

# 4

## Cooperation Against Transnational Crime: The Case of the Zone of Peace and Cooperation of the South Atlantic

*Mustapha Mouzouni*

---

### Introduction

Cooperation against transnational crime in the North Atlantic region is highly institutionalized in the framework of regional organizations that are reinforced by ancestral identities. Europol and the U.S. Joint Interagency Task Force-South are exemplary in this regard.

The South Atlantic region, however, is less institutionalized, making the study of such cooperation a difficult exercise. With the exception of some actions initiated by specialized international organizations, there is little tangible cooperation at the regional level against transnational crime.

Yet the idea of establishing South-South security cooperation between Africa and Latin America is not new. In the 1980s, at the initiative of Brazil, the UN General Assembly passed a resolution establishing a Zone of Peace and Cooperation of the South Atlantic (ZOPACAS), with the aim of promoting mutual assistance, peace, and security in the region.<sup>1</sup>

ZOPACAS consists of 24 countries, including Argentina, Brazil, and Uruguay from the Latin American side, and all countries on the West African coast, except for Morocco and Mauritania. Having been conceived in the Cold War context, it was the realist security paradigm of self-help by states in asymmetric power relationships that originally led to the creation of this zone, in particular hostility toward any foreign military presence in the region. This organization could have taken advantage of the shift in threat perception after the fall of the Berlin Wall to refocus on unconventional threats, particularly transnational organized crime and terrorism. However, although cooperation projects have been developed for this purpose through ZOPACAS, their implementation has not been successful for several reasons related to the absence of a common threat perception and lack of institutionalization. This chapter discusses these two phenomena and their consequences.

### The Absence of a Common Threat Perception

ZOPACAS can be considered the result of the Cold War threats posed to security in the region and the 1982 Falklands War. The latter created mistrust of the United States since it sided with its NATO ally, the United Kingdom, during that conflict, which discredited security arrangements related to the United States, including the famous Inter-American Treaty of Reciprocal Assistance signed in 1947.

Nevertheless, the unipolar world that emerged after the Cold War has made these interstate military considerations less relevant in strategic planning, thereby reducing their capacity to mobilize politically. It is therefore understandable that since the 1990s interest in ZOPACAS turned gradually toward the new unconventional threats, especially those represented by non-state actors.

---

<sup>1</sup> "Declaration of a Zone of Peace and Co-operation in the South Atlantic," UN General Assembly Resolution A/RES/41/11, October 27, 1986, <http://www.un.org/documents/ga/res/41/a41r011.htm>.

---

In the field of crime prevention, attention was focused on drug trafficking, illicit trade in small arms and light weapons, maritime piracy, and phenomena related to transnational organized crime such as money laundering. During the zone's sixth ministerial meeting in Luanda in 2007, for the first time in the history of the organization, member states began speaking of cooperation against these phenomena not in generic terms, but in specific terms with clear and well-defined actions, namely training and institutional capacity building.

However, in this specific area of combatting transnational crime, although political meetings have the merit of shining light on common problems, they are not on their own sufficient for building effective cooperation in the matter. This is especially true for ZOPACAS, since despite the convergence of the member states' views on the rhetorical level, it is clear that in practice transnational organized crime gives rise to different perceptions both on strategic and tactical levels, and does not necessarily galvanize collective action.

### **Strategic and Tactical Interests**

With regard to transnational crime, the views of different ZOPACAS member states cannot be dissociated from their geographic location and what they think about this maritime space. According to Rachid El Houdaigui,<sup>2</sup> this space is viewed through two closely interrelated lenses: economic and geo-strategic. The first reflects a reliance on the sea for the production of national wealth, which justifies the second that sees that ocean as a space in which coastal states can (or even must) strengthen their national power.

Indeed, analysis of ZOPACAS activities shows that transnational crime has never been dealt with as an independent threat, but always in light of its possible impacts on economic and strategic interests of certain dominant countries in the region, such as Brazil. This vision has become further rooted both in the strategic mindset and state practices for at least two reasons. One is economic, dating back to 2006 and the discovery of large oil reserves within and beyond Brazil's continental shelf. The other is related to speculation in recent years that NATO would expand its operational presence and partnerships in the South Atlantic.

On the other side of the Atlantic, the African coast contains considerable natural resources such as oil and fishing resources. Their protection inspires the same sense of strategic imperatives – if not in all African member states of ZOPACAS, at least in those that gravitate toward Brazilian politics, such as Portuguese-speaking countries and the two main regional powers, South Africa and Nigeria.

Although this organization, through Brazil, has provided assistance to some African countries in the area of combatting transnational crime, it appears that the geostrategic military objectives of the predominant state powers in this maritime space drive policy more than does a clear commitment to address this threat. This is supported by at least three observations:

---

<sup>2</sup> Rachid El Houdaigui "A Wider Atlantic, Revival of a Regional Power," *OCP Policy Center Policy Brief 15/11*, March 2015, <http://www.ocppc.ma/sites/default/files/OCPPC-PB-1511Env2.pdf>.

- Between 1998 and 2007, a period characterized by the decline of military threats in the region and an increase in threats from non-state actors, especially cocaine trafficking and terrorism, ZOPACAS was largely absent from the scene.
- The revitalization of ZOPACAS occurred just after the United States organized military exercises off the Cape Verde coasts in 2006, followed by the reactivation in 2008 of the Fourth U.S. Fleet in the South Atlantic region.
- Major cooperation projects for the purpose of combatting transnational crime have been undertaken in areas requiring the exclusive use of naval military means, such as the fight against maritime piracy or drug trafficking by sea. This is in spite of cheaper and more useful activities available for cooperation against transnational organized crime in certain areas, such as information exchange, crime analysis, drug profiling, or criminal justice.

It is in this changing context that Brazilian leaders made an effort to revitalize ZOPACAS in order to benefit their broader national policy. This was evidenced by statements from Brazilian officials themselves, such as the head of the United Nations Division at the Brazilian Foreign Ministry, Marcelo Viegas, who said in an interview in June 2013:

“There was an adjustment of foreign policy in the transition for the Lula government, a greater focus on South-South relations and to Africa in particular. And in the context of construction and rediscovery of mechanisms of cooperation with African countries, ZOPACAS emerged as something that already existed and that was worth investing in and developing further.”<sup>3</sup>

In addition to these economic and geo-strategic considerations, policies regarding transnational crime also depend on factors related to how ZOPACAS member states view a threat. Thus, it is appropriate to review the perceptions they have about three of the most important non-state threats to the region: maritime piracy, drug trafficking, and terrorism.

### **Maritime Piracy**

For Africa, besides constituting an economic threat to states, the risks in terms of security that maritime piracy represents are continually growing. Unlike other piracy hotspots in the world such as the Malacca Strait, Gulf of Aden, and the region off the Somali coast, which have recently seen a fall in incidences of piracy, the Gulf of Guinea has witnessed an increase. In the latest report of the International Maritime Bureau, in the first quarter of 2016, 10 attacks were committed and 44 hostages taken just in the zone off the Nigerian coast.<sup>4</sup> According to the bureau, the pirates’ activities are characterized by:

<sup>3</sup> Pedro Nuno Alves Vidal de Seabra, *From Geopolitical Spill-over to Tacit Bargaining: Brazilian-African Defence Cooperation in the South Atlantic (2003-2014)* (Lisbon: University of Lisbon, 2016), 110, [http://repositorio.ul.pt/bitstream/10451/22855/1/ulsd072338\\_td\\_Pedro\\_Seabra.pdf](http://repositorio.ul.pt/bitstream/10451/22855/1/ulsd072338_td_Pedro_Seabra.pdf).

<sup>4</sup> “La Piraterie Toujours en Baisse Sauf au Nigéria [Piracy is Still Down Except in Nigeria],” *Le Figaro/AFP*, April 27, 2016, <http://www.lefigaro.fr/flash-actu/2016/04/27/97001-20160427FILWWW00194-la-piraterie-toujours-en-baisse-sauf-au-nigeria.php>.

- 
- The expansion to areas increasingly remote compared to the territorial waters of their respective countries;
  - The use of war weapons such as rockets, which they fire before colliding with vessels and boarding them;
  - The intensive use of violence given that in most cases the pirates act under the influence of drugs, including psychotropics; and
  - Hostage taking so crew members or other passengers can be ransomed.

In contrast, Latin American countries, including Brazil, do not face a similar threat from maritime piracy off their coasts. It presents less of a threat to their national security than other forms of transnational crime, but it is placed at the crossroads of the military and police axis, with a clear predominance of the first over the second. Combatting maritime piracy as a non-state security threat allows them to enroll it in two objectives: a declared objective of repressing piracy under the guise of military assistance, and a dissimulated objective of deterrence against any claim by other foreign powers to assert themselves as security actors in the region.

Indeed, Brazil has signed nine military cooperation agreements with nine countries on the West African coast designed to counter piracy in the Gulf of Guinea. These agreements, the majority of which were signed in the framework of ZOPACAS, are focused on capacity building, training, military doctrine, and maritime exercises.<sup>5</sup>

Guided by military considerations, ZOPACAS' approach (led by Brazil) in this area has the disadvantage of not being comprehensive. Indeed, many other aspects of this struggle were neglected, including land operations of piracy, regional cooperation, information exchange, and training of other security agencies such as police, gendarmerie, and customs.

France, by contrast, has a constant military presence in the region, but it has complemented it with other significant activities. For example, to encourage greater local ownership, France provided for the creation of a training center called *College de l'Action de l'Etat de Mer* [School of State Action at Sea]. The school will promote an inter-ministerial approach and practice through training for both military and civil servants belonging to the departments of justice, transport, customs, and even civil protection.<sup>6</sup>

### **Drug Trafficking**

The increased volume and changing transshipment routes of cocaine trafficking and its consequences on Africa have been the subject of several studies.<sup>7</sup> Importantly, cocaine trafficking is associated with urban violence linked to its consumption. One of the most

<sup>5</sup> UN Security Council, 7675<sup>th</sup> meeting, SC/12336, April 25, 2016, <http://www.un.org/press/en/2016/sc12336.doc.htm>.

<sup>6</sup> "L'Approche Française en Matière de Sécurité et de Sûreté Maritime [The French Approach to Maritime Security and Safety]," comments by Ambassador Véronique Roger-Lacan at international conference on the Gulf of Guinea, *French Embassy in Cameroon Press Release*, September 8, 2014, <http://www.ambafrance-cm.org/L-approche-francaise-en-matiere-de>.

<sup>7</sup> See, for example, UNODC, *Transnational Organized Crime in West Africa: A Threat Assessment* (Vienna: UN Office on Drugs and Crime, February 2013), [https://www.unodc.org/documents/data-and-analysis/tocta/West\\_Africa\\_TOCTA\\_2013\\_EN.pdf](https://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf).

---

disturbing manifestations of this is the appearance of dangerous juvenile criminality such as that of criminal gangs referred to as “microbes” in Côte d’Ivoire (which might be better understood to mean parasites in colloquial English to denote their detrimental effects on society).

Although serious violence cannot be linked in a mechanical way to the proliferation of transnational organized crime, one cannot deny that some causes of violence are rooted in drug use and the economic and security issues linked to major criminal markets. Empirical and even theoretical studies in this field reveal that growth in organized crime appears linked to increases in at least in some categories of serious crimes, including murders, abductions, kidnappings, and arson.

Latin American countries certainly show advances in understanding how organized crime affects society since many are major drug producing or transit countries. Socialization effects through films and other mass media may help understanding, and even shape perceptions, of how these types of organized crime that have long been present in Latin America will play out in Africa.<sup>8</sup> The risk that increased drug trafficking in Africa will lead to similar effects as seen in some Latin American communities is especially true since many parts of the continent have all the conditions for the spread of violence, including:

- The emergence of a new criminal market in cocaine trafficking, and therefore the rise in some major African cities of an illegal economy linked to this market;
- The existence in these countries of a disposition to violence especially among ex-combatants and former child soldiers;
- The presence of a large number of poor people whose marginalization and exclusion create incentives to turn to crime or even opt for the logic of violence;
- The presence of local organized crime groups whose desire to protect their interests encourages more violence; and
- The availability of small arms and light weapons, inherited from civil wars in countries such as Côte d’Ivoire, Liberia, and Sierra Leone, which ended up in the hands of transnational organized crime groups.

In contrast, for the Latin American countries members of ZOPACAS, drug trafficking in general and the consumption and violence associated with it is not a new issue. It has long existed, including in Brazil, which has become the main transshipment country to West Africa. This traffic has experienced a considerable increase from the second half of the 2000s, in particular by sea and through the use of private flights, but not enough to represent a higher security threat than normal.

---

<sup>8</sup> For example, the phenomenon of “microbes” draws inspiration from the Brazilian film “City of God,” which depicts attacks by gangs made up of children in Brazilian slums. See Winnie Athangba, “Phénomène des Microbes à Abidjan: Déconfiture Sociale d’Unegénération de Gangs [Phenomenon of Microbes in Abidjan: Social Collapse from a Generation of Gangs],” *High Profile News*, November 8, 2014, <http://www.highprofilenews.com/phenomene-des-microbes-a-abidjan-deconfiture-sociale-d-une-nouvelle-generation-de-gangs/>.

---

In the African context, the increase in volume and changing transshipment routes gives rise to at least three interpretations:

- Some consider this new trafficking as merely a cyclical trend linked to a temporary displacement of trafficking routes, and not a structural problem that requires a significant redeployment of resources.
- Some see threats posed by new African routes as being the same in nature to those already represented by long-standing routes of drug transshipment directly to the United States and Europe. Thus, the replacement of one route by another, or their combination or higher volumes of drugs shipped, produce similar results in terms of threats posed to this region already known as a transit point.
- A third perception is related to a cultural datum in some popular circles in Latin America, which considers cocaine production and trafficking as a form of struggle against U.S. imperialism. Drug traffickers are considered national heroes, and the cocaine in which they trade is seen not as a drug, but as a weapon to corrupt and weaken the imperialist enemy.

Combined, these three perceptions seem to unconsciously give rise to paradoxical attitudes in Latin America with regard to the fight against cocaine trafficking through African routes. These include both a show of support and solidarity with African countries suffering from this scourge, and an attitude of lax enforcement, or even non-enforcement, insofar as it involves an expensive commitment that will ultimately serve the interests of final destination countries of cocaine, including the United States and European countries.

Finally, combatting drug trafficking will only make sense if the international community maintains the prohibition regime on which it has, so far, built its policy on the matter. However, several indications suggest that this regime is tending toward more flexibility, or worse still toward a shift in how this threat is viewed at the international level.

Indeed, this shift has begun among certain official circles in Europe and the United States, which are considered the most important actors in global governance. Europe's policy in this area has, for some time already, started to consider drug use as more of a public health problem than a public safety problem. For the United States, a certain convergence of views is emerging among many there and in Latin America about some crucial issues, including those related to a greater focus on demand reduction, legalization of marijuana, and reducing crop eradication efforts by aerial chemical spraying due to concerns about their carcinogenic effects.<sup>9</sup>

---

<sup>9</sup>Tim Ridout and Madeleine Goerg, "Institutions, Interaction and Idea Flow in the Atlantic Space," in Jordi Bacaria and Laia Tarragona (eds.), *Atlantic Future: Shaping a New Hemisphere for the 21st Century – Africa, Europe and the Americas* (Barcelona: Barcelona Center for International Affairs [CIDOB], April 2016), 59-68, <http://www.atlanticfuture.eu/files/1898-Atlantic%20Future%20shaping%20a%20new%20hemisphere%20for%20the%2021st%20century.%20Africa,%20Europe%20and%20the%20Americas.pdf>.

---

Unlike the Maghreb countries, which, in the framework of the Mediterranean Dialogue 5 + 5, set themselves up as a bulwark against illegal trafficking to Europe, it seems that Latin American member states of ZOPACAS do not perceive the threat represented by African routes in the same way. The dominant trend is one that considers cocaine trafficking through Africa as a problem for final destination countries more than transit countries.

### **Terrorism**

The scope of this chapter does not allow for much detail on the sources and causes of the spread of terrorism in Africa, which have been extensively researched and reported. The analysis by Abdelhak Bassou,<sup>10</sup> for example, demonstrates the existence of two corridors of vulnerability to terrorist networks that bring threats nearer not only the African continent, but also the Mediterranean Sea and the South Atlantic.

The first one, which is the oldest, begins in Algeria before passing through Mali and Burkina Faso until reaching Côte d'Ivoire. It appears that terrorist groups affiliated to Al Qaeda in the Islamic Maghreb (AQIM) who scattered during the French Operation SERVAL in Mali in 2013-2014, are reorganizing again, as evidenced by recent terrorist attacks in southern Mali, Ouagadougou, and most recently in Abidjan in March 2016.

The second corridor, which corresponds to the area of the self-proclaimed Islamic State group and Boko Haram activities, begins in Libya on the Mediterranean Sea and runs to Nigeria and Cameroon on the Atlantic Ocean, passing through Niger and Chad in the Sahel region.

Moreover, the possibility of links between piracy in the Gulf of Guinea and financing of terrorist activities in the region has been noted as recently as April 2016 at the UN Security Council by Senegalese representative Gorgui Ciss.<sup>11</sup>

On the Latin American side of ZOPACAS, terrorism of the kind that exists in Nigeria and the Sahel region is regarded as a distant threat. Several factors contribute to this view, including a majority-Christian population, their remoteness from points of tension in the world, the lack of significant ethnic ties with countries known as providers of foreign fighters, the absence of successful terrorist attacks in recent years, and their position of not participating in military operations against terrorism in Afghanistan, Iraq, Syria, Mali, or elsewhere in the world.<sup>12</sup>

---

<sup>10</sup> Abdelhak Bassou, "From the Mediterranean to the Atlantic: A Corridor Vulnerable to Terrorism," *OCP Policy Center Policy Brief 16/08*, February 2016, [http://www.ocppc.ma/sites/default/files/OCPPC-PB1608vEn\\_1.pdf](http://www.ocppc.ma/sites/default/files/OCPPC-PB1608vEn_1.pdf).

<sup>11</sup> UN Security Council, 7675<sup>th</sup> meeting, SC/12336, April 25, 2016, <http://www.un.org/press/en/2016/sc12336.doc.htm>.

<sup>12</sup> Jean-François Deluchey, "Architecture de la Sécurité Intérieure en Amérique Latine: Entre Héritage et Nouvelle Donne [Internal Security Architecture in Latin America: Between Heritage and New Deal]," *CEPAL Special Edition*, June 2005: 219-230, <http://www.cepal.org/publicaciones/xml/5/22195/G2263Deluchey.pdf>.



---

## **The Consequences for Relations with the United Nations and Other Regional Security Actors**

These differing perceptions of tactical and strategic threat have influenced relations between ZOPACAS and the United Nations, as well as with the other actors involved in security issues in the South Atlantic region.

### ***Consequences for Relations with the United Nations***

The dilemma experienced by some ZOPACAS member states in their relationship with the United Nations is that they find themselves balancing between their political commitments to counter certain types of transnational crime and their parallel duty to ensure that this commitment does not conflict with the regional security architecture.<sup>13</sup>

While these states accept cooperation projects initiated through the United Nations, they also seize the opportunity during UN debates to showcase the leadership of ZOPACAS, and remind others of the central role that member states of the zone must play in the region. For example, Brazilian Ambassador to the United Nations Antônio Aguiar de Patriota emphasized at the UN Security Council meeting in April 2016 that countries in the region should take the lead in addressing piracy in the Gulf of Guinea, and that any initiative must be undertaken in harmony with the objectives and principles of ZOPACAS, namely the maintenance of this region as a zone of peace and security, as well as the respect for the territorial integrity, sovereignty, and political independence of states in the region.<sup>14</sup>

The discomfort with cooperation projects initiated in the framework of the United Nations is certainly motivated by political considerations, but also by legal considerations related to the fact that the most visible aspects of transnational organized crime in the zone occur in the maritime space. The latter means that different legal provisions apply, deriving from international instruments including the 1982 UN Convention on the Law of the Sea (UNCLOS), the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and the 2000 UN Protocol Against the Smuggling of Migrants by Land, Sea, and Air. UNCLOS guarantees the sovereignty of states over their 12-mile territorial waters and gives them specific powers over adjacent regions, especially in the fields of police and customs, as well as economic rights in the 200-mile Exclusive Economic Zone (EEZ). The two other instruments provide for certain derogations of these rights when it comes to combatting certain forms of transnational organized crime.

When considering the cases of maritime piracy, drug trafficking, and smuggling of migrants by sea, UNCLOS reveals the absence of clear partitions between security in its inter-state sense, and security in its criminal dimension. Indeed, the possibility given to crews of warships to board vessels suspected of involvement in criminal activities under certain conditions, in accordance with the relevant international conventions, could give

<sup>13</sup> For more details, see Alcides Costa Vaz, "Agenda de Sécurité et Processus Décisionnel dans la Politique Étrangère Brésilienne [Security Agenda and Decision-making Process in Brazilian Foreign Policy]," *Fondation Pour la Recherche Stratégique Note 6 /2014*, April 2, 2014, <https://www.files.ethz.ch/isn/181091/201406.pdf>.

<sup>14</sup> UN Security Council, 7675<sup>th</sup> meeting, SC/12336, April 25, 2016, <http://www.un.org/press/en/2016/sc12336.doc.htm>.



---

pretext to foreign powers to justify their presence in the South Atlantic region (considered by some coastal states such as Brazil as a natural extension of their national sovereignties).

To avoid such risks, ZOPACAS, reflecting Brazilian preferences, opts for a policy based on its founding UNGA Resolution 41/11. Paragraph 3 of the resolution:

“Calls upon all States of all other regions, in particular the militarily significant States, scrupulously to respect the region of the South Atlantic as a zone of peace and co-operation, especially through the reduction and eventual elimination of their military presence there, the non-introduction of nuclear weapons or other weapons of mass destruction and the non-extension into the region of rivalries and conflicts that are foreign to it.”<sup>15</sup>

The goal is to counter any attempt by foreign powers to use organized crime as an excuse, and the United Nations as instrument, for military intervention in the region or to violate national sovereignty.

#### ***Consequences on Relations with Other Security Actors in the Region***

A significant example of this policy in action is Brazil’s approach to the South Atlantic Initiative, proposed in June 2009 by Spain, with the support of France and the United States. According to some observers at an informal meeting to discuss the initiative in Lanzarote, in the Canary Islands, Brazil’s position with regard to this initiative was already known in advance. It attended the meeting to reject the initiative, but also to strengthen its position and assert its leadership in a zone where it believes it has responsibilities stemming from its own geopolitical reality.<sup>16</sup>

The Brazilian position regarding the Spanish initiative is not due to opposition to cooperation itself, but rather that the cooperation should take a form that furthers its strategic interests. Brazilian leaders want to shape cooperation according to their nation’s vision so as to advance its foreign policy, particularly its objective of power redistribution at the international governance level. This thinking was especially present in the late 2000s when it seemed Brazil was on a trajectory to become a more prominent global player due to its robust economic growth and domestic stability.

This same sentiment was behind Brazil’s rejection in 2008 of the United States’ decision to deploy their Fourth Fleet in the South Atlantic to combat terrorism, drug trafficking, and piracy. Although these declared goals align with the objective of combatting transnational crime, Brazilian officials were not convinced. The reactivation of this fleet after being disestablished in 1950 elicited their suspicion about the real intentions of United States, as explained by Pedro Seabra.<sup>17</sup>

---

<sup>15</sup> “Declaration of a Zone of Peace and Co-operation in the South Atlantic,” UN General Assembly Resolution A/RES/41/11, October 27, 1986, <http://www.un.org/documents/ga/res/41/a41r011.htm>.

<sup>16</sup> Declaration of the former Portuguese Minister of Foreign Affairs Luis Amado. See Seabra, 100.

<sup>17</sup> Seabra, 95-96.

---

We can then say that the phenomenon of transnational crime in the South Atlantic gives rise to two interrelated sets of perceptions and calculations of interest within ZOPACAS member states:

- A perception from the African side that considers this crime a threat in itself because of the negative consequences it generates at the political, economic, and social levels. This means it is in the interest of these states to combat it.
- Another perception from the Latin American side is that the threatening nature of this crime lies less in the direct consequences it could have on national security than in the risk that it could be used by foreign powers as an excuse to interfere in the affairs of the South Atlantic region. This means that, although those countries are also interested in combatting crime, they are more interested in the institutional means through which it is combatted.

### **ZOPACAS' Lack of Institutionalization**

In police doctrine, constructing effective cooperation in the fight against transnational organized crime is understood as being the concrete transition from informal to formal cooperation, from ad hoc cooperation to long-term cooperation inscribed in an institutional structure. It is therefore the result not only of its “political recognition” (as is the case for ZOPACAS), but also of the existence of two essential building blocks, namely the legal and institutional frameworks.<sup>18</sup>

#### ***The Legal Framework***

Unlike other regional organizations, ZOPACAS was not created under a treaty duly negotiated between member states, but by a simple UNGA resolution. Although UNGA may theoretically, at the request of some concerned states, declare this or that region of the world a zone of peace and cooperation, this act remains a simple declaration, and cannot constitute an instrument of any kind of organization, especially a regional organization involving multiple sovereign states.

With that said, in its 30 years of existence, ZOPACAS took few if any concrete initiatives that provide evidence of its progress towards the creation of a legal framework to regulate its functioning at the political level, and even less to manage any cooperation on the ground in any field whatsoever. Even after the emergence of non-state threats in the 1990s, the same rhetoric is often repeated in ZOPACAS' ministerial declarations about the objectives of the zone, the importance of cooperation to achieve these goals and the so-called action plans, as well as the need for support from the UN specialized agencies.

The impression that ZOPACAS gives is that it has neither the capacity nor the will to conceive of solutions other than those already imagined by the international system. Through lack of resources or creative ideas, or by political choice, ZOPACAS member

---

<sup>18</sup> Magali Sabatier, *La Coopération Policière Internationale Européenne [European International Police Cooperation]* (Paris: Editions l'Harmattan, 2001), 264.