



Who guards the guards?!

**MONITORING CRIME
& SECURITY FORCES
INVOLVEMENT IN CRIME**

August 2021





Contents

Introduction	3
Zimbabwe and fragility	3
Fragility and Transnational Organised Crime (TOC)	6
Fragility and crime in Zimbabwe.....	7
Methods	8
Serious Crime in 2021	8
Crime and TOC	12
Security force involvement in crime	14
Granting of bail	16
Conclusions	17
Recommendations	17

Introduction¹

Zimbabwe is one of the most fragile states in the world, according to the [Fragile States Index \(FSI\)](#). One of the worrying features of fragility is the possible decline into a failed state, essentially meaning that government institutions no longer work or even an absence of government in any real sense. Now, whilst we do not assert that Zimbabwe is a failed state, there are some indications that the direction the country is taking is towards, rather than away from greater fragility.

Within the context of fragility, greater attention is being paid to the relationship between fragility and Transnational Organised Crime (TOC). This also falls within the greater concern about Illicit Financial Flows (IFF) and, of course, the relationship between TOC and IFF. For example, the East and Southern African Anti-Money Laundering Group (ESAMLG), a well-established African body, to which Zimbabwe has membership, has pointed out, in respect of Zimbabwe, that there are several areas in which there needs to be established preventative controls:²

- Drug trafficking;
- Illegal trade and smuggling of precious minerals, metals and stones;
- Parallel market activities involving foreign currency and commodities by individuals and companies;
- Corruption in particular practices in the fuel industry involving both private and public institutions;
- Misrepresentation of quality, nature and value of exports; and
- Armed robbery and theft of motor vehicles and stolen vehicle re-registration.

Most of these activities have been well-described in recent reports, such as the cartel report published by the Daily Maverick,³ and the corruption and IFFs resulted in Zimbabwe (as well as Botswana and Ghana) being placed on the European Union's Financial Crimes Watchlist.⁴

When crime starts to increase in a fragile country, it is important to see whether this has links to TOC, or is merely one of the many manifestations of fragility and the economic deprivation that usually accompanies fragility.

Zimbabwe and fragility

Some brief description of fragility seems necessary for a good understanding of how serious crime and corruption either contribute to fragility or make use of it. A simple definition is as follows:

Although definitions vary as to what constitutes fragile states, there is some consensus that they are countries where national and local authorities are incapable of delivering crucial public goods such as safety, security and other basic services, or where their entitlement to do so is contested by rival sources of

¹ Report prepared by the Research and Advocacy Unit (RAU).

² ESAAMLG (2007), Mutual Evaluation/Detailed Assessment Report. Anti-Money Laundering and Combating the Financing of Terrorism. East And Southern African Anti-Money Laundering Group [https://www.esaamlg.org/index.php/Mutual_Evaluations/readmore_me/8]

³ Zimbabwe: Explosive cartel report uncovers the anatomy of a captured state, Daily Maverick, 9 February 2021. [<https://www.dailymaverick.co.za/article/2021-02-09-zimbabwe-explosive-cartel-report-uncovers-the-anatomy-of-a-captured-state/>]

⁴ EU names 4 African nations to financial crimes watchlist, African Times, 9 May 2020 [<https://africatimes.com/2020/05/09/eu-names-4-african-nations-to-financial-crimes-watchlist/>]

authority, such as territorial enclaves, ethnic secessions or other armed non-state actors. [Miraglia, Ochoa & Briscoe. 2012. p5]⁵

Whilst fragility is subject to a highly complex set of interacting factors, as argued in the Fragile States Index (FSI), some factors, or groups of factors, are seen as more important:

- **Structural and economic factors:** Poverty, low income and economic decline, violent conflict, presence of armed insurgents, natural resource wealth/lack of natural resource wealth, geography ('bad neighbours'), demographic stress (including urbanisation).
- **Political and institutional factors:** Crises of state legitimacy and authority, bad governance, repression of political competition, weak (formal) institutions, hybrid political orders, institutional multiplicity, political transitions, succession and reform crises in authoritarian states, state predation, neo-patrimonial politics.
- **Social factors:** Horizontal inequalities, severe identity fragmentation, social exclusion, gender inequality, lack of social cohesion (including lack of social capital), weak civil society.
- **International factors:** Legacy of colonialism, international political economy, climate change, global economic shocks (including food prices).⁶

A quick glance will show that many of these factors are present in Zimbabwe and why Zimbabwe is regarded as a very fragile state.⁷ However, it should not be assumed that all fragile states are wholly similar, and many states that fit the fragility definition may be much more stable than others. A key factor may be the presence of “inclusive” as opposed to “exclusive” elite pacts in maintaining stability in so-called fragile states.⁸ A question here is whether Zimbabwe is moving from an “inclusive” system under Robert Mugabe to an “exclusive” system under Emmerson Mnangagwa. Whereas Mugabe seemed to balance the various ethnic claims to the state, Mnangagwa seems rather to consolidating a narrower ethnic base. This may have important ramifications for understanding the relationship between corruption and crime.

Other workers have suggested that a key factor is the balance between “effectiveness” and “legitimacy”.⁹ “Effectiveness” is seen as how well the state delivers public goods and services such as security, economic growth, making law and policy, and delivering social services. “Legitimacy” is seen as to whether state actions are seen as “just” or “reasonable” by elites and the population. A good argument can be made that the current government fails on both these criteria, ignoring the more vexed argument about the “legality” conferred by-elections that are

⁵ Miraglia, P, Ochoa, R, & Briscoe. I (2012), *Transnational organised crime and fragile states*, A thematic paper supporting the OECD DAC INCAF project ‘Global Factors Influencing the Risk of Conflict and Fragility’. OECD Development Co-Operation Working Papers,

[https://www.oecd-ilibrary.org/development/transnational-organised-crime-and-fragile-states_5k49dfg88s40-en#:~:text=org%2F10.1787%2F22220518-1,Transnational%20Organised%20Crime%20and%20Fragile%20States,smuggling%2C%20piracy%20and%20money%20laundering.]

⁶ McLoughlin, C., 2012, *Topic Guide on Fragile States*, Governance and Social Development Resource Centre, University of Birmingham, UK

⁷ RAU (2020), *Crisis? What Crisis?* August 2020. Harare: Research & Advocacy Unit.

⁸ Lindemann, S., 2008, ‘Do Inclusive Elite Bargains Matter? A Research Framework for Understanding the Causes of Civil War in Sub-Saharan Africa’, Crisis States Research Centre, London

⁹ Goldstone J., 2008, ‘Pathways to State Failure’, *Conflict Management and Peace Science*, vol. 25, no. 4, pp. 285-296.

continuously disputed but never overturned. The most recent Afrobarometer survey (Round 8, 2021) suggests that “legitimacy” has become a deeper problem for the state.¹⁰

Goldstone also has argued that other factors could determine whether a state was seen as fragile:¹¹

- **Escalation of communal group (ethnic or religious) conflicts:** *In this instance, deterioration occurs because a major communal group has no incentive to participate in the government, and other players in the government provoke its withdrawal or rebellion. Strong but discriminatory regimes (which are effective but exhibit low legitimacy) may then lose control of suppressed groups; weak but inclusive regimes (which are legitimate but exhibit low effectiveness) can lose legitimacy where one group takes actions to impose harm on another group;*
- **State predation (corrupt or crony corraling of resources at the expense of other groups):** *In this instance, deterioration occurs because the regime preys economically on the populace, has low legitimacy, but stays in power as long as it is effective enough to reward followers and repress opponents. When that effectiveness falters because an economic downturn deprives the regime of resources, a country giving external support withdraws that support, or an error by the regime alienates its own supporters such regimes collapse quickly, for the large potential opposition can be readily mobilised;*
- **Regional or guerrilla rebellion:** *This mode of decline is usually precipitated by low effectiveness compounded by a fall in state legitimacy among a social class or region;*
- **Democratic collapse:** *Democratic regimes can be paralysed by factionalism or lack of adequate resources to maintain the security of the population. Military regimes may replace democracies that are perceived to be ineffective through coups, or by more authoritarian leaders through elections;*
- **Succession or reform crisis in authoritarian states:** *In a succession crisis, a government whose legitimacy (or in some cases effectiveness) depends on the presence or political skill of the single powerful ruler may be fatally weakened when that leader dies. In this instance, provisions for a clear successor are needed.*

Again, it can be argued that some of these factors are applicable to Zimbabwe: state predation, democratic collapse, and a succession of reform crisis all seem evident to a degree and, for some, to a very marked degree.¹²

There is considerably more than can be said about fragility, but it is sufficient for the present discussion to point out that Zimbabwe is already regarded as fragile (not failed) and shows many of the features described above.

¹⁰ RAU (2021), *Afrobarometer Round 8 (2021) and Elections, July 2021*. Harare: Research & Advocacy Unit.

¹¹ Goldstone, J., (2009), ‘*Deteriorating Fragile States: How to Recognize Them, How to Help them*’, Report of the World Bank Headline Seminar, 8th April, Washington

¹² Mandaza, I (2016), Introduction. In, I Mandaza, (2016) *The Political Economy of the State in Zimbabwe: The rise and fall of the Securocrat State*. Harare: Southern African Political Economy Series.

Fragility and Transnational Organised Crime (TOC)

Within the framework of increasing international concern about fragility and failure is the growing concern about corruption, and, especially, Transnational Organised Crime (TOC).¹³ TOC is a significant threat to stability and development:

“Transnational organised crime (TOC) is a global challenge posing serious threats to our collective peace and security. But in conflict-affected and fragile states the threats of transnational organised crime present particular and insidious challenges requiring new and innovative responses”.(Locke, R 2012. p1)¹⁴

Whilst TOC and fragility are issues of concern right around the world, in Peru and Bolivia for example, here we will concern ourselves with Africa and African countries. In a recent review of TOC and fragility in Africa, Raineri and Strazzi (Raineri & Strazzi 2017) point that there are a number of critical areas in which TOC can affect a fragile state: *“the state’s monopoly of coercion, the administration of justice, the degree of administrative capacity, the provision of public goods, and conflict management”*.¹⁵ Defining TOC is difficult and there are many conflicting definitions, but most agree, as Miraglia *et al* point out (Miraglia, Ochoa & Briscoe 2012), on three elements:

- 1) *the sale of illegal goods and services;*
- 2) *a certain organised structure with some form of hierarchy that has as its goal the profiting from the above-mentioned provision of goods and services;*
- 3) *the perpetuation of their existence through violence (or threat of violence) and corrupt relations with public officials.*

On point (1), we have already noted above that the Mutual Evaluation Report (MER) on Zimbabwe by ESAAMLG in 2007, noted a range of illegal activities that were the subject of illicit financial flows.

It is always assumed that TOC is wholly driven by structures outside the state, but, as a recent report on cartels points out in respect of Zimbabwe, the state can be a central player in TOC.¹⁶ This point is made more generally by Raineri and Stazzari (Raineri & Strazzai 2017):

“However, the vision of a brutal capture of the state by external forces is often superficial, and may have misleading implications. By contrast, researchers have tried to sharpen their focus on the intimacy that often links – rather than oppose – state apparatuses and criminal actors devoted to plundering resources or circulating illicit commodities. More often than not, the degree of state interdiction or indulgence is a cost factored in by those who run criminal activities: capturing and maintaining the state entails high costs, and many other options are preferable

¹³ Miraglia, P, Ochoa, O, & Briscoe, I (2012), *Transnational organised crime and fragile states*. A thematic paper supporting the OECD DAC INCAF project ‘Global Factors Influencing the Risk of Conflict and Fragility’. Working Papers. OECD Development Co-operation.

<https://www.oecd-ilibrary.org/docserver/5k49dfg88s40-en.pdf?expires=1622798255&id=id&accname=guest&checksum=445897CC2EC2F16D48CEF77D2BAB2B9E>

¹⁴ Rachel Locke, *“Organized Crime, Conflict, and Fragility: A New Approach,”* New York: International Peace Institute, July 2012.

¹⁵ Raineri, L & Strazzari, F (2017), *Organised crime and fragile states: African variations*, *European Union Institute for Security Studies (EUISS)*. [<http://www.jstor.com/stable/resrep06866>]

¹⁶ Daily Maverick report

to this one. Yet state authorities exerting the legitimate monopoly of force and retaining some control of borders may also become embroiled in the organisation of criminal activities, attracted by the disproportionate profits. In other words, fragile states can be expected to be captured by organised crime as much as to be capturing criminals. As a result, less attention needs to be paid to the alleged competition between state and non-state actors and more to their welding and convergences.” [Raineri & Strazzari 2017. p3]

In the absence of any detailed analysis of TOC in Zimbabwe, other than the reports on corruption, the only data of any indicative value are the statistics on crime, which is where we now turn.

Fragility and crime in Zimbabwe

As indicated above, an important indicator of fragility is an increase in organised crime, particularly violent crime. As the economic situation worsens in Zimbabwe, there is the likelihood that all forms of crime will increase. However, there is also the likelihood that all crime has reduced due to the COVID-19 epidemic, and certainly, this is shown in [statistics from South Africa](#) under COVID. For example, for the period April to May 2020, South Africa showed a 36% decline in murders and a 40% drop in armed robberies. This coincided with the three-month lockdown and, furthermore, there was a 34% drop overall in all the 17 offences documented by the South African police.

Lockdowns undoubtedly contributed to these drops and were similarly seen in other countries. In South Africa, these drops were attributed to the heightened police and military presence in high crime areas. There are no comparable statistics for Zimbabwe, but the Zimbabwe National Statistics Agency (ZimStat) provides data on crime in its Quarterly Digests, with the last available Digest for the fourth quarter of 2019. The ZimStat website suggests that there are Digests for 2020, but there is no link and a request for an electronic copy of these produced no response.

However, the compiled statistics from the fourth Quarterly Digest of 2019 paint a disturbing picture. Here we only present the more serious crimes, including those that generally feature in statistics for TOC.

Table 1: Select Crime statistics

[Zimstats Quarterly Digest of Statistics. Fourth Quarter. 2019]¹⁷

	Murder	Rape	Assault	Assault (GBH)	Firearms	Armed robbery	Robbery	All Drugs	Total
2017	1067	7394	68293	244	371	429	5285	2987	86070
2018	1453	7738	78218	153	440	561	7823	3400	99786
2019	1733	7661	71346	98	597	1022	11851	3893	98201

It is evident that, from 2017 to 2019, there had been large increases in robberies (58%), and armed robberies (55%). This is an enormous increase in very serious crimes, but, as can be seen in Table 1, the trend is for most crimes to be increasing, apart from assault and assault (GBH), which for some reason show a very large decrease in assault (GBH). A probable

¹⁷ The category “All Drugs” is a summation of different types of offences under the Dangerous Drugs Act – possession, cultivation, supplying and consumption.



explanation can be that this is due to political reasons. Assault (GBH) is frequently documented in Organised Violence and Torture (OVT) cases, and mostly associated with these violations being perpetrated by state agents or ZANU-PF supporters against members of opposition political parties or civil society activists.¹⁸ Thus, this decline requires more explanation as it is wholly against the main trend towards increased crime.

In the absence of data for 2020, it is not possible to determine whether this trend continued after 2019, or whether it was affected by the lockdown in 2020. However, the Zimbabwe Republic Police (ZRP) reports a dramatic (17%) decrease in crime between January and December 2020,¹⁹ as was the case in South Africa. Unfortunately, this is a global figure and hence it is not possible to examine the breakdown of crimes for our purposes. However, the ZRP does make continual reference to crimes increasing in 2021 (see below).

Methods

In the absence of ZimStat data for 2020, we were forced to rely on publicly available information. We searched the two main newspapers, the Herald and NewsDay, both of which have regular reporting on crime. We examined every issue from January to June 2021, downloading every story that contained an example of the nine crimes reported above:

- **Murder:** All cases and sub-categorised these into those that arose from obvious domestic conflict and those that were either deliberate cases of murder or the charge came from death in a fight, an armed robbery, etc.;
- **Rape:** All reported cases of rape;
- **Assault:** All cases where an assault took place, but without the use of a weapon of any kind;
- **Assault (GBH):** All cases where an assault with a weapon took place;
- **Robbery:** All cases were where property was taken by threat or by force, but without a weapon;
- **Armed robbery:** All cases were where property was taken by threat or force, but with a weapon;
- **Firearms offence:** All cases where unlawful possession or use of a firearm (other than in a murder, assault or armed robbery), and including trafficking in firearms;
- **Drugs:** All cases involving cultivation, possession, dealing or use of illegal drugs.

It should be pointed out at the outset that the data gathered cannot be taken to be representative of the actual crime statistics, and conform to the interests of the journalists covering the courts. Thus, the data is highly selected but does give a weak indication of trends, and the actual trends may be very different when official statistics become available.

Serious Crime in 2021

Here we were only concerned with the crimes mentioned above. There were no reports on unlawful possession of precious stones, so we ignored this in the report.

¹⁸ This is well documented in human rights reports, and the basis of legal action by the victims. For this latter see, ZHRNGOF (2021), *The wheels of justice for victims of Organised Violence and Torture: Analysis of Legal Cases: Zimbabwe Human Rights NGO Forum (2007-2020)*, July 2021. Harare: Zimbabwe Human Rights NGO Forum.

¹⁹ *2020 crime rate decreases – police boss*, The Herald, 19 May 2021 [<https://www.herald.co.zw/2020-crime-rate-decreases-police-boss/>]

Table 2: Select Crime statistics (2021)
[Sources: Herald & Newsday –January to June 2021]

	Murder	Rape	Assault	Assault (GBH)	Firearms	Armed robbery	Robbery	All Drugs²⁰
Number (n=257)	78	31	4	15	19	69	19	22
%	30.4	12.1	1.6	5.8	7.4	26.8	7.4	8.6

The first point that we must make (again) is that this data cannot be anything except illustrative of patterns. There is no suggestion that the figures, especially the percentage distribution, represent the national trend. An accurate national picture can only come from either disaggregated ZRP statistics or ZimStat Quarterly Digests. Journalists report news and not researchers.

The second point illustrates the frequent comments made by the ZRP: murders and armed robberies seem to be more frequent. As pointed out in Table 1, murder, assault, robbery, armed robbery, firearms offences, and drug offences all increased between 2017 and 2019. The newspaper data shows very different frequencies for all these crimes in 2021 compared with 2019: only rape and drugs have the same rank order frequency between 2021 and 2019 (Table 3). Thus, the point made above is relevant: crimes reported in the press are clearly a function of the interests of reporters and not a true reflection of the actual prevalence of these crimes.

Table 3: Selected Crime Statistics (Comparing 2019 & 2021)²¹
[Sources: ZimStat, Herald & Newsday]

	2019	2021
	<i>[% & rank]</i>	<i>[% & rank]</i>
Murder	1.8 (5)	30.4 (1)
Rape	7.8 (3)	12.1 (3)
Assault	72.7 (1)	1.6 (8)
Assault (GBH)	0.1 (8)	5.8 (7)
Firearms offence	0.6 (7)	7.4 (5)
Armed Robbery	1.04 (6)	26.9 (2)
Robbery	12.1 (2)	7.4 (5)
All drugs	3.9 (4)	8.6 (4)

The first obvious comment to make is the dramatic difference in armed robbery between 2019 and 2021. Armed Robberies were only 1% of the total crimes reported in the ZimStat statistics for 2019 but 29.6% in 2021. Whilst this is clearly an artefact of the crime reporting – journalists will obviously focus on the more dramatic crimes - it does suggest, as the ZRP states, that there is a large increase in this serious crime. Below we report on the involvement of serving and former members of the security services in this crime.

²⁰ The actual cases of offences involving drugs are much higher than the individual cases, and the ZRP reported that they had arrested 93 people for offences related to drugs. “ [\[https://www.newsday.co.zw/2021/05/police-blitz-nets-93-drug-peddlers/\]](https://www.newsday.co.zw/2021/05/police-blitz-nets-93-drug-peddlers/)”

²¹ There is no correlation between the official reports statistics for 2019 and the statistics compiled from newspaper reports. (Pearson’s ‘r’; -0.156)

One observation about armed robberies, and this is frequently pointed out by the ZRP, are the many people carrying large amounts of cash (especially US\$) on their person or keeping it in their homes. This seems obviously related to the economy, and perhaps the lack of trust in banks, but there is a clear incentive for robbery and armed robbery in this state of affairs.²²

Whether these statistics are a reflection of the actual trends in crime or not, and only an artefact of press interest, it is clear that the ZRP itself feels that there is a significant increase, and have expressed concern repeatedly about the number of armed robberies. They are calling for stiffer sentences but interestingly not complaining (until recently) about the tendency of the courts to give bail to those arrested for very serious crimes (armed robbery). Elsewhere the Forum has commented on the contradictions in awarding bail.²³

The second comment is about murders. In 2018, reported murders, according to ZimStat, were less than 2% of total crimes. In 2021, murders are 34% of all the crimes reported in the newspapers. This is likely again to be an artefact of reporters' interests, but again the increase in murder has been noted by the ZRP.²⁴ It is worth pointing out that over half of the murders reported in the press stem from domestic disputes rather than premeditated killings. For example, contrast these two cases.

Chiredzi doctor on double murder charge

Chiredzi medical doctor, Dr William Phiri, who allegedly killed two of his children at his house in Mkwesine Estates before trying to commit suicide on Sunday, was formally remanded in custody on double murder charges at the Chiredzi Magistrates Court on Tuesday. Phiri (56), of UB12 Mkwesine, was also facing two charges of attempted murder for allegedly trying to kill his two other children, Ropafadzo (6) and Themba (4), who are battling for their lives in hospital. Chiredzi magistrate Mr Simbarashe Gundani on Tuesday presided over the formal remand process in Chiredzi District Hospital, where Phiri is admitted, and is in a stable condition, as he recovers from self-inflicted stab wounds in his chest when he allegedly tried to commit suicide.

JUST IN: Hurungwe man kills girl (15), disappears with groceries

A fugitive Hurungwe man has been arrested for waylaying and killing a 15-year-old girl before disappearing with groceries she had been sent to buy at Doro Business Centre. Tawanda Kasinga (26) of Nyamupfukudza Village 2 under Chief Dendera in Hurungwe allegedly ambushed the girl on February 7. The family got worried after she did not return, prompting searches which led to the discovery of girl's body in a bush near Doro Business Centre. Investigations led to Kasinga's arrest on Monday and recovery of some grocery items, including some body lotions which he had given to his relatives. It has emerged that Kasinga has been on the police wanted list for robbery and theft in Magunje.

There are 38 cases in which murder is the charge in which the death occurs during some kind of family dispute, but the cases involve deaths as part of a crime or are a deliberate attempt to commit murder. The grisliest of the latter involved two men who murdered a six-year girl, allegedly for the body parts.²⁵ Whilst deaths during domestic disputes are not uncommon in

²² 'Woman loses US\$22 000 to robbers', The Herald, 22 June 2021 [[Woman loses US\\$22 000 to robbers | The Herald](#)]

²³ ZHRNGOF (2021), *TRIAL BY PRE-TRIAL INCARCERATION. Targeted Arrests of Perceived Opposition Figures and Undue Delays in Pre-trial Processes (Trends in Zimbabwe)*. July 2021. Harare: Zimbabwe Human Rights NGO Forum.

²⁴ "Increase in murder cases worry police", NewsDay, 27 January 2021. [<https://www.newsday.co.zw/2021/01/increase-in-murder-cases-worry-police/>]

²⁵ "JUST IN: Pair murders juvenile, cut genitals . . .", The Herald, 1 January 2021 [<https://www.herald.co.zw/just-in-pair-murders-juvenile-cut-genitals/>]

Zimbabwe, the question must be raised about the extent to which this is a real increase, and whether the increase in disputes represents an increase in stress due to economic deprivation, and this being exacerbated under COVID. In defence of this speculation, we should note the many reports that gender violence and domestic abuse has apparently increased under COVID and the lockdowns. This has been reported for both Zimbabwe and South Africa.²⁶ GBV has not featured much in the press reporting of crime but has been frequently covered in the press generally.

In respect of rape, it is evident that rape is generally not reported much to the police: in 2019, rape was only 8% of total crimes reported by ZimStat, but is 12% of crimes reported in the press between January and June 2021. Whether this is an actual increase, and consonant with the reported increase in GBV generally, cannot be asserted with any confidence and will have to wait for the official crimes statistics to be released for 2021. Some of the rapes are particularly egregious, especially those that were gang rapes, some of which are merely rapes, but others take place during robberies.²⁷

There is a suggestion that offences involving firearms, both possession of unlicensed firearms and smuggling these, have increased, but again this is speculative in the absence of official statistics. However, this may be consonant with the increase in armed robberies, and, if the 2021 data were accurate, clearly a cause for concern, especially when the data for the period 2017 to 2019 (Table 1) suggests this has been increasing.

The one big change from 2019 is in reported assaults, where there seems to be a huge drop in 2021. Again, this would seem to be an artefact of reporting by the press where the reports have concentrated on assaults that lead to deaths. However, it is still worth noting that assault (GBH) was on the decline from 2017 to 2019, and that assault seemed largely constant over this period; there were 68 293 assaults in 2017, 78 218 in 2018, and 71 346 in 2019.

There are increases in drug offences between 2019 and 2021, and the ZRP reports that drug offences are increasing, and many reports that young people are increasingly using drugs, perhaps in response to their impoverished lives.

Meanwhile, two Glendale cannabis growers were on Thursday sentenced to a combined eight years in jail by Concession magistrate Nixon Mangoti. Tonderai Sajeni (25) and Anymore Katandika (20) of Clifton Farm in Glendale pleaded guilty to the charge. The duo told the magistrate that they grew the illegal crop to earn a living since life was very difficult in Zimbabwe.

²⁶See “Covid-19 and Gender-Based Violence in Zimbabwe. How is the Pandemic increasing the risk of violence against women and girls? Social Development Direct, 10 December 2020 [<https://www.sddirect.org.uk/news/2020/12/covid-19-and-gender-based-violence-in-zimbabwe-how-is-the-pandemic-increasing-the-risk-of-violence-against-women-and-girls/>]; “Alarming increase in gender-based violence during Covid-19 lockdown”, USB News, University of Stellenbosch Business School, 21 April 2020. [https://www.usb.ac.za/usb_news/alarming-increase-in-gender-based-violence-during-covid-19-lockdown/]

²⁷ “5 Domboshava gang rapists in court”, NewsDay, 19 February 2021 [<https://www.newsday.co.zw/2021/02/5-domboshava-gang-rapists-in-court/>]; “Police hunt four men over rape”, The Herald, 5 April 2021 [<https://www.herald.co.zw/police-hunt-four-men-over-rape/>]

“Your worship, I think everyone knows that life is difficult in Zimbabwe and so we committed this offence to try and earn a living. Spare us a jail term please,” lamented the convicts.²⁸

Overall, it is not possible to assert with any confidence that crime is increasing in 2021, but the publicly reported cases do give an impression that many of these may be related to the fragile nature of life for many Zimbabweans. Most of the reported crime, worrying at it is, does not seem to have any relationship to TOC, and seems rather related to the deteriorating socio-economic climate reflective of a fragile state. However, some of the crimes reported, not well-covered in ZimStat data, seem to bear upon TOC.

Crime and TOC

Earlier, we described the association between fragility and TOC, and noted the findings of the MER of the ESAAMG report on the areas in which illicit financial flows were of concern in Zimbabwe. Recent reports suggest that TOC is a serious problem in Zimbabwe. These reports indicate a very high level of complicity in corruption and Illicit Financial Flows (IFF), but the point to bear is that the tolerance of such “cartels” may encourage more widespread crime. This may involve the complicity of state actors in connivance with non-state actors, as suggested above may be the case in fragile states (Raineri & Strazzi 2017).

One of the major areas involves smuggling, and here the press reported a number of areas that may indicate TOC. For example, the Herald has a recent report on an alleged smuggling cartel in Mutare province.²⁹ This investigative report indicates a collaboration between serving security force personnel, and ex-police and soldiers, and smugglers moving goods and fuel from Mozambique into Zimbabwe:

“CARTELS smuggling fuel and second-hand clothes into the country have become powerful and daring to an extent of hiring earth-moving equipment to clear and periodically repair gravel roads connecting into Mozambique through undesignated points without the local authorities’ involvement, The Herald has learnt. Fuel tankers and other heavy trucks laden with clothing bales cross into Zimbabwe from Mozambique, at times, in broad daylight in full view of police and other security officers manning the illegal crossing points. The cartels have become so powerful that they monopolise the illegal routes and reportedly bribe security officers deployed at the borders. Armed ex-police officers and ex-soldiers offer escort services to the smugglers to avoid arrest.”

This is not in the league of the cartels mentioned in the Daily Maverick report, but would start to fit the definition of TOC mentioned earlier, and speaks to the point made by Raineri and Strazzari (Raineri & Strazzari 2017) about the connivance between state and non-state actors in crime. It should be noted that the ZRP themselves report an apparent increase in smuggling, but this may be a function of detection rather than a reliable indication of how rampant smuggling is, or an indication of whether this is TOC type activity rather than cross-border

²⁸ “Five years jail for possessing mbanje”, NewsDay, 16 January 2021

[<https://www.newsday.co.zw/2021/01/five-years-jail-for-possessing-mbanje/>]

²⁹ “Smuggling cartels control Mutare”, The Herald, 15 June 2021 [<https://www.herald.co.zw/smuggling-cartels-control-mutare/>]

trading (and avoiding duty).³⁰ However, it is evident that smuggling deprives the fiscus of substantial revenue, suggested to be in the order of US\$1 billion per annum, and clearly an area of concern in reducing Illicit Financial Flows.

However, the press reports do cover a number of areas in which TOC is likely to operate, particularly gold and drugs. There are notorious cases involving the smuggling of gold. The first was the arrest of Henrietta Rushwayo and her accomplices, arrested at Harare airport attempting to smuggle six kilograms of gold to Dubai.³¹ The second was the arrest of Tashinga Nyasha Masinire at O R Tambo airport in South Africa, found with 23 pieces of gold, worth R11 million, in his luggage.³² In both cases, the connivance of state officials is alleged.³³

Gold is obviously a commodity that attracts criminal activity, and even the government admits that it loses a considerable amount of money from gold smuggling, much of which emanates from artisanal mining. Therefore, it is commendable that the government has cracked down on artisanal miners, as reported in the press, where the ZRP reports arresting 25,400 illegal miners and machete gangs.³⁴ The association between “machete gangs” and gold panning has been notorious over the past few years, and this association continues.³⁵ Recent stories show this continuing relationship.³⁶ A female artisanal miner was robbed of US\$ 3 500 by a gang armed with a pistol and machetes,³⁷ whilst other reports show armed robberies occurring around the country.³⁸ Armed robbers stole 550kg of gold from Mhofela Syndicate Mine in Kadoma, and other robberies took place a BN Syndicate Mine in Gwanda and Goodcow Mine in Maphisa, Matabeleland. There are numerous other stories of robberies by “machete gangs”, not all linked to gold but demonstrate the increasing dangers of armed robberies.

One other area that is suggestive of TOC is drug trafficking, and there were a number of reports involving the smuggling of drugs into the country: several arrests were made of foreign nationals attempting to bring cocaine into the country, with links to local Zimbabweans.³⁹

³⁰ “30 000 up for smuggling”, NwsDay, 30 June 2021 [<https://www.newsday.co.zw/2021/06/30-000-up-for-smuggling/>]

³¹ “BREAKING: Rushwaya arrested at R.G. Mugabe International Airport for gold smuggling”, The Herald, 26 October 2020 [<https://www.herald.co.zw/breaking-rushwaya-arrested-at-r-g-mugabe-international-airport-for-gold-smuggling/>]

³² “Zim Man Arrested At SA’s OR Tambo Airport With R11m Gold Worth”, NewZimbabwe, 10 May 2021 [<https://www.newzimbabwe.com/zim-man-arrested-at-sas-or-tambo-airport-with-r11m-gold-worth/>]

³³ “Gold smuggling suspect denied bail”, The Herald, 19 May 2021 [[Gold smuggling suspect denied bail | The Herald](https://www.herald.co.zw/gold-smuggling-suspect-denied-bail/)]; “CIO operative arrested for facilitating gold smuggling”, NewsDay, 12 April 2021 [<https://www.newsday.co.zw/2021/05/cio-operative-arrested-for-facilitating-gold-smuggling/>]

³⁴ “JUST IN: 25 000 illegal panners, machete gangs arrested”, The Herald, 16 March 2021 [<https://www.herald.co.zw/just-in-25-000-illegal-panners-machete-gangs-arrested/>]

³⁵ “Machete gang terrorises Mabuthweni, Njube residents”, NewsDay, 17 May 2021 [<https://www.newsday.co.zw/2021/05/machete-gang-terrorises-mabuthweni-njube-residents/>]

³⁶ “Kwekwe police arrest machete gang leader”, NewsDay, 4 May 2021 [<https://www.newsday.co.zw/2021/05/kwekwe-police-arrest-machete-gang-leader/>]

³⁷ “Female artisanal miner robbed at gunpoint”, NewsDay, 6 April 2021 [<https://www.newsday.co.zw/2021/04/female-artisanal-miner-robbed-at-gunpoint/>]

³⁸ “Armed robbers raid 500kg gold ore”, The Herald, 30 July 2020 [<https://www.herald.co.zw/armed-robbers-raid-500kg-gold-ore/>]

³⁹ “Trio in court over \$2m cocaine”, The Herald, 7 April 2021 [<https://www.herald.co.zw/trio-in-court-over-2m-cocaine/>]

Other cases indicate the smuggling of drugs out of the country, mostly to South Africa, and suggestions that the drugs are coming from Mozambique.⁴⁰

Another important feature in the linkages around TOC and armed robberies is that with weapons, and there are a number of cases in which smuggling of weapons is involved, either in or out of the country.⁴¹ This is additionally important when the rise in armed robberies is concerned, as pointed out earlier.

None of this reporting suggests TOC, except inferentially, and the links between crime and TC would only be possible with careful examination of all the court reports of those convicted. Even then, much will depend on the detailed investigation of all the cases by the ZRP. This in turn, will depend on the political will to tie up relations between crimes, criminals and possible links to organised bodies, such as cartels. There is a pressing need for such research to be done.

Security force involvement in crime

One serious aspect of the trend in crime is the increased involvement of members of the security forces becoming involved in criminal activities, and, when senior government officials admit the involvement of security force members in the commission of violent crimes, this is a cause for deep concern. The involvement of members of security forces was admitted in parliament by the Minister of Home Affairs, Kazembe Kazembe:

*“It is, indeed, true that most of these cases of armed robberies are being done by armed men and women from the police force as well as the army. I would like to emphasise and indicate that government is, indeed, working on that, but I would also like to indicate that such cases have decreased,” Kazembe said.*⁴²

This view was endorsed by Zimbabwe National Army (ZNA) spokesperson, Colonel Alphios Makotore:

*“The ZNA has noted with concern the increasing number of incidents where some rogue and undisciplined members of the force deployed on various duties around the country are wantonly engaging in criminal activities, thereby bringing the name of the organisation into disrepute.”*⁴³

With these admissions, we looked at the publicly available information on the involvement of security force members, Zimbabwe Republic Police (ZRP) and Zimbabwe National Army (ZNA), in criminal activities.

⁴⁰ *Stemming the Insurrection in Mozambique’s Cabo Delgado*, Crisis Group Africa Report N°303, 11 June 2021 [<https://www.crisisgroup.org/africa/southern-africa/mozambique/stemming-insurrection-mozambiques-cabo-delgado#:~:text=Militant%20attacks%20and%20security%20force,claims%20ties%20to%20the%20insurrectio>]

⁴¹ “Immigration boss nabbed for smuggling guns”, NewsDay, 20 March 2021

[<https://www.newsday.co.zw/2021/03/immigration-boss-nabbed-for-smuggling-guns/>]

⁴² “Security officers leading most armed robberies”, NewsDay, 12 April 2021

[<https://www.newsday.co.zw/2021/04/security-officers-leading-most-armed-robberies/>]

⁴³ “Villager robbed day after army swoop”, NewsDay, 26 January 2021

[<https://www.newsday.co.zw/2021/01/villager-robbed-day-after-army-swoop/>]

Table 4: Selected Crime Statistics (% of security force members mentioned)⁴⁴
[Sources: Herald & Newsday]

	Murder	Rape	Assault	Assault (GBH)	Firearms	Armed robbery	Robbery	All Drugs
2021 (Total)	78	31	4	15	19	69	19	22
Security only % of security force	2	2	1	0	5	6	3	4
	2.6	6.5	25.0	0.0	26.3	8.7	15.8	18.2

The ZRP, either serving or ex-members, were reported in 23 (8.9%) of reported cases, and the ZNA, serving or ex-members, in 9 (4%). This does not suggest an enormous involvement in armed robberies, but a much higher number are reportedly involved in robberies, as well as firearms and drugs offences. Additionally, a significant number are involved in assaults, a frequent and long-standing complaint by human rights organisations.⁴⁵

However, it is not possible from the newspaper reports to ascertain the identity of all those arrested when only names of those arrested are provided, but identities are sometimes confirmed in subsequent reports. In the light of the statement by Minister Kazembe it would very important that crime reporting make it clear, whenever possible, whether security force personnel are involved in crime. Additionally, it is important also that those criminals impersonating security force personnel are clearly identified in reports, especially in the light of ZRP statements that criminals impersonating ZRP officers are increasing.⁴⁶

Here it seems worth pointing out the social responsibility required inaccurate reporting. The public will definitely be alarmed by the Minister's comment about the participation of security force personnel in armed robberies, and it also important that this is not actually alarmist if the numbers are actually small. Here we point out that, of the 69 reported armed robberies, security force personnel were only involved in 4 (6%). Of course, the Minister may have access to better data than that available from press reports, but the public data does not support his assertion, which might suggest he was being unduly alarmist.

Additionally, and perhaps important in the fragility argument, there are a number of reports of security forces being involved in corruption reported in the press. This did show a marked increase: of the 13 cases reported, 11 involved these. The cases ranged from small cases of bribery⁴⁷ to involvement in large scale smuggling.⁴⁸ Some cases have involved senior ZRP officers.⁴⁹ None of this suggests large scale corruption, but the ZRP reports an enormous number of arrests of smugglers in recent months, and, hence, the involvement of security force

⁴⁴ There is no correlation between the official reports statistics for 2019 and the statistics compiled from newspaper reports. (Pearson's 'r': -0.156)

⁴⁵ ZHRNGOF (2006), *Who Guards the Guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006*, December 2006, Harare: Zimbabwe Human Rights NGO Forum.

⁴⁶ "Bogus cops gun down Rusape man", The Herald, 5 January 2021 [<https://www.herald.co.zw/bogus-cops-gun-down-rusape-man/>]; "Police impersonators nabbed", The Herald, 5 March 2021 [<https://www.herald.co.zw/police-impersonators-nabbed/>].

⁴⁷ Junior cop accused of receiving bribes from land baron", The Herald, 8 March 2021 [<https://www.herald.co.zw/junior-cop-accused-of-receiving-bribes-from-land-baron/>]; JUST IN: Policeman in court for bribery, The Herald, 26 February 2021 [<https://www.herald.co.zw/just-in-policeman-in-court-for-bribery/>]

⁴⁸ "Smuggling cartels control Mutare", The Herald, 14 June 2021 [<https://www.herald.co.zw/smuggling-cartels-control-mutare/>]

⁴⁹ "Corruption: Senior cop Makodza arrested", The Herald, 2 February 2021 [<https://www.herald.co.zw/corruption-senior-cop-makodza-arrested/>]



personnel can be a matter of concern, as pointed out earlier by Raineri and Strazzari (2017) over the need to focus on co-operation between state and non-state actors in TOC.

Granting of bail

It is necessary to comment also on an unfortunate aspect of the justice system in dealing with serious criminals, and this is granting of bail to persons arrested for these. In a number of reported cases, alleged armed robbers are released on bail, which seems at odds with the probability of both flight risk and involvement in further crimes. In one case, a person who had been arrested for armed robbery had been released on bail and then was re-arrested three days after release when ZRP officers foiled another armed robbery.⁵⁰ Four of the robbers, including a serving ZRP officer, were killed in the shootout.

In other cases, the courts released alleged armed robbers involved in the US\$2.7 million cash in transit heist,⁵¹ whilst in another, they released 12 suspects involved in a number of armed robberies who then skipped bail.⁵² It seems remarkable that bail can be granted to persons accused of armed robbery. The point of denying bail is surely to prevent a flight risk or interference with the justice process, and the presumption must be that hardened criminals will pose the greatest risk. It is evident from the case mentioned above that such persons, released on bail, immediately return to criminal activity.

In fairness, there are cases where the justice system is cognisant of the risks in granting bail, as the following case demonstrates:

*To bolster its case to deny the four bail, the State argues that Confess Samkange, who was arrested wearing a police uniform, interfered with evidence after his arrest. He was detained in his police uniform. However, due to his privilege of being a police officer, a civilian T-shirt was smuggled into the police cells and his grey shirt was smuggled out by his relatives working in cahoots with members of ZRP Rhodesville.*⁵³

It is commendable that the justice system does protect the public by denying potentially dangerous criminals from being granted bail, but there does need to be consistency, as the cases above illustrate. This should be even more the case when the alleged criminals are either ex-security force personnel or still serving. In these cases, the risk of interfering with the process of justice must be considerably higher than in other cases, and denial of bail should be routine.

⁵⁰ “Robber on bail survives city shoot-out”, The Herald, 22 February 2021 [[Robber on bail survives city shoot-out | The Herald](#)]

⁵¹ “US\$2,7m heist: Bail for two more suspects raises eyebrows”, The Herald, 25 June 2021 [<https://www.herald.co.zw/us27m-heist-bail-for-two-more-suspects-raises-eyebrows/>]

⁵² “12 robbers released on bail wanted over spate of crimes”, The Herald, 6 January 2021 [<https://www.herald.co.zw/12-robbers-released-on-bail-wanted-over-spate-of-crimes/>]

⁵³ “Quartet’s reign of terror ends”, The Herald, 11 January 2021 [<https://www.herald.co.zw/quartets-reign-of-terror-ends/>]



Furthermore, we would contrast the liberal granting of bail to potentially dangerous criminals with the denial to others, such as civil society activists, who, while they may be argued to have committed crimes, clearly do not pose a danger to other citizens.⁵⁴

Conclusions

In the absence of official statistics, and much more detail about both offences and offenders in the press reports, our conclusions can only be tentative, but, nonetheless, do paint a sombre picture. The trend for crime to be increasing over the past four years, 2017 to 2021, seems clear, and it can be argued reflects the increasing fragility of the country, the rising poverty, and the desperation of the citizenry. Here it is sufficient to point to the most recent Afrobarometer Round 8 (2021) survey, where citizens report increased poverty from 2017, worsening service delivery from the state, and diminished trust in virtually all officials and official bodies.⁵⁵ As pointed out in the beginning, these are the conditions in which a resort to crimes commonly occurs when citizens get desperate. There are also the conditions in which a “youth bulge” may begin to result in crime and civil disturbance.

It is evident from multiple reports that high-level corruption is becoming an increasingly serious problem, yet another feature of fragility, but the question to be raised is about the knock-on effect, and whether the crime statistics are showing a trend to lower level cartels. Here the data available is nowhere near conclusive, but there are cases showing collaboration between state and non-state actors in criminal activities: not merely robbery and armed robbery, but also in smuggling and firearms offences. All of this suggests an urgent need for better research and the availability of crime statistics from the state.

It is imperative that the government demonstrate a willingness to manage the problem and discount the kind of alarm created by senior officials’ statements. To assert that security forces are the major perpetrators in serious crimes undermines the confidence of the citizenry in those that are supposed to protect them. The government needs to move beyond rhetoric and generalised statements to provide hard data and a clear policy to deal with this if it is a major problem.

Recommendations

We offer the following recommendations in order to restore confidence in the criminal justice system:

- The government should make available regular statistics on crime in Zimbabwe. Here a basic step would be to ensure that the Quarterly Digest of Statistics from ZimStat are updated and that ZimStat maintains quarterly publication of at least crimes statistics;
- The government should ensure that there is frank disclosure of all crimes involving security forces personnel, whether serving or not, and demonstrate that

⁵⁴ ZHRNGOF (2021), *TRIAL BY PRE-TRIAL INCARCERATION. Targeted Arrests of Perceived Opposition Figures and Undue Delays in Pre-trial Processes (Trends in Zimbabwe)*. July 2021, Harare: Zimbabwe Human Rights NGO Forum, (In press).

⁵⁵ Afrobarometer (2021), *Country direction and economic situation, government performance, Covid-19, popular trust and political party affiliation and voting intentions*. Findings from Afrobarometer Round 8 survey in Zimbabwe. June 2021 [

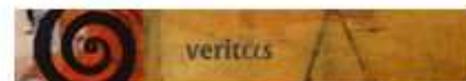


these cases are rapidly dealt with. This will both dispel any myths about such involvement and restore public confidence;

- The government should ensure that there is no granting of bail to persons accused of criminal offences in which there is threat to the physical safety of citizens. This applies particularly to those accused of armed robbery, and especially to such cases where the accused are members or former members of the security services.

Who guards the guards?

MONITORING CRIME & SECURITY FORCES INVOLVEMENT IN CRIME



August 2021