

# Pakistan UNTOC Review Mechanism-2023

Civil Society Report by CGR

19 February 2024



## About the Centre for Governance Research (CGR)

CGR is a forum for studies and debate on strategic and tactical issues related with good governance and the rule of law. It is a non-governmental civil society advocacy Centre dedicated to reforms in the justice and governance sectors.

As an independent think tank, CGR sets its own agenda, publishing and disseminating its findings regularly for national and global audience. Using an interdisciplinary approach, CGR brings together rule of law, justice and governance experts, researchers and internationally renowned professionals to animate its debate and research activities.

CGR aims to stand out as one of rare Pakistani think tanks to position itself at the very heart of debate on governance and justice issues.

CGR focuses on advocacy, research and studies in the following areas:

- Governance and Rule of Law
- Public Policy
- Policing and Justice Sectors
- Serious and Organized Crimes
- Counter Terrorism and Counter Extremism (CT and CE).

Meanwhile, the National Initiative against Organized Crime (NIOC) continues as a flagship project from the platform of the Centre for Governance Research (CGR).

## Acknowledgement

CGR-NIOC would like to acknowledge the support of the Global Initiative Against Transnational Organized Crime (GI-TOC) in civil society's role during the UNTOC Review Process in Pakistan.

**Tariq Khosa**

Director CGR-NIOC

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### Introduction

The UN Convention against Transnational Organized Crime (the UNTOC), adopted on 15 Nov 2000, is a primary global tool in combating transnational organized crime. Opened for signature in Palermo, Italy, on 12-15 Dec 2000, it entered into force on 29 Sep 2003. The Convention marks a pivotal step against the multifaceted nature of transnational organized crime. States that ratified this instrument committed themselves to acknowledging the severity and

combating offenses such as participating in organized groups, money laundering, corruption, and obstruction of justice. The focus extends to creating domestic criminal offenses and strengthening international cooperation frameworks for a comprehensive response to these crimes. The Convention is enhanced by three Protocols addressing distinct aspects of organized crime: trafficking in persons, smuggling of migrants, and illicit firearms manufacturing and trafficking. Countries must first join the Convention before becoming parties to any of these



**Figure 1: Tackling child trafficking and corruption in the context of human trafficking: key topics of 2023 Constructive Dialogue on Trafficking in Persons. Vienna, 13 October 2023.**



Protocols. These entered into force between 2003 and 2005, reflecting a collective effort to combat transnational organized crime and safeguard human rights.

## Pakistan

In December 2000, Pakistan adopted the UNTOC, subsequently ratified in January 2010. A pivotal development occurred in October 2018 when the Conference of the Parties (COP) established the UNTOC Review Mechanism at its 9th session held on 15-19 October 2018, aiming to assess the Convention's implementation. This comprehensive initiative involves diverse stakeholders like NGOs and academia, encouraging international cooperation and identifying technical assistance needs. The COP adopted essential tools, including self-assessment questionnaires and guidelines, launching the first review phase in alignment with thematic clusters.

In 2021, Pakistan, among the first 62 countries, entered the review cycle under first Review Cluster focusing on 'Criminalization and Jurisdiction,' overseen by experts from Djibouti and Tonga, providing an opportunity for collaborative evaluation and enhancement of Pakistan's efforts against transnational organized crime. The Ministry of Interior (MOI) is the focal ministry for spearheading and overseeing

the review process in Pakistan. In line with the guidelines of the COP, Dr. Ehsan Sadiq, an officer of the Police Service of Pakistan currently posted as Director General of the National Police Bureau, was appointed as the National Focal Person for the UNTOC Review Mechanism in January 2022.

## Review Mechanism Process

The review process was initiated by establishing the UNTOC Review Secretariat in the National Police Bureau, Ministry of Interior, to facilitate the National Focal Person in coordinating with key stakeholders involved in the implementation of the UNTOC Review Mechanism. Focal Persons were nominated by various government ministries, including the Ministry of Foreign Affairs, ANF, NAB, FMU, and others, to assist the National Focal Person in accomplishing tasks related to the review. In September 2021, the National Initiative against Organized Crime (NIOC), an initiative of the Centre for Governance Research (CGR) Pakistan (a non-governmental organization) headed by Mr. Tariq Khosa (PSP), offered the Ministry of Interior its willingness to support the Government of Pakistan in launching the "Pilot Initiative" for the UNTOC review process.

The Pilot Initiative provided a unique opportunity to create space for dialogue



**Figure 2: Protecting human rights and dignity of smuggled migrants at the core of discussions of the Constructive Dialogue, Vienna, 20 October 2023.**

between the concerned government and relevant stakeholders in preparation for the official Working Group meetings of the UNTOC, which oversees the UNTOC Review Mechanism. Prior to the launch of the Pilot Initiative, a scoping meeting was held on 24 August 2022, attended by 46 participants from non-governmental stakeholders, representatives of the Government of Pakistan, as well as UNODC representatives from Vienna. The role of UNODC was to facilitate the meeting and provide technical information pertaining to the UNTOC review process.

## Pilot Initiative



The Pilot Initiative on UNTOC Review was launched on 15 September 2022, making it the second globally after Mexico and the first in Asia. A two-member team from UNODC, comprising Mr. Anders Frantzen from UNODC Civil Society Unit Vienna and Mr. Issam Alkhayat from UNTOC Secretariat Vienna, arrived in





**Figure 3: Role of civil society in universalization and implementation of the Firearms Protocol highlighted at the 2023 Constructive Dialogue on Firearms, Vienna, 10 May 2023.**

Islamabad to participate in the launch. They engaged in various activities, including meetings with focal persons from government organizations, civil society, and other stakeholders. On the same day, they visited the Ministry of Interior, holding a meeting with the Secretary of the Ministry along with Mr. Tariq Khosa and Dr. Ehsan Sadiq.



## Conference of Parties

A delegation consisting of the following government officials and representatives from civil society attended the Eleventh Session of the Conference of the Parties (COP) in Vienna from October 17th to 21st, 2022: -



- ❖ Excellency Aftab Khokhar (Ambassador of Pakistan in Vienna)
- ❖ Tariq Khosa (Civil Society Alliance)
- ❖ Ehsan Sadiq (National Focal Person)
- ❖ Javed Riaz (Director FIA-Anti-human Smuggling)
- ❖ Hasan Abbas, Pakistani Diplomat posted in the Permanent Mission in Vienna dealing with International Organizations.
- ❖ Ms. Shehla Qureshi SP (Focal Person of Sindh Police)

## TIP Protocol

In 2022, Pakistan ratified the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UNTOC." Articles 2 and 5 of the TIP protocol are integral to the review of Cluster No1 of the UNTOC. NIOC-CGR, in collaboration with the Government of Pakistan / MoI / FIA and Civil Society Organisation (CSOs), organized and participated in various events held in 2023 as mentioned below:-

- ❖ Civil Society Alliance Working group of Experts on Human Rights and Victims - 23 Feb 2023
- ❖ Publication of CGR annual report for the year 2022 on UNTOC Review process – March 2023

- ❖ UNTOC Constructive Dialogue on Firearms – 05 May 2023
- ❖ UNTOC Constructive Dialogue on Technical Assistance - 31 May 2023
- ❖ UNTOC Review Meeting – 14 June 2023
- ❖ Roundtable Conference on Trafficking in Persons - 31 July 2023
- ❖ UNTOC Constructive Dialogue on international Cooperation (IC) – 13 September 2023
- ❖ UNTOC Review Meeting – 22 Sept 2023
- ❖ UNTOC Constructive Dialogue on Trafficking in Persons (TIP) - 4 October 2023
- ❖ UNTOC Constructive Dialogue on Smuggling of Migrant (SOM) - 09 October 2023
- ❖ UNTOC Review Meeting – 11 October 2023
- ❖ Roundtable Meeting on current status of UNTOC Review Mechanism – 19 December 2023

## Activities

National Meetings, both virtual and in-person, led by the National Focal Person, were conducted with government stakeholders to gather input for the draft reply to the self-assessment questionnaire on the first Cluster, 'Criminalization and Jurisdiction.' This process continued until the finalization of

the draft reply to the self-assessment questionnaire. Additionally, the CGR published its annual report in March 2023, outlining Pakistan's key achievements regarding the review process undertaken in 2022. The Global Initiative against Transnational Organized Crime (GI-TOC) appreciated the efforts of the CGR on its website. The GI-TOC welcomes the publication of a civil society report on the UNTOC's implementation in Pakistan. | Global Initiative. The GI-TOC welcomed the publication of a civil society report on the UNTOC's implementation in Pakistan.

On July 27, 2023, Dr. Ehsan Sadiq, DG NPB and National Focal Person on UNTOC Review/National Expert on Organized Crime, informed all the IGP's that, pursuant to Rule 42 of the Prevention of Trafficking in Persons Rules 2023, the National Police Bureau is mandated to develop and maintain a database on TIP to map trends and routes of offenses, perpetrators, and suspected perpetrators of offenses. This initiative involves identifying vulnerabilities and coordinating among various stakeholders, including the governments of all provinces, AJK, and GB, under the Prevention of Trafficking of Persons Act 2018. Database inter-alia includes:

- b) The age, sex and nationality of the trafficking victims and defendants in all cases prosecuted,
- c) Number of cases investigated
- d) Number of prosecutions
- e) Number of convictions
- f) Status of each case

He emphasized the importance of maintaining databases at the provincial level and sharing information on TIP with the NPB. He also requested the appointment of focal persons on Organized Crime, including TIP.

## TIP Conference

In recognition of World Trafficking in Persons (TIP) Day observed on July 30, a virtual roundtable conference was held on July 31, 2023. Moderated by Director CGR Mr. Tariq Khosa, the conference was attended by prominent high-ranking police officers, practitioners, legal experts, and representatives of civil society. The main objective of this conference was to raise awareness and foster collaborative efforts in addressing the issues concerning human trafficking. It aimed at discussing the hurdles in the pursuit of effective solutions to combat this national issue.

- a) Number of cases registered





**Figure 4: Role and potential of law enforcement cooperation highlighted at the Constructive Dialogue on International Cooperation, Vienna, 20 September 2023.**

## Constructive Dialogues

Dr. Ehsan Sadiq (DG, NPB), National Focal Person, and Mr. Tariq Khosa (Director CGR) represented civil society in the Constructive Dialogues for the UNTOC Review Mechanism in 2023. Additionally, the Civil Society Organization 'Centre for Human Rights' (CFHR) participated in the Constructive Dialogues on International Cooperation, Trafficking in Persons, and Smuggling of Migrants, making specific interventions and statements. Ms. Ashal Nadeem, in person and Ms. Sevim Sadaat (online) were present during these dialogues. Ms. Noor Fatima from the CSO 'Research Society for International Law' (RSIL) also made presentation/statement during the Constructive Dialogue on International Cooperation. The statements made by

the CGR, CFHR, and RSIL during the Constructive Dialogue on International Cooperation are available on the UNODC website at the hyperlink [Constructive Dialogues\\_IC\\_2023](https://www.unodc.org/construction/dialogues/IC_2023) (unodc.org). Similarly, the statements made by the CGR and CFHR during the Constructive Dialogues on Trafficking in Persons and Smuggling of Migrants are available on the UNODC webpage with hyperlinks [Constructive Dialogues\\_TIP\\_2023](https://www.unodc.org/construction/dialogues/TIP_2023) (unodc.org) and [Constructive Dialogues \\_SOM\\_2023](https://www.unodc.org/construction/dialogues/SOM_2023) (unodc.org) respectively. Civil Society Organizations will continue to participate in the Constructive Dialogues scheduled for 2024 as follows:

- ❖ Constructive Dialogue on Firearms: 5 April 2024
- ❖ Constructive Dialogue on Technical Assistance & International Cooperation: 7 June 2024

- ❖ Constructive Dialogue on Trafficking in Persons: 10 July 2024
- ❖ Constructive Dialogue on Smuggling of Migrants: 15 July 2024

## UNTOC Roundtable

During the roundtable meeting held on December 19, 2023, the National Focal Person expressed gratitude to national stakeholders for their active involvement in completing the self-assessment questionnaire, updating attendees on the progress of the UNTOC implementation review process. Notably, Pakistan successfully concluded the review of the first cluster, despite encountering

challenges such as delays in Tonga's nomination of a focal person and Djibouti's refusal to participate. Last month (Nov 2023), the Central African state was given the task by UNODC to review the reply to the self-assessment questionnaire. Mr. Tariq Khosa, Director CGR, lauded Dr. Ehsan Sadiq's efforts in finalizing the self-assessment questionnaire and urged Pakistani civil society organizations (CSOs) to engage with global networks like the Crime Prevention and Criminal Justice alliance. Mr. Tariq Khosa also highlighted his attendance at the UNCAC review conference, emphasizing the importance of Pakistani CSOs in combatting organized crime. Dr.



**Figure 5: "Building trust" between governments and civil society critical for the prevention of organized crime: highlights from the Constructive Dialogue on Technical Assistance, Vienna, 8 June 2023**



Ehsan Sadiq expressed appreciation for Mr. Tariq Khosa's contributions, while Mr. Umar Khan of the Centre for Human Rights commended the coordination between state institutions and civil society in the review process. He also mentioned the completion of the Terms of Reference for the Working Group on Mainstreaming and Human Rights in Organized Crime, aimed at aligning Pakistan's legal policies with international standards. Representatives from ANF, FIA, NAB, FMU, Ministry of Law and Justice, NPB, and CSOs actively participated in the discussion, providing valuable insights and suggestions.

UNODC has provided information regarding the UNTOC Review mechanism concerning Pakistan on the following hyperlink: [Pakistan: UNTOC Review Mechanism \(unodc.org\)](https://www.unodc.org/pakistan/untoctm/).







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