



**51ST PLENARY ASSEMBLY SESSION
7TH TO 16TH JULY 2022
LILONGWE, MALAWI**

**MOTION ON STRENGTHENING THE FIGHT AGAINST TRANSNATIONAL
ORGANISED CRIME IN THE SADC REGION**

Mover: Honourable Seiso Joel MOHAI, South Africa

Seconder: Honourable Tsiliva Didiot CHISTOPHE, Madagascar

Date for which Notice is given: Thursday 14th July

Question Proposed: That the 51st Plenary Assembly Session of the SADC PF:-

NOTING that Transnational Organised Crime poses a serious security threat to SADC region's socio-economic development, peace, security and stability;

FURTHER NOTING that Transnational Organised Crime such as human trafficking, drug trafficking, money laundering, poaching, and the smuggling of stolen goods, among others, continue to destabilise the social and economic standing, as well as regional peace and security;

ACKNOWLEDGING the various measures by SADC to address the problem of transnational organised crimes in the region, including the following:

- a) SADC Protocol Against Corruption which was adopted in 2001 and came into force in July 2005 whose objective is to promote and strengthen the development, by each of the State Parties, of mechanisms needed to prevent, detect, punish and eradicate corruption in the public and private sector; promote, facilitate and regulate cooperation among the State Parties to ensure the effectiveness of measures and actions to prevent, detect, punish and eradicate corruption in the public and private sectors; and to foster the development and harmonization of policies and domestic legislation of the State Parties relating to the prevention, detection,

punishment and eradication of corruption in the public and private sectors;

- b) Protocol on Mutual Legal Assistance in Criminal Matters which provides for the widest possible mutual legal assistance in criminal matters in respect of on investigations, prosecutions, proceedings in a criminal matter;
- c) Protocol on the Control of Firearms, Ammunition, and Other Related Materials to prevent, combat and eradicate the illicit trade of firearms, ammunition and other related materials in the region;
- d) SADC Strategic Plan of Action (SPA) on Combating Trafficking in Persons to facilitate the establishment of an enabling policy and legislative environment to reduce trafficking in persons and enhance capacities of Members States to implement comprehensive policies, strategies and legislation on trafficking in persons; and
- e) Regional Law Enforcement and Anti-Poaching Strategy adopted in 2015 as a framework for cross-border collaboration in minimising wildlife crimes and illegal trade, while promoting sustainable trade and use of natural resources.

FURTHER ACKNOWLEDGING the United Nations Convention against Transnational Organized Crime (UNCTOC) that was adopted by General Assembly resolution 55/25 of 15 November 2000 as the main international instrument in the fight against transnational organized crime and is further supplemented by three Protocols, which target specific areas and manifestations of organized crime, namely:

- i) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- ii) the Protocol against the Smuggling of Migrants by Land, Sea and Air; and
- iii) the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

FURTHER ACKNOWLEDGING that the lack of resources, expansive geographical areas, borders and coastlines, as well as ongoing conflicts in parts of the region, have made the fight against Transnational Organised Crime a painstaking task;

NOW THEREFORE:

- i) *Urges* Member States to:

- a) continue waging a concerted battle against Transnational Organised Crime such as human trafficking, drug trafficking, money-laundering, poaching and the smuggling of stolen goods;
 - b) put into action strategies aimed at countering extremism and terrorism;
 - c) continue strengthening cooperation in the established regional frameworks such as the implementation of the Law Enforcement Against Poaching (LEAP) strategy and Counter-Terrorism strategies;
 - d) enhance existing counter operations, collaboration and partnerships between SADC Members States and the African Union Mechanism for Police Cooperation (AFRIPOL), INTERPOL and United Nations Office on Drugs and Crime (UNODC); and
 - e) enhance regional cooperation, joint operations and exchange of information on Transnational Organised Crime, especially human trafficking, drug trafficking, money laundering, poaching, and the smuggling of stolen goods.
- ii) *Resolves* for SADC Parliamentary Forum and National Parliament to:
- a) Build the capacity of Parliamentarians on key facts about current status of transnational organised crime and interconnected criminal activities in the SADC region and the role of Parliament in ratifying and exercising oversight on the implementation of regional and international instruments on the same; and
 - b) Identify and share best legislative practices and proposals to effectively combat transnational organised crime and interconnected criminal activities in the SADC region.

SIGNATURE OF MOVER:
