMINAL INVESTIGATION DEPARTMENT  
 30 AUG 2023  
 P. BOX CY 683  
 CAUSEWAY, HARARE ZIMBABWE

*[Signature]*  
**J NYABASA** Assistant Commissioner  
 Acting Chief Director

**CRIMINAL INVESTIGATION DEPARTMENT**

/s/z4

*cap*  
*Sir*

*The application is recommended*

COMMISSIONER GENERAL  
 31  
*[Signature]*

# APPENDICES

## APPENDIX 1: A questionnaire survey

My name is Misheck Munyonga, a student at Bindura University of Science Education. I am studying for a Master of Science in International Relations Degree. I am undertaking research titled “ASSESSMENT ON THE EFFECTIVENESS OF THE SADC PROTOCOL IN COMBATING ILLICIT DRUG TRAFFICKING. A COMPARATIVE STUDY OF ZIMBABWE AND SOUTH AFRICA in partial fulfilment of the Master of Science in International Relations Degree. I therefore kindly request you to respond to the few questions below. Please note that your responses will be kept private and confidential and will be used for academic purposes only.

Should you wish to contact me, please feel free to contact me on the details below.

**Mobile Phone Number: +263772423715**

**Date of survey .....**

**(use a tick to indicate your appropriate response in all sections)**

### SECTION A- DEMOGRAPHIC INFORMATION

1. What is your Level of Occupation?

Managerial ( )      Non Managerial ( )

2. Which of the following best describes your gender

Male ( )      Female ( )      Other ( )

3. Age Group

Under 20 years ( )      21 to 30 Years ( )      31 to 40 years ( )  
) 50 + ( )

4. Highest Educational Qualifications

'O' Level	<input type="radio"/>	'A' Level	<input type="radio"/>
Diploma	<input type="radio"/>	Degree Masters	<input type="radio"/>





**SECTION D: mutual assistance and drug trafficking.**

- |  | 1 | 2 | 3 | 4 | 5 |
|--|---|---|---|---|---|
| What is the level of cooperation between South Africa and Zimbabwe in managing the in and outflow of illicit drugs?                    |   |   |   |   |   |
| 1 Inter-ministerial drug control committees of South Africa and Zimbabwe meet regularly.   |   |   |   |   |   |
| 2 The role of the inter-ministerial committees is to strengthen surveillance on drug trafficking trends between the two nation-states. |   |   |   |   |   |
| 3 South Africa and Zimbabwe hold joint border operations on drug trafficking   |   |   |   |   |   |
| 4 Joint border operations between Zimbabwe and South Africa produce tangible results.  |   |   |   |   |   |
| 5 Offenders who skip prosecution from Zimbabwe into South Africa are extradited to face justice  |   |   |   |   |   |

**SECTION E: freezing and seizure of proceeds and drug trafficking.**

- |   | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| <b>How have tracing, freezing and seizure, confiscation, and forfeiture aided to the reduction of drug trafficking?</b> |   |   |   |   |   |
| 1 Freezing and seizure contribute to the reduction of drug trafficking  |   |   |   |   |   |
| 2 Confiscation and forfeiture contribute to the reduction of drug trafficking   |   |   |   |   |   |
| 3 Freezing and seizure send a big signal to potential offenders thereby reducing drug trafficking                       |   |   |   |   |   |
| 4 Tracing helps in identifying the proceeds of crime.   |   |   |   |   |   |

**SECTION F: rehabilitation of offenders and drug trafficking.**

- |   | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| How has the rehabilitation of offenders contributed towards combating drug trafficking? |   |   |   |   |   |
| 1 Rehabilitation of offenders is important as it reduces partaking of drugs             |   |   |   |   |   |
| 2 Offenders who receive rehabilitation reform.  |   |   |   |   |   |
| 3 Much can be done to rehabilitate offenders  |   |   |   |   |   |
| 4 Society integrates so well with rehabilitated offenders                               |   |   |   |   |   |

## **APPENDIX 2: Interview guide**

My name is Misheck Munyonga, a student at Bindura University of Science Education. I am studying for a Master of Science in International Relations Degree. I am undertaking research titled "ASSESSMENT ON THE EFFECTIVENESS OF THE SADC PROTOCOL IN COMBATING ILLICIT DRUG TRAFFICKING. A COMPARATIVE STUDY OF ZIMBABWE AND SOUTH AFRICA" in partial fulfilment of the Master of Science in International Relations Degree. I therefore kindly request you to respond to the few questions below. Please note that your responses will be kept private and confidential and will be used for academic purposes only.

Should you wish to contact me, please feel free to contact me on the details below.

**Mobile Phone Number: +263772423715**

**Date of survey.....**

### **APPENDIX 2: INTERVIEW GUIDE**

#### **SECTION A**

- a) What is your occupation?
- b) For how long have you been working in this organisation?
- c) Do you deal with drug trafficking issues directly or indirectly?
- d) How does your responsibility relate with the issues of drug trafficking?
- e) What laws are in place that deal with drug trafficking?

#### **SECTION B: Drugs Unit**

- a) How is the destruction of seized drugs of importance in the reduction of drug trafficking?
- b) What makes transparency and compliance with legal standards an important issue in the destruction of seized drugs?

#### **SECTION C: Drugs Unit**

- a) How effective is custodial sentence on offenders of drug trafficking?
- b) What is your opinion on the custodial sentence imposed by Zimbabwe on offenders is it deterrent enough?
- c) In other nations the production and use of certain dangerous drugs has been legalised as a stop measure to drug trafficking. Will the same route work for Zimbabwe and South Africa?

## **SECTION D: Interpol**

- a) Are the domestic laws on drug trafficking of Zimbabwe and South Africa in harmony?
- b) How effective is the joint operations between Zimbabwe and South Africa?
- c) How effective is the extradition treaty between Zimbabwe and South Africa specifically on drug related issues?
- d) Is there information sharing amongst law enforcement agencies investigating drug trafficking cases?
- e) Are there exceptional cases where cooperation led to prosecution of offenders?
- f) Highlight any challenges that relate to cooperation between Zimbabwe and South Africa.

## **SECTION E: Drugs Unit**

- a) How does tracing play an important role in the fight against drug trafficking?
- b) From your experience how effective is freezing and seizure of illicit drugs in the reduction of drug trafficking?

## **SECTION F**

- a) How does the rehabilitation of offenders contribute to the reduction of drug trafficking?
- b) What mechanism is in place to monitor on the reformation of rehabilitated offenders?
- c) What improvement if any, would you recommend to stakeholders responsible for combating drug trafficking between Zimbabwe and South Africa?

Thank you