

Figure 1: The 14 member states of SADC



PREFACE

Organised crime, particularly transnational organised crime, emerged in Southern Africa as a distinct phenomenon considerably later than in some other parts of the world. While organised criminal groups out to make a profit have always been with us, it was only in the early 1990s that authorities in the region considered their expanding cross-border activities and increased sophistication as threats that needed to be countered through special initiatives. It became apparent that in the 1970s and 1980s, while governments were focusing on post-independence transformation, civil conflicts, structural adjustment programmes, political strife, and liberation struggles, numerous criminal networks managed to entrench themselves and develop significant illicit markets across the Southern African Development Community (SADC) region. In 1995 police chiefs in Southern Africa met to discuss escalating cross-border crime in the region, among other things, and decided to launch a regional initiative to combat it.

By now there is a broad consensus within the 14 member states of SADC that organised crime is a serious threat that needs to be countered on both national and regional levels. Yet relatively little is known about organised crime in the region. There is no real clarity about what the term 'organised crime' actually means. For example, what is the distinction, if any, between commercial crime, organised crime, and white-collar crime, if a number of people are involved in perpetrating those crimes on an organised and sustained basis for profit?

Our understanding of the organised criminal groups active in Southern Africa, and the criminal markets in which they operate, remains very basic. The perception of both experts and laypersons about organised crime is still largely determined by popular movies and literature on the subject of Mafias. More information needs to be gathered on organised criminal groups, the markets that they supply, and their impact. Researchers and journalists have a responsibility to contribute to such an exercise, and law enforcement authorities should be less coy about making information available. The task of combating organised crime effectively is much more difficult if the general population is ignorant about its nature and the threat it poses.

Against this background, the Organised Crime and Corruption Programme of the Institute for Security Studies (ISS) undertook a two-year study into the nature and extent of organised crime in the SADC region. In addition, the project sought to gain some insight into the penetration of state structures and regional business activities by organised criminal networks. This latter objective was an ambitious one, which could only be partially achieved. Attempts to focus on the nature and extent of the penetration of state and business sectors soon brought home the realisation that without first obtaining significantly more general information about the organised criminal groups that might be involved, and their activities, it would be fruitless to attempt an in-depth focus on the penetration aspect.

Commissioned researchers from various SADC countries provided research reports, some of which now form the basis of volumes I and II of this monograph. Two volumes were necessary because we attempted to cover as many SADC countries as possible. It was not possible to include every country in the sub-region and some gaps still need to be filled. This volume therefore contains reports on Namibia, Mozambique, Tanzania and Swaziland, while volume II relates to Zimbabwe, Botswana and South Africa. Some of the chapters in the two monographs are based on the papers presented by their authors at an ISS regional seminar in Pretoria on governance and organised crime and corruption in the SADC region, in April 2002.

The reader therefore needs to bear in mind that a considerable period of time has elapsed since the research reports were compiled. This is important because there have been developments in some of the countries during the past two years: some for the better and some for the worse. For example, the chapter on Mozambique provides a critical assessment of a criminal justice system riddled by corruption and inaction. Encouraging developments since the chapter was written suggest that Mozambican authorities are acting with greater determination than in the past to strengthen and enhance trust in the system. The most dramatic example was the widely publicised trial of six defendants for the murder of the well-known journalist Carlos Cardoso, which commenced in November 2002. Key figures linked to organised crime in Mozambique were convicted. The government has also been more assertive about its determination to tackle organised crime. The most recent example came from the Minister of State Administration who, in June 2003, reaffirmed his government's determination to step up its fight against organised crime and money laundering.

The contributors to the two volumes relied on a very broad and general description of organised crime, namely the definition provided in the UN Convention Against Transnational Organised Crime (the Palermo Convention). In essence the Convention criminalises the conduct of those who, as part of a group of three or more persons, commit serious criminal offences for profit over a prolonged period of time.

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The commissioned researchers from various SADC countries were prepared to undertake the research not because the ISS offered them market related professional fees—it was not in a position to do so—but because they had a real interest in the subject matter. The ISS hopes it will be able to rely on them again in future because they have built up an expertise on organised crime in their country, which few others have. Another newly qualified ‘expert’ on organised crime must be the editor of the various research papers, Fiona Adams. We are grateful for her support.

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