



13th September, 2023

UNODC Constructive Dialogue on International Cooperation

Statement by the Centre for Human Rights (CFHR), Pakistan

Thank you to the UNODC for arranging this Constructive Dialogue on International Cooperation and for providing the opportunity for Civil Society Organisations (CSOs) such as our own to participate in the review process of the UNTOC. We also deeply appreciate the presence of the Chair, as well as our fellow participants who engaged in meaningful dialogue regarding international cooperation in transnational organised crime.

The CFHR recognises the importance of the role of civil society in combatting organised crime. Our focus is on identifying and mapping key factors that contribute to the creation of hotspots for transnational organised crime in Pakistan to help strengthen prevention and control interventions by Criminal Justice Institutions (CJIs). Our work also aims to mainstream human rights and victim-centred approaches in the response to organised crime.

Despite commendable efforts such as the UNODC Pilot Initiative on the UNTOC review process, as well as internal efforts, Pakistan is still a major hub for transnational organised crime. As representatives of the civil society in Pakistan and in the context of international cooperation and technical assistance needs that the UN can support CSOs with, we are providing the below insights and recommendations:

Role of civil society in the universalization and implementation of the UNTOC, including its provisions on international cooperation in criminal matters.

- We believe that a major role of CSOs in the universalisation and implementation of the UNTOC includes the dissemination of the goals of the treaty, and the improvement in understanding of the treaty to increase its accessibility. The main focus of this understanding would be the protection of vulnerable groups - those who are more prone to being affected by serious and organised crime but are often under-resourced and underprotected.

States Parties' technical assistance needs and non- governmental stakeholders' engagement/participation.

- As the current convenor of the legal experts committee working with the government on the Pilot Initiative on the UNTOC review process, the CFHR has played an instrumental role in Pakistan's self assessment questionnaire for the first review cluster, 'Criminalisation and Jurisdiction.' We believe that there is a greater scope for the operation of technical assistance beyond the current committee of legal experts, and that the coalition needs to be broader and include other fields and expertise. State parties such as Pakistan are encouraging collaborations with CSOs that can

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provide such expertise, which is a practice that should be recognised by the UNTOC and promoted and introduced across other countries to involve and utilise local CSO knowledge skills.

- In terms of the state's specific needs, the current forms of international cooperation, including Mutual Legal Assistance (MLA) and extradition, and other more informal forms, are generally esoteric and restricted. Specialisation is scarce as many members of the governments such as Pakistan's have not specialised in understanding these various forms of international cooperation and are therefore reliant on the expertise of CSOs within the fields of law and academia to understand relevant legal and operational complexities. It is vital that the UNODC recognise and facilitate CSOs that provide such expertise that aid state cooperation on the UNTOC.
- Further, there is scope for education capacity building in state parties such as Pakistan. The CFHR has previously engaged with the UN's Education for Justice (E4J) initiative in which one of our proposals explored the need for the E4J modules to be contextualised for Pakistan's laws for MLA, extradition, and other law enforcement authorities, in order to improve their effectiveness. This can be done in countries beyond Pakistan as well with the cooperation of the UNODC and a number of eager CSOs.

Gender, human rights and victim-centered approaches to countering organized crime.

- CSO efforts such as the CFHR's efforts to introduce community-based information sharing and work on the capacity-building of LEAs are integral to maintain and mainstream the focus on human rights compliance and use of victim-centered approaches in advocacy efforts and responses. Capacity building for victim-specific approaches that focus on the rehabilitation and support of victims should be prioritised as an established response to organised crime and further encouraged within the UNTOC.
- It is vital that states introduce a balance for human rights goals while implementing global instruments on various crimes, particularly data privacy during the surveillance of cybercrimes. As cybercrime is on the rise, and some countries such as Pakistan are not as well-equipped with technological advancements as others, the necessary training and guidelines to protect data from crime and ensure the data privacy of citizens would be highly valued at the government level. These guidelines and training may be facilitated by international cooperation and best practices from the UNODC and other state parties.

Overall, we deeply appreciate the excellent work of the UNODC Civil Society Unit (CSU) and the UNTOC Secretariat in assisting the UNTOC Review Mechanism. UNODC CSU's support for pilot initiatives such as the initiative in Pakistan is also commendable, and we look forward to being a part of the future discussions and efforts aimed at combatting transnational organised crime and improving the UNTOC to ensure a safer world, with the help and cooperation of other CSOs and relevant stakeholders.