

## 1.1. CORE FUNCTIONS

INTERPOL has identified four core functions on which to concentrate its efforts and resources:

### 1. Secure global police communications services –

INTERPOL manages a global police communications system known as I-24/7 which enables police in all of its member countries to request, submit and access vital police data instantly in a secure environment.

### 2. Operational data services and databases for police –

INTERPOL manages a range of databases with information on names and photographs of known criminals, wanted persons, fingerprints, DNA profiles, stolen or lost travel documents, stolen motor vehicles, child sex abuse images and stolen works of art. INTERPOL also disseminates critical crime-related data through its system of international notices. There are seven kinds of notices, of which the most well-known is the Red Notice, an international request for the provisional arrest of an individual.

### 3. Operational police support services –

INTERPOL has six priority crime areas; corruption, drugs and organized crime, financial and high-tech crime, fugitives, public safety and terrorism, and trafficking in human beings. INTERPOL also operates a 24-hour Command and Coordination Centre to assist any member country faced with a crisis situation, co-ordinate the exchange of information and assume a crisis-management role during serious incidents.

### 4. Police training and development –

INTERPOL provides focused police training initiatives for national police forces, and also offers on-demand advice, guidance and support in building dedicated crime-fighting components. The aim is to enhance the capacity of member countries to effectively combat serious transnational crime and terrorism. This includes sharing knowledge, skills and best practices in policing and the establishment of global standards for combating specific crimes.

## 1.2. Rules and governance

INTERPOL's Constitution prohibits 'any intervention or activities of a political, military, religious or racial character.' The intention is to assist international police co-operation even where diplomatic relations do not exist between particular countries. Action is taken within the limits of existing laws in different countries and in the spirit of the Universal Declaration of Human Rights.

Its supreme governing body is the General Assembly, which meets once a year to take all major decisions affecting general policy and comprises delegates appointed by member countries. Each country represented has one vote and all votes carry equal weight.

The Executive Committee oversees the execution of the decisions of the General Assembly and the work of the Secretary General. It has 13 members, elected by the General Assembly, who represent all regions of the world. The president, who chairs the committee, serves a four-year term; three vice-presidents and nine delegates serve for three years each.

The secretary general, the organization's chief executive and senior full-time official, is responsible for overseeing INTERPOL's day-to-day work of international police co-operation and for implementing the decisions of the General Assembly and Executive Committee. Nominated by the Executive Committee and confirmed by at least two-thirds of the General Assembly, he serves an initial five-year term.

### 1.3. Member Countries:

There are 187 members in INTERPOL, ranging from Afghanistan to Zimbabwe. The following countries are not members: Samoa, Palau, Solomon Islands, Kiribati, Federated States of Micronesia, Tuvalu, Vanuatu and North Korea. The following regions are sub-bureaus: Bermuda, Gibraltar, Cayman Islands, Anguilla, Montserrat, British Virgin Islands, Turks and Caicos, Puerto Rico, American Samoa, Hong Kong and Macao

INTERPOL is the International Criminal Police Organization. INTERPOL is a national network of police agencies, founded in 1923. The idea behind INTERPOL was first discussed during a 1914 international police conference in Monaco. There were 24 countries present. Today, there are 190 different nations linked together through INTERPOL.

Each of those 190 nations houses a National Central Bureau, which serves as the nation's INTERPOL office and houses a police force. The bureaus are connected to one another through technology and other forms of communication, so that the police forces can work together. In the United States, our National Central Bureau is located in Washington D.C. and is known as INTERPOL Washington. INTERPOL Washington is supervised by the U.S. Department of Justice.

INTERPOL Washington works closely with the other 189 bureaus to solve international crimes. Sometimes crimes cross borders. An accused burglary suspect might flee from Canada to Mexico. An offender might ship stolen goods from Germany to the United States. Or an offender in Russia might be running an international credit fraud operation from his home computer. INTERPOL's purpose is to help countries work together to investigate international crimes and bring offenders to prosecution.

### 1.4. INTERPOL's Roles

Let's take a closer look at INTERPOL's various roles. INTERPOL is involved in three main areas:

- Crisis response
- Event security
- Crime prevention

INTERPOL addresses crisis response in a couple of different ways. First, INTERPOL responds to major crimes. INTERPOL sends an Incident Response Team, which is a specialized police force sent to aid an INTERPOL country when that country faces a major crime or serious police issue, such as rioting. Incident Response Team members are known for their police expertise and experience.

Second, INTERPOL addresses crisis response by sending Incident Response Teams to INTERPOL countries when those countries experience large natural disasters, such as floods or earthquakes. An Incident Response Team can also be sent for manmade disasters, such as bombings. In general, Incident Response Teams are used to support the existing police forces in INTERPOL countries when local forces are overwhelmed or overpowered.

Now let's look at how INTERPOL addresses event security. INTERPOL helps with major events by sending an INTERPOL Major Events Support Team, which is a specialized police force sent to aid an INTERPOL country when that country hosts a large, international event. These teams are used for events like the Olympics and the World Cup. The support team brings expertise and experience to the security planning for the event and also to the policing of the event.

Lastly, let's look at how INTERPOL addresses crime prevention. INTERPOL mostly addresses crime prevention through its vast network of police forces. Together, the INTERPOL bureaus use intelligence to investigate incidents and apprehend suspects. INTERPOL forces work together to find known criminals and bring them to justice. Together, INTERPOL forces also focus on many types of Internet-based crimes, such as closing down websites that sell illegal drugs or exploit children.

### **1.5. What crimes does INTERPOL investigate?**

Drug trafficking, organized crime, financial and high-tech crimes including counterfeiting and money laundering, public safety and terrorism, human trafficking, corruption, environmental crimes and crimes against humanity.

In addition, INTERPOL's Fugitive Investigation Service keeps an eye out for suspects globally with its Red Notice alerts that notify member states when one nation has issued an arrest warrant for a suspect.

#### **Financing**

INTERPOL is primarily financed by member countries, whose governments pay annual statutory contributions calculated using a framework agreed on by members.

### **1.6. Operational Data Services And Databases For Police**

Through I-24/7, member countries, including the Force, have direct and immediate access to a wide range of databases, including Nominal Data; Stolen and Lost Travel Documents; Stolen Motor Vehicles; Stolen Works of Art; DNA Profiles; Fingerprints, and Counterfeit Payment Cards.

INTERPOL also disseminates critical crime-related data through a system of international notices. Based on the requests from member countries, the INTERPOL General Secretariat (IPSG) produces notices in all of the organisation's four official languages: Arabic, English, French and Spanish.

The seven types of notices and their objectives are:

#### **1. Red Notice**

To seek the arrest or provisional arrest of wanted persons, with a view to extradition.

**2. Yellow Notice**

To help locate missing persons, often minors, or to help identify persons who are unable to identify themselves.

**3. Blue Notice**

To collect additional information about a person's identity or activities in relation to a crime.

**4. Black Notice**

To seek information on unidentified bodies.

**5. Green Notice**

To provide warnings and criminal intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries.

**6. Orange Notice**

To warn police, public entities and other international organisations about potential threats from disguised weapons, parcel bombs and other dangerous materials.

**7. Purple Notice**

To provide information on modi operandi, procedures, objects, devices or hiding places used by criminals

**2.0. EUROPOL**

Europol is the European Union law enforcement agency that handles criminal intelligence. Its aim is to improve the effectiveness and co-operation between the competent authorities of the Member States in preventing and combating all forms of serious international organised crime and terrorism.

The idea of establishing some form of cooperation between European police forces to tackle transnational crime is as old as the notion of European unity itself. The first move towards informal cooperation was taken in the 1970s, with the setting up of the Trevi group by European Communities' interior and justice ministers. Trevi's initial concern was to address international terrorism, but it soon extended its focus of attention to cover other areas of cross-border crime within the European Community.

Europol is the European Union's law enforcement agency whose main goal is to help achieve a safer Europe for the benefit of all EU citizens. We do this by assisting the European Union's Member States in their fight against serious international crime and terrorism.

The establishment of Europol was agreed in the Treaty on European Union of 7 February 1992. Based in The Hague, Netherlands, Europol started limited operations on 3 January 1994 in the form of the Europol Drugs Unit (EDU) fighting against drug-related crimes. The Europol Convention was ratified by all EU member states and came into force on 1 October 1998. Following a number of legal acts related to the Convention, Europol commenced its full activities on 1 July 1999. Progressively, other important areas of criminality

**Criminology**

were added. On 1 January 2002, the mandate of Europol was extended to deal with all serious forms of international crime as listed in the annex to the Europol Convention. In its meeting in Luxembourg 06 April 2009 the Council of the European Union, Justice and Home Affairs, adopted a decision transforming Europol into an EU body from 01 January 2010. Within the new legal framework changes can be introduced more rapidly in response to trends in crime. Europol's current direct Member State funding will be replaced by funding via the general budget of the EU. This will make Europol become an EU body subject to the Financial Regulation and the Staff Regulations of the European Communities.

Large-scale criminal and terrorist networks pose a significant threat to the internal security of the EU and to the safety and livelihood of its people. The biggest security threats come from terrorism, international drug trafficking and money laundering, organized fraud, counterfeiting of the euro currency, and people smuggling. But new dangers are also accumulating, in the form of cybercrime, trafficking in human beings, and other modern-day threats. This is a multi-billion euro business, quick to adapt to new opportunities and resilient in the face of traditional law enforcement measures.

- Europol headquarters in The Hague, the Netherlands
- working closely with law enforcement agencies in the 28 EU Member States and in other non-EU partner states and organisations
- more than 900 staff
- 185 Europol Liaison Officers (ELOs)
- around 100 criminal analysts
- over 18 000 cross-border investigations each year

## 2.1. MANDATE OF EUROPOL

Europol supports the law enforcement activities of the member states mainly against:

- Illicit drug trafficking;
- Illicit immigration networks;
- Terrorism;
- Forgery of money (counterfeiting of the euro) and other means of payment;
- Trafficking in human beings (including child pornography);
- Illicit vehicle trafficking;
- Money laundering.

In addition, other main priorities for Europol include combating crimes against persons, financial crime and cybercrime. Europol comes into action when an organised criminal structure is involved or a case of terrorism or serious crime has occurred which affects two or more Member States. The recent extension of the mandate means that Europol may support Member States investigations into serious crime that is not necessarily carried out by organised groups; e.g. a serial killer operating in two or more Member States.

Europol supports member states by:



- Facilitating the exchange of information, in accordance with national law, between Europol liaison officers (ELOs). ELOs are seconded to Europol by the member states as representatives of their national law enforcement agencies;
- Providing operational analysis in support of operations;
- Generating strategic reports (e.g. threat assessments) and crime analysis on the basis of information and intelligence supplied by member states and third parties;
- Providing expertise and technical support for investigations and operations carried out within the EU, under the supervision and the legal responsibility of the member states concerned.
- Europol is also active in promoting crime analysis and harmonisation of investigative techniques within the member states.

## 2.2. VALUES

We will fulfill our commitments through the efforts of our staff. In line with our mission and vision, we attach importance to the following five values which best characterise the culture of Europol and the work of its people:

- Integrity
- Accountability
- Initiative
- Teamwork
- Effectiveness

## Unique Services

- support centre for law enforcement operations
- hub for criminal information and organisations
- centre for law enforcement expertise
- one of the largest concentrations of analytical capability in the EU
- produces regular assessments and reports
- high-security, 24/7 operational centre
- central platform for law enforcement experts from the European Union countries

## 2.3. MAIN GOALS AND VISION

Following this ambitious strategy, Europol will address the most important challenges ahead, but will also exploit all opportunities to make further progress and deliver tangible benefits. The strategy guides Europol on a planned path to implementing its main goals and vision, delivering a unique set of operational services for the EU in three main areas:

### • To function as the principal EU support centre for law enforcement operations

More will be done to maximize the operational value of information held by Europol and to streamline the delivery of analysis and other operational services. Europol is taking a leading role in establishing more effective cooperation between agencies and law enforcement partners, including Euro just and Interpol.

**•To become the criminal information hub of the European Union**

Cooperation between Member States, in identifying common information gaps and investigation priorities is essential and will be strengthened. Europol's unique capabilities provide the opportunity to grow as a central information hub in the EU, to address these issues, and build an information platform capable of facilitating a more effective operational response to key security threats. Further development of Europol's Secure Information Exchange Network Application (SIENA) will bring Europol closer to the law enforcement 'front line'.

**•To develop further as an EU centre for law enforcement expertise**

Europol pioneers new techniques based on innovation and best practice as well as facilitating knowledge sharing and quality training in specialist areas, such as euro counterfeiting, terrorism and the dismantling of drug laboratories.

**State-of-the-Art Technology**

International crime and terrorist groups operate worldwide and make use of the latest technology. To ensure an effective and coordinated response, Europol needs to be equally flexible and innovative, and make sure its methods and tools are up to date. We have state-of-the-art databases and communication channels, offering fast and secure capabilities for storing, searching, visualizing and linking information.

Gathering, analyzing and disseminating this information entails the exchange of large quantities of personal data. Europol sets and adheres to the highest standards of data protection and data security.

**Areas of Expertise**

Since Europol can offer a flexible response, we focus on different areas of criminal and terrorist activity from year to year, depending on the demands of the situation. Our main priorities, however, tend to remain relatively stable, reflecting those of international criminal and terrorist groups. Over the years we have built up substantial experience in fighting drug trafficking, illicit immigration networks and trafficking in human beings, illicit vehicle trafficking, cybercrime, money laundering and forgery of money. Europol is the European central office to combat euro counterfeiting. Europol enjoys excellent cooperation arrangements with law enforcement partners in Europe and beyond. It also values its accountability arrangements and data protection regime, which are among the most robust and transparent in the world.

We welcome public interest in our work and trust that the contents of this website offer the reader a good illustration of our activities, the responsible way in which they are carried out, and the impact they are having on making Europe safer.

## **2.4. Difference between Interpol and Europol**

Interpol and Europol are structured differently and therefore provide different possibilities for international law enforcement co-operation. Interpol is a network of police agencies in countries worldwide, whereas Europol mainly supports the EU Member States. Interpol and Europol have different but related roles in the fight against organised crime and

therefore there is no competition between the organisations. To enhance international law enforcement co-operation a co-operation agreement was signed between the two organisations in 2001.

### 3.0. UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC)

#### 3.0. INTRODUCTION

The United Nations Office on Drugs and Crime (UNODC) is a United Nations office that was established in 1997 the Office for Drug Control and Crime Prevention by combining the United Nations International Drug Control Program (UNDCP) and the Crime Prevention and Criminal Justice Division in the United Nations Office at Vienna. It is a member of the United Nations Development Group and was renamed the United Nations Office on Drugs and Crime in 2002. In 2016 - 2017 it has an estimated biannual budget of US\$700 million

UNODC is a global leader in the fight against illicit drugs and international crime. Established in 1997 through a merger between the United Nations Drug Control Programme and the Centre for International Crime Prevention, UNODC operates in all regions of the world through an extensive network of field offices. UNODC relies on voluntary contributions, mainly from Governments, for 90 per cent of its budget.

UNODC is mandated to assist Member States in their struggle against illicit drugs, crime and terrorism. In the Millennium Declaration, Member States also resolved to intensify efforts to fight transnational crime in all its dimensions, to redouble the efforts to implement the commitment to counter the world drug problem and to take concerted action against international terrorism.

UNODC seeks to achieve security and justice for all by helping States and their peoples to protect them against the threats posed by drugs, crime and terrorism. The UNODC's work is guided by mandates and driven by the needs of Member States as defined in the UNODC Strategy for the period 2008-2011. UNODC work is also guided by a broad range of international legally binding instruments, such as the UN Convention against Transnational Organized Crime and the UN Convention against Corruption, and a set of UN standards and norms on crime prevention and criminal justice. Fostering respect for and adherence to the rule of law is at the centre of the international community's efforts to address crime, drugs and terrorism. Governance and anti-corruption, strengthening justice systems and improving safety and security are key aspects of UNODC's work in promoting the rule of law world-wide.

UNODC covers about 150 countries through its Field office network (i.e. regional, country and programme offices). Besides operating at the national level, the Office is developing a new generation of regional programmes (i.e. East Asia and Pacific, Eastern Africa, West Africa, North Africa/Middle East, Central America/Caribbean, and the Balkans) to promote the rule of law and human security. Key objectives are to ensure full ownership by Member States, alignment with regional and national policies and priorities, close engagement with the UN system as a whole, and coordination with other donors/development agencies.

### 3.1. OBJECTIVE

UNODC was established to assist the UN in better addressing a coordinated, comprehensive response to the interrelated issues of illicit trafficking in and abuse of drugs, crime prevention and criminal justice, international terrorism, and political corruption. These goals are pursued through three primary functions: research, guidance and support to governments in the adoption and implementation of various crime-, drug-, terrorism-, and corruption-related conventions, treaties and protocols, as well as technical/financial assistance to said governments to face their respective situations and challenges in these fields.

These are the main themes that UNODC deals with:

- Alternative Development,
- Corruption,
- Criminal Justice,
- Prison Reform and Crime Prevention,
- Drug Prevention,
- Treatment and Care,
- HIV and AIDS,
- Human Trafficking and Migrant Smuggling,
- Money Laundering,
- Organized Crime,
- Piracy,
- Terrorism Prevention.

### 3.2. Core functions

UNODC is mandated to assist Member States in their struggle against illicit drugs, crime and terrorism. In the Millennium Declaration, Member States also resolved to intensify efforts to fight transnational crime in all its dimensions, to redouble the efforts to implement the commitment to counter the world drug problem and to take concerted action against international terrorism.

The three pillars of the UNODC work programme are:

- Field-based technical cooperation projects to enhance the capacity of Member States to counteract illicit drugs, crime and terrorism
- Research and analytical work to increase knowledge and understanding of drugs and crime issues and expand the evidence base for policy and operational decisions
- Normative work to assist States in the ratification and implementation of the relevant international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies

In pursuing its objectives, UNODC makes every effort to integrate and mainstream the gender perspective, particularly in its projects for the provision of alternative livelihoods, as well as those against human trafficking.

- are:
1. Countering transnational organized crime, illicit trafficking and illicit drug trafficking (Objectives: to promote effective responses to transnational organized crime, illicit trafficking and illicit drug trafficking by facilitating the implementation at the normative and operational levels of the relevant United Nations conventions)/
  2. Countering corruption (Objectives: to prevent and combat corruption, in line with the United Nations Convention against Corruption).
  3. Terrorism prevention (Objectives: To promote and strengthen a functional criminal justice regime against terrorism that is effective and is implemented by States in accordance with the rule of law).
  4. Strengthening criminal justice system (Objectives: to strengthen the rule of law through the prevention of crime and the promotion of effective, fair, humane and accountable criminal justice systems, in line with the United Nations standards and norms in crime prevention and criminal justice and other relevant international instruments).
  5. Prevention of drug use, treatment and reintegration, and alternative development (Main Objectives: reduction of drug abuse and HIV/AIDS through effective prevention campaigns; treatment, care, rehabilitation, and reintegration into society of drug users; development and implementation of effective, comprehensive, integrated drug demand reduction policies and programmes based on scientific evidence; fostering and strengthening of international cooperation based on the principle of shared responsibility in sustainable alternative development, including, where appropriate, preventive alternative development).
  6. Research, trend analysis and forensics (Objectives: enhanced knowledge of thematic and cross-sectoral trends for effective policy formulation, operational response and impact assessment, based on a sound understanding of drug, crime and terrorism issues).
  7. Policy support (Objectives: to facilitate policy and operational responses on issues related to drug control, crime prevention and criminal justice).

### 3.3. Membership

The Commission is composed of 40 Member States elected by the Economic and Social Council, with the following distribution of seats among the regional groups:

- (a) Twelve for African States;
- (b) Nine for Asian States;
- (c) Eight for Latin American and Caribbean States;
- (d) Four for Eastern European States;
- (e) Seven for Western European and other States.

## 4.0 United Nations Asia and Far East Institute (UNAFEI)

*"Promote regional cooperation in the field of crime prevention and the treatment of offenders through training and research programs."*

### 4.1. Introduction

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is a United Nations regional institute, established in 1962 by agreement between the United Nations and the Government of Japan, with the aim of promoting the sound development of criminal justice systems and mutual cooperation in Asia and the Pacific Region.

The main objective of UNAFEI is to

*"Promote regional cooperation in the field of crime prevention and the treatment of offenders through training and research programs."*

During its 40 years of activity, approximately 2,000 overseas officials and 1,000 Japanese officials have participated in UNAFEI trainings. Current UNAFEI trainings are held seven times a year, including three major international courses and a corruption prevention course. The goal is to stimulate cooperation, share knowledge, and strengthen the UNAFEI network. One hundred and twenty-five participating countries and the United Nations are included.

UNAFEI holds two international training courses and one international senior seminar annually. The international training course that is held in spring deals mainly with the treatment of offenders, while the one held in autumn concentrates on crime prevention and countermeasures against various crimes. The international senior seminar tackles current criminal justice issues. In addition to acquiring knowledge and skills during the official training sessions seminar participants also benefit significantly from the opportunities to network and interact with the professionals from the different regions, not only Asia and the Pacific, but also Africa, Latin America and Europe.

### 4.2. Role and Functions

UNAFEI is guided by the United Nations Conventions, Criminal Policies, and Standards of Norms, as well as being administrated by the Japanese government. The Japanese government has been funding UNAFEI since 1970. Training is financed by the ODA (Official Development Assistance), which is a corporation assisting developing countries. Participants UNAFEI fights against transnational crimes such as organized crimes, economic crimes and corruption, and cybercrimes, and assist the development of sound criminal justice systems, promoting cooperation. International Activities held by UNAFEI include international courses and senior seminars, for example, regional seminar on Good Governance for Southeast Asian countries, dispatch of staff as experts, and overseas joint seminars. Extracurricular activities include study tours, sports, cultural activities, and Japanese lessons, which are arranged by volunteers. Participants get to know each other and build friendship.

In 1962, UNAFEI held its first International Training course. Since then, one seminar and two international training courses are held every year.

For each course and seminar, a theme is chosen on the crime prevention and criminal justice by the professors and director. The theme has to fit the policies of the United Nations and the Ministry of Justice, and to fit the International Trend, based on the needs of the participating countries. Developing countries lack of resources and equipment, so they need cooperation from other countries. The United Nations works to develop friendly relations and peace between the nations of the world. The Ministry of Justice works to achieve prosperity. Cooperation is always the key to solving problems.

Training includes activities of public lectures and group discussions between experts, professors, and participants. Visiting experts have professional or expertise that they can apply to the discussion topics, and they encourage and enhance the participants.

There are 3 fundamental approaches of training. The first approach is the practical approach. This involves practical work-lectures and group discussion, allowing the exchange of knowledge for finding effective solutions related to everyday work. The second approach is the integrated approach. By discussing with people who have different methods, authorities, expertise, backgrounds, and experiences, the solutions build up from different aspects. This is an opportunity of breaking down occupational boundaries. The third approach of training is the comparative approach. When comparing problems (using presentations), participants can experience different cultures and legal practices.

### 4.3. Contribution in the Enhancement of Justice

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is a United Nations regional institute, established in 1962 by agreement between the United Nations and the Government of Japan. UNAFEI's main activities are to hold international training courses and seminars for criminal justice personnel from around the world and to conduct studies and research in the field of crime prevention and offender treatment. Following the United Nations policies and efforts concerning criminal justice, UNAFEI contributes to promoting the sound development of criminal justice systems and mutual co-operation among UN member states, especially developing countries in the Asia and Pacific Region.

UNAFEI's activities, fully funded by the Government of Japan, are highly valued as part of Japan's contributions to the international community. UNAFEI is operated under the joint auspices of the Government of Japan and the United Nations, based on the exchange of official documents between these two governing bodies. The United Nations Training Cooperation Department in the Research and Training Institute of the Ministry of Justice, assuming full responsibility for financing and personnel, conducts training courses, surveys, and research in co-operation with the United Nations. The Director of the department serves as the Director of UNAFEI, in consultation with the United Nations. Professors, who are selected from among judges, public prosecutors, and correctional and probation officers, and the secretariat undertake the programming and implementation of UNAFEI's activities in co-

operation with related organizations, such as the Japan International Cooperation Agency (JICA) and the Asia Crime Prevention Foundation(ACPF).

UNAFEI is the oldest of the regional United Nations institutes located around the world (Africa, Latin America, Northern Europe,etc.). UNAFEI contributes to the planning and implementation of United Nations policies concerning worldwide crime prevention and offender treatment, keeping close contact with the United Nations Office on Drugs and Crime (UNODC) in Vienna and other United Nations Crime Prevention and Criminal Justice Programme Network Institutes (PNI).

## 5.0 UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND (UNICEF)

### 5.1. INTRODUCTION

UNICEF has a long history of working in emergencies and humanitarian contexts, both natural and man-made. Originally called the United Nations International Children's Emergency Fund, the organization was created to provide humanitarian assistance to children living in a world shattered by the Second World War. Much has changed since then, but UNICEF's fundamental mission has not.

The international community is faced with increasingly complex humanitarian crises which place children and women at significant risk. On average, UNICEF responds to more than two hundred emergencies every year, informing and shaping these interventions as a global leader for children.

The caseload for humanitarian action will continue to grow and in so doing will challenge UNICEF's capabilities and those of the entire humanitarian system. This will be the result of a combination of old drivers of humanitarian needs such as conflict and natural disasters exacerbated by the combined effect of climate change and urbanization. The needs will also be exacerbated by the youth bulge and possible shocks related to prices, financial markets and natural resources.

At the same time, many countries have considerably strengthened national disaster management capacity and coordination of humanitarian assistance. They have invested in systems and structures that have reduced vulnerability over time. The number of national NGOs has grown and there has been a notable cultural/geographic diversification of international NGOs. Much has been learnt in recent years about responding to large-scale humanitarian crises and adapting traditional approaches to effectively provide support to countries in chronic crises, in transition or those that are highly exposed to disasters risk. UNICEF adapted and simplified its emergency response procedures based on learning from its experience in recent large-scale emergencies, including systems to trigger early action. It also established permanent and dedicated capacities to fill gaps and shortcomings identified in past humanitarian situations, notably around human resources. These reforms are underway but still require dedicated attention and focus.

The humanitarian system has experienced many changes in recent years. Many countries have considerably strengthened national disaster management capacity and coordination of humanitarian assistance. The number of national NGOs has grown and their influence and there has been a notable cultural/geographic diversification of international NGOs. The Transformative Agenda pursued by The Inter-Agency Standing Committee (IASC) addressed some of the shortcomings of the systems and lessons from major disasters in 2010, resulting in the December 2012 "TA Protocols" which set the parameters for improved collective action in humanitarian emergencies. Humanitarian action is also influenced by changes in the development assistance system and trends in UN Security Council mandates, including the development of systems and tools to support transitions in line with past and new Quadrennial comprehensive policy review (QCPR) recommendations, the peace building architecture, integrated UN missions, and the protection of civilians agenda.

UNICEF's Humanitarian Action aims to effectively address the implications of these trends for its work and resources. In this context, the mainstreaming of humanitarian action within UNICEF's overall programmes both at the global level and country level will be maintained because it provides unique opportunities to better link humanitarian response with development programmes to both build resilience and promote rapid recovery and transitions, especially in conflict and fragile affected sand/or disaster prone countries.

The United Nations International Children's Emergency Fund (UNICEF) was created by the United Nations in 1946 to provide food, clothing, and healthcare to the children of post-World War II Europe. In 1953, UNICEF became a permanent part of the United Nations. While its name was shortened to United Nations Children Fund at that time, it is still referred to as UNICEF.

UNICEF expanded the scope of its activities in the 1960s to include advocating for and advancing children's rights to education, healthcare, and nutrition. UNICEF won the Nobel Peace Prize in 1965. UNICEF eventually expanded its scope to the struggle of women, especially mothers, in the developing world. For example, it launched its 'Women in Development Programme' in 1980. In 1982, UNICEF commenced a new children's health program that focused on monitoring growth, oral rehydration therapy, advocating breastfeeding, and immunization. In 1989, the UN General Assembly adopted the Convention on the Rights of the Child, which UNICEF uses as guidance for its programs.

## 5.2. Mandate and Objectives

- UNICEF believes that nurturing and caring for children are the cornerstones of human progress.
- UNICEF was created with this purpose in mind to work with others to overcome the obstacles that poverty, violence, disease and discrimination place in a child's path.
- We believe that we can, together, advance the cause of humanity.

## 5.3. Objectives of UNICEF

- UNICEF is mainly focused on the growth and welfare of children and youth, as this organization knows that, these people are going to be the architect of the future.

- It is engaged in many programs to provide the right nutrition to malnourished children in many backward countries of the world.
- It discourages child labor vehemently, and consistently. UNICEF focuses on giving every child an education. It is also taking all those necessary steps to ensure that every child could get the basic education for free.
- It is also fighting against gender inequality. UNICEF is arranging different programs in different parts of the world to teach parents to see both boys and girls with the same importance.
- UNICEF is undertaking different programs to reduce the child mortality rate by giving them proper treatment.
- UNICEF is also fighting against child abuse, violence and exploitation.
- UNICEF is also fighting against endemic diseases such as malaria. It has a noble aim to eradicate many endemic diseases from world.
- It is also taking many steps to administer proper immunization, especially to children. This organization is distributing free vaccines in many areas, where people can't afford to buy vaccines.
- There are many countries in the world, where people are not getting water to drink. In those areas, UNICEF takes many expensive measures to provide water to the people.

#### 5.4. Main Functions

Following are some of the functions of UNICEF:

- Providing Basic Education Infrastructure to the world
- Increasing Child Survival rate in the developing world.
- Gender equality through education for girls.
- Protection of children from any form of violence and abuse
- Protecting and advocating the rights of children.
- Immunization of infants from different diseases.
- Provision of adequate nutrition and safe drinking water to children

#### 5.5. Members

The Executive Board is made up of 36 Member States, elected to three-year terms by the Economic and Social Council, with the following regional allocation: Africa (8 seats), Asia (7), Eastern Europe (4), Latin America and Caribbean (5) and Western Europe and Others (12).

#### 5.6. UNICEF Social Inclusion and Policy

UNICEF focuses on the critical impact social and economic policy issues have on children. Our work is centered around Recovery, Child, Social, Migration and Social protection

Building on field experience and working in alliance with other United Nations agencies, UNICEF collaborates with partners to stimulate dialogue around macro level policies that guide national frameworks, legislative reform and budgetary allocations affecting children and families. Read more on Policy Matters; which showcase results of UNICEF's upstream policy analysis and advocacy and highlights new thinking on social policy areas.

A network of UNICEF social policy advisors and officers work to develop and strengthen important external partnerships at country, regional and global levels with ministries of finance, parliaments, the World Bank, the International Labour Organization, United Nations Development Programme and United Nations Department of Economic and Social Affairs, among others.

Child poverty is a multidimensional phenomenon and can be measured in many ways. It is imperative that governments make a commitment to child poverty reduction, recognizing and responding to child poverty is the first priority, alongside building expertise and improved approaches to child poverty measurement. Understanding child poverty to the fullest possible extent is vital. While an adult may fall into poverty temporarily, falling into poverty in childhood can last a lifetime – rarely does a child get a second chance at an education or a healthy start in life. As such, child poverty threatens not only the individual child, but is likely to be passed on to future generations, entrenching and even exacerbating inequality in society. UNICEF is working to more fully understand how and where children are experiencing poverty, to allow a more nuanced set of policy responses in national mechanisms such as poverty-reduction strategies.

## 5.7. Global Study on Child Poverty and Disparities

UNICEF launched a Global Study on Child Poverty and Disparities in September 2007 to strengthen the profile of children at the national policy table. The study aims to influence the economic and social policies that affect resource allocations, and hopes to make children a priority in national programmes addressing the poverty of families raising children. The study addresses the health, education and protection needs of children living in poor, vulnerable households, unsafe circumstances and disadvantaged communities on the global study on child poverty and disparities blog.

Despite some progress towards the Millennium Development Goals, millions of women and children are still left behind even in countries that have demonstrated improvement overall. UNICEF has taken on an enhanced organizational commitment to leveraging evidence, analysis, policy and partnerships to promote gender equality and deliver results for all children. The Global Study on Child Poverty and Disparities, carried out in 50 countries and seven regions with UNICEF support, is part of that effort.

The study produces comparable analyses on child poverty and disparities in nutrition, health, education and child and social protection through collaboration with national and international partners. The results and process of the study have generated evidence, insights and networks that have been used as leverage to influence national development plans, and inspired and fed into poverty reduction strategies or sector-wide approaches, common country assessments and other development instruments. With support from a number of experts and international research centers, the social policy and economical analysis unit in UNICEF's division of policy and planning created a comprehensive Global Study Guide to help carry out the study in each participating country.

It is found that context-specific evidence to assess policy responsiveness to outcomes related to child poverty and disparities. With a comprehensive approach, this analysis uses the material and deprivation approach to measure child poverty and assess how these approaches interact with one another. The country analyses are conducted by teams of national experts in collaboration with UNICEF country focal points, and include participatory mechanisms to engage with multiple stakeholders at the country level. A core, global network of child poverty experts across 50 countries should foster knowledge sharing and collaboration across every region. Individual country reports are at the heart of the global study, and we envision that they will serve as the building blocks for regional and global reports.

## 5.8. Social Protection Strategic Framework

UNICEF has been working on social protection for many years as part of its global mandate to advocate for and expand children's rights and opportunities. This work includes supporting governments in the development and strengthening of programmes and policies, advocating for child and gender-sensitive social protection, as well supporting the Social Protection Floor Initiative. It is thus with great pleasure that UNICEF announces the launch of its first global Social Protection Strategic Framework.

This newly released document presents UNICEF's approach to social protection, makes the case for child-sensitive interventions, promotes the development and strengthening of integrated social protection systems, discusses the importance of a multi-sector approach that maximizes linkages for improving sector outcomes, and discusses current debates including social protection financing, expansion of coverage, and inclusive design. Moreover, the Framework proposes a collaborative policy agenda for social protection – including UNICEF's potential role as a platform to engage development partners in leveraging social protection for children.

# 6.0 INTERNATIONAL POLICE ASSOCIATION (IPA)

## 6.1. INTRODUCTION

The International Police Association(IPA) is the largest organisation for police officers in the world, founded by British sergeant Arthur Troop(1914–2000). The Association has 64 national Sections and over 420,000 members and associate members.

The IPA - the largest police organisation in the World - was founded on 1 January 1950. Since that time, its Esperanto motto "Servo per Amikeco" (Service through Friendship) has reached more people than could have been imagined.

The Association was formed because a police sergeant from Lincolnshire, England, Arthur Troop, wanted to create a channel for friendship and international co-operation amongst police officers. With the help of early pioneers he helped to found other national sections in Western Europe, Africa, America (north and south), Asia and Australasia. In 1955, at the first International Executive Committee meeting in Paris, he became the first International Secretary General, a post he held until 1966.

In the Queen's Birthday Honours List of 1965 Arthur Troop was awarded the British Empire Medal for his work in founding the IPA. At the 26th IEC Conference in Vienna, in 1995, he was awarded the IPA World Police Prize. The association's 50th Anniversary World Congress was held in Bournemouth in May 2000.

## 6.2. Motto of the Association

Since its Founding, the Association's Esperanto motto of "Servo per Amikeco" – meaning "Service through Friendship", has reached more people than could have been imagined.

## 6.3. Purpose of the IPA

The purpose of the IPA is to create bonds of friendship and to promote international co-operation amongst its members and other policing services internationally.

## 6.4. Aims and Objectives of the IPA

The Aims of the IPA include the development of cultural relations amongst its members, a broadening of their general knowledge and an exchange of professional experience. In addition, it seeks to foster mutual help in the social sphere and to contribute, within the limits of its possibilities, to the peaceful co-existence of different peoples and to the preservation of world peace.

The International Police Association undertakes:

- To promote among the police services of all the member Sections respect for law and order;
- To develop social and cultural activities and to encourage the exchange of professional experiences;
- To enhance the image of the police in the countries of its member Sections and to help improve relations between the police and the general public;
- To encourage personal contacts by organising exchange visits of individuals and groups, arranging group holidays and initiating pen-friendships;
- To foster youth exchanges and international youth meetings with a view to promoting greater tolerance and understanding between people, and understanding for the work of the police;
- To facilitate a regular exchange of publications between the National Sections and to provide an information service for the National IPA publications containing news on all subjects of relevance to the Association;
- To promote international publications, and to help with the preparation of a bibliography of police works and, wherever possible, of all works connected with the law or legal matters;
- To facilitate international co-operation through friendly contacts between police officers of all continents and to contribute to a mutual understanding of professional problems.
- Friendship Weeks, Sports Events and Anniversary Celebrations with social and cultural flavours are held regularly, both nationally and internationally.

- Professional Study, Exchange or Travel Scholarships are encouraged in many Sections and are available to those seeking professional exchanges.
- Hobby Groups, allow members to share their interests with other like-minded people. For example, Radio Amateurs, Computer Enthusiasts, Stamp Collectors, Pen-friends, etc.
- Participation of Members' families: The Association welcomes and encourages involvement of spouses, partners and children.
- Social Events are enjoyed at local (Branch) level to establish and maintain bonds of friendship and camaraderie.

## 6.5. International Affiliation

Internationally more than 60 IPA Sections (Countries) are affiliated to the Association. The total individual membership of the IPA stands well over 400 000 members.

# MODERN CONCEPTS IN CONTEMPORARY CRIMINOLOGY

The following concepts are included

- Terrorism, Radicalism and War on Terror
- Media's representation of Crime and the Criminal Justice System

## 1.0. TERRORISM

Terrorism is the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

the most common definition of terrorism is used, which includes the following:

- It is the use of violence or threat of violence in order to purport a political, religious, or ideological change.
- It can only be committed by non-state actors or undercover personnel serving on the behalf of their respective governments.
- It reaches more than the immediate target victims and is also directed at targets consisting of a larger spectrum of society.
- It is both *mala prohibita* (i.e., crime that is made illegal by legislation) and *mala in se* (i.e., crime that is inherently immoral or wrong).

Terrorism' currently lacks the precision, objectivity and certainty demanded by legal discourse. Criminal law strives to avoid emotive terms to prevent prejudice to an accused, and shuns ambiguous or subjective terms as incompatible with the principle of non-retroactivity. If the law is to admit the term, advance definition is essential on grounds of fairness, and it is not sufficient to leave definition to the unilateral interpretations of States. Legal definition could plausibly retrieve terrorism from the ideological quagmire, by severing an agreed legal meaning from the remainder of the elastic, political concept. Ultimately it must do so without criminalizing legitimate violent resistance to oppressive regimes and becoming complicit in that oppression.

### 1.1. Types of Terrorism

You will need to be familiar with the five types of terrorism.

- **State-Sponsored terrorism**, which consists of terrorist acts on a state or government by a state or government.
- **Dissent terrorism**, which are terrorist groups which have rebelled against their government.

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- **Terrorists and the Left and Right**, which are groups rooted in political ideology.
- **Religious terrorism**, which are terrorist groups which are extremely religiously motivated and
- **Criminal Terrorism**, which are terrorists acts used to aid in crime and criminal profit.

**1.2. Why does terrorism exist?**

The reasons are complex and plentiful. The factors that motivate people to join and remain in terrorist groups can be religious, economic, social, psychological, retaliatory, and so forth. Below is a list of fifteen causes, based on an extensive examination of journal articles and books on terrorism written by various experts on the matter

- 1. Religion Extremism:** religious fanaticism is an extreme sense of ideological zeal complemented by a focused and unrelenting set of activities that express the high dedication of one or more people to their own belief system(s). Radical religious Islamism has been identified as a root cause of terrorism. The Islamist attacks against civilians from Glasgow to Jakarta confirm that many Islamists are ideologically determined to engage in terrorism. In the early 1950s, Hizbut-Tahrir (The Liberation Party) advocated the collapsing of Arab regimes and the formation of an Islamic state. In 1952, Jordan and all other Arab states banned the party. Ironically, European countries such as Great Britain have permitted Islamic parties to establish ideological roots. Ex-Islamist Ed Husain, the author of *The Islamist*, argues that this British course of action was a blunder, as proved by the 2005 London bombings committed by Islamist terrorists.
- 2. Oppression:** terrorism can be the result of groups' portrayal of governments (and their actors) as oppressive. Terrorism, then, feeds on the desire to reduce the power of opponents. In autocratic societies, military-occupied areas, or even in the international arena where political expression is limited, groups opposing the current state of affairs may engage in terrorism as a principal method of expression and not as a last resort. Especially in the case of nationalist-separatist movements (e.g., ETA, Hamas), terrorists often invoke the unfairness of their treatment by governments that deprive them of identity, dignity, security, and freedom as the main reason for joining terrorist groups.
- 3. Historical grievances:** Terrorists target governments and groups they view as responsible for historical injustices. Chechen terrorists have defended their terrorist attacks by alluding to Russia's long-lasting rejections of Chechen desire for independence, and the old and cruel history of Russian invasion of Chechnya dating back to the 17th century. The Basque separatist movement ETA, Sikh extremists (in India), the IRA, the ANC (in South Africa), and pro-Palestinian terrorist groups have all looked for vengeance for historical grievances. Reports on Palestinian suicide bombers systematically refer to historical grievances, such as resentment, humiliation, sorrow, and the aspiration for vengeance and retaliation. Resentment and revenge are a major principle in the writings of the Shi'ite thinkers of jihad. Jihadists exploit collective narratives of humiliation and revenge to rationalize the need to kill themselves, civilians, and even fellow Muslims, as is the case in Iraq.

**4. Violations of international law:** In the terrorist's mind, a wrong can be the violation of some basic right treasured by the terrorist. The right may have been infringed on by a historical incident, such as a war or multiple violations of international law (e.g., genocide and unlawful dispossession of local inhabitants). The international rule of law is the standard by which all nations are subject to and bound by supranational legal covenants.

**5. Relative deprivation:** multiple scholars have found a strong link between poverty and terrorism.<sup>87</sup> In view of the 70% adult unemployment rate in Gaza, the GDP of less than \$1,000 throughout the Palestinian Territories, the very limited economic opportunities due to the unsettled Israeli-Palestinian conflict, and the cultural prominence of the male wage-earner role, it is easy to allude to the possibility that relative deprivation has helped trigger Palestinian terrorism. Sageman (2004) describes how the Core Arabs (from Saudi Arabia, Egypt, Yemen, and Kuwait) sent abroad to study by their rich families were rejected, underemployed, and possibly discriminated against. Hence, they found themselves in a state of relative deprivation in comparison with the natives of their host countries.

The Maghreb Arabs living or born in France may experience such relative deprivation too. In both cases, the Arabs' perception of relative deprivation may have been assuaged by their espousal of radical Islam; this is a way for them to rebuild their dignity, to be "born again," and to disseminate their values. In Peru, the popularity of the Shining Path (Sendero Luminoso) in the 1960s, where government economic restructurings initially gave hope but then failed, is another historical case of relative deprivation.<sup>90</sup>

**6. Hatred toward the global economic hegemony:** Countries that express hatred toward the global economic hegemony will produce more terrorist groups. The background that gave birth to Al Qaeda, namely Afghanistan and Pakistan, symbolizes this notion.<sup>91</sup> Many terrorists abhor the World Trade Organization (WTO). According to the Bureau of Economic Analysis, the September 11, 2001 attacks shattered \$16 billion of private and government property, including structures, computer equipment, and software. The loss is of the same degree as that caused by Hurricane Andrew in 1992 and the California earthquake of 1994.<sup>92</sup>

**7. Financial gain:** Terrorism can be used for sheer financial gain. Generally, corporate hostage taking in Central and South America, and hostage taking by the Abu Sayyaf group in the Philippines, happens more out of a desire to earn a ransom than achieving political goals. In 1987, the Iran-Contra scandal concluded with an arms-for-hostage deal, even when the Reagan administration initially refused to negotiate with terrorists.<sup>93</sup> After Palestinian bombers commit suicide, their families earn subsequent social status and are usually secured a financial reward.<sup>94</sup>

**8. Racism:** Racism can be a powerful method for dehumanizing adversaries and accomplishing moral disengagement. Gottschalk and Gottschalk (2004) found that both Palestinian and Israeli terrorists draw on stereotypes and racism to dehumanize the other group. Similarly, the FBI-watched Aryan Brotherhood (a group of devious

bikers formed in U.S. prisons) identifies with Nazi ideals (as noticed with their Nazi symbols) and has vowed to remove the Jewish and Black races out of the earth.

**9. Guilt by association:** For terrorists, you are the company that you keep. For example, the 2004 Madrid train bombings were executed by an Al Qaeda-inspired terrorist cell. One of the motives was Spain's involvement in the Iraq War, where the country had troops. Likewise, since decolonization in continents like Africa and South America, the West has been the target of terrorist attacks because it has been accused of making local minorities of Westernized people become comprador ruling elites.

**10. Supporting sympathizers:** Because terrorism is the weapon of the oppressed, an important goal is to push the stronger power (e.g., U.S.) into unleashing against the terrorists' perceived support base. Such acts of retaliation, cruelty, and counterterrorism often turn the stronger power into a support for sympathizers, like a recruiting driver for the terrorist cause. For example, a chief Al Qaeda objective would have been to trigger U.S. retaliation so that the U.S. was seen as violently repressive.

**11. Mortality salience:** Mortality salience refers to anxiety over one's own death. It is examined the effect of mortality salience on Iranian and U.S. students and their respective espousal of martyrdom (terrorism) or extreme military intervention (counterterrorism). When Iranian students answered questions about their own demise, they rated the student who advocated martyrdom as higher than the student who opposed it. However, among politically conservative U.S. students, mortality salience increased advocacy for extreme military interventions by U.S. forces

**12. Narcissism:** A common characteristic among many of these terrorists is a propensity to externalize to look for outside sources to blame for personal inadequacies. Without being bluntly paranoid, terrorists over-rely on the ego defense of projection. Other prominent characteristics were a defensive grandiosity and a larger-than-life self-absorption with little concern for others' feelings. Crenshaw (1990) observed various self-satisfying or self-aggrandizing motives for resorting to terrorist behavior and an increase in personal status for terrorists whose actions are praised by their communities, or at least by their fellow group members.

**13. Sensation-seeking:** Another variable suggested as a reason for being drawn to the path of terrorism is sensation-seeking. Here, sensation-seeking denotes the inherent risk and excitement that a terrorist career may provide. Researchers contend that it is highly plausible that sensation-seekers are more likely to join an organization that uses violent tactics. Sensation-seeking entails personal reward, including the thrill of the combative lifestyle and a feeling of empowerment through violence. The appeal and excitement of terrorism, perhaps the fascination for some individuals, lie in part in the physical danger it involves. Some terrorists have been reported to be stress-seekers seeking to increase the emotional intensity or the level of activation of the organism. Stress-seekers meticulously plan their behavior, respond more to internal than external necessities, and frequently repeat stressful activities. Moreover, repetition of the stressful situation becomes not only addictive and fanatical but also escalatory; the stress-seeker is forced to perform more to achieve the same high.

**14. Failure of conventional channels of expression:** In democratic civilizations, the use or threat of using terrorist violence is seen by some scholars, like Chomsky (2006), as the definitive failure of conventional channels of political expression and legitimate systems of authority. A related concept is the Death of Statecraft, whereby diplomats fail to negotiate with their counterparts or nation-states do not attempt at engaging in communicative action. As a result, people deploy more lethal actions. Terrorism, then, becomes a by-product of violations of diplomacy and other forms of political expression.

**15. Communication and publicity:** This is a major premise of this book, and several chapters are devoted to communication and publicity. In essence, by killing adversaries or innocent civilians, terrorists seek to publicize their cause, communicate demands, air grievances to bulldoze authorities, sway the public policy agenda, or gain concessions. If publicity is constrained or unsatisfactory to the group's tactical goals, the group's terrorist violence will probably escalate. After the British press and population reacted to the London terrorist bombings of July 7, 2005 (and the failed attacks two weeks later) with defiance and a stiff upper lip, Ayman al-Zawahiri, Al Qaeda's new #1 (also called "the Egyptian doctor"), felt compelled to issue additional threats through the Qatar-based Al Jazeera TV station.

### 1.3. RADICALISM AND WAR ON TERROR

Radicalism means political orientation of those favoring revolutionary change. In political science, the term radicalism is the belief that society needs to be changed, and that these changes are only possible through revolutionary means.

Radicalism more accurately reflects the political and ideological dimension of the threat. No matter how diverse the causes, motivations, and ideologies behind terrorism, all attempts at premeditated violence against civilians share the traits of violent radicalism. Second, while terrorism is a deadly security challenge, radicalism is primarily a political threat against which non-coercive measures should be given a chance. There is nothing preordained in the possible transition from radicalism to terrorism. All terrorists, by definition, are radicals. Yet all radicals do not end up as terrorists. In fact, only a few radicals venture into terrorism. At the same time, it is clear that most terrorists start their individual journey towards extremist violence first by becoming radicalized militants. Since radicalism is often a precursor to terrorism, focusing on radicalism amounts to preventing terrorism at an earlier stage, before it is too late for non-coercive measures. Finally, radicalism, unlike terrorism, has social dimensions.

There are radicalized societies where acts of terrorism find some sympathy and degree of support. It is impossible to talk about terrorism as a social phenomenon, however. There are no 'terrorist' societies. The relative popularity of certain terrorist networks in the Islamic world can only be explained within the framework of such radicalized societies where extremist violence finds a climate of legitimacy and implicit support. Such radicalized societies are permeated by a deep sense of collective frustration, humiliation, and deprivation relative to expectations. This radicalized social habitat is easily exploited by terrorists. This is why focusing

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on the collective grievances behind radicalism is probably the most effective way of addressing the root causes of terrorism. This effort at prevention can be conceived of as a first line of defense against terrorism.

The goal is to reduce the social, economic, and political appeal of terrorism by isolating terrorists and winning over potential recruits. Once the challenge is defined as such, the next and more difficult step is to identify an effective strategy to fight radicalism. The socioeconomic and political context where radicalism takes root, particularly in the context of the Arab world, presents an urgent situation for the West. This enabling environment can be altered most effectively by focusing on relative deprivation and human development. The next two sections of the article will focus on these concepts from within the context of the broader Middle East.

"Dismissing the social and economic causes of radicalism on the grounds that some terrorists have middle-class backgrounds is simplistic and misleading."

Globalization creates an acute awareness about opportunities available elsewhere. This leads to frustration, victimization, and humiliation among growing cohorts of urbanized, undereducated, and unemployed Muslim youth who are able to make comparisons across countries. The scale of youth frustration is compounded by a demographic explosion, growing expectations, weak state capacity, and diminishing opportunities for upward mobility in most parts of the Muslim world.<sup>3</sup> Globalization further exacerbates this situation because restive Muslim masses of both genders are caught in the growing tension between religious tradition and western modernity.

An effective strategic campaign against radicalism in the Arab and Islamic world at large should take the socio-economic dimension of this collective frustration very seriously. Little can be done in the short-term about deeply rooted cultural and psychological grievances. But quite a lot can be done in the social and economic sphere. Take the question of political Islam for example. Weak Muslim states are often unable to provide adequate social and economic services. The capacity gap within Muslim states such as Egypt, Jordan, Morocco, and Pakistan creates a vacuum that is frequently filled by grassroots Islamic organizations that provide goods and services in crucial areas such as health, education, and housing. The strength of these Islamic networks is magnified by the weaknesses of the state system. In that sense, the absence of effective public services opens the field for the rise of Islamic networks with their own political agendas.

Finally, in addition to socioeconomic decay, the absence of constitutional liberties brings a 'political' dimension to relative deprivation in the Arab world. In other words, there is a growing gap between political aspirations and the realities on the ground. Improving educational standards without increasing prospects for employment, or providing jobs without creating outlets for political and social participation all create a combustible mix in the Arab world. The growing numbers of educated but unemployed youth are particularly alarming. It is, after all, the educated youth who have the highest political aspirations and expectations, and thus, it is they who are the most frustrated when their expectations are unmet.

The growth of unemployment among the educated often creates a class of 'frustrated achievers' who may end up becoming radicalized militants looking for a political cause to hang on to. Repressive political systems exacerbate these dynamics. In most authoritarian Muslim countries, the mosque is the only institution not brutally suppressed by the regime. And when the mosque is the only outlet for mass politics, the outcome is predictable: the Islamization of dissent. As dissent turns Islamic, what naturally follows is the politicization of Islam. Political Islam thus slowly evolves into a resistance movement against injustice, state oppression, and western support for repressive regimes.

While debate over the root causes of terrorism rages in the world, extremists continue to lure destitute radicals to their cause. Counter-terrorism needs to place the breeding grounds for these impoverished sympathizers at the center of their efforts. A new strategy and a new method ought to be adopted to prevent radicals from becoming a threat in the form of terrorism. "Fighting radicalism with human development" specifically social and economic development should emerge as a new public narrative and long-term objective for a smarter effort at strategic counter-terrorism.

Apolarized debate about the underlying causes of violent extremism in the Islamic world has taken place among western policymakers, analysts, and academics ever since the cataclysmic terrorist attacks of September 11, 2001. Broadly speaking, two major views have emerged. In one camp, the center-left maintains that the struggle against the root causes of terrorism should prioritize social and economic development. Inspired by modernization theory, this camp sees social and economic development as the precursor of democratization. It also considers educational and economic empowerment as the best antidote against radicalization and terrorist recruitment. Since poverty and ignorance often provide a breeding ground for radicalism, socioeconomic development appears compelling as an effective antidote.

## 2.0. MEDIA'S REPRESENTATION OF CRIME AND THE CRIMINAL JUSTICE SYSTEM

### 2.1. INTRODUCTION:

The media, both in the mainstream and alternative sources, such as social media and weblogs, play a large role in how members of society are informed of events that may affect them directly or indirectly. Mass media has arguably become the main source of news, entertainment, recreation, and product information in the western world. For many people, the media informs them about events that affect their lives.

As a victim service worker who may be called upon to work with victims who are dealing with the media, or who may be called upon to work with the media directly, it is important to understand how the media works. While it can perform an important public service, media outlets are, first and foremost, a business. In the current global financial crisis, news media is a struggling business.

## 2.2. Types of Media and Coverage

There are different types of media and coverage:

**1. National media**— Does not generally cover individual crime stories unless there is some unique or sensational aspect to it. A high-profile homicide case, like the Robert Pickton case, may garner national attention because it involved a serial killer, a large number of victims, allegations of police negligence, etc. The case of the alleged gang rape of a young woman in British Columbia at a party in which pictures were taken and posted on a social networking site also garnered lots of national media attention because of the number of alleged assailants and the involvement of photos being put on the Internet.

When a case does spark national interest, the media intensity rises. Radio talk shows may begin discussing the underlying issues and television documentary shows may do stories on similar cases. This may or may not directly involve the victim, but its impact can be serious, especially if the coverage causes people to talk about the victims without all the facts, or a distorted view of the facts. National media also covers crime issues more generally, for example, if parliament is considering a justice related bill, national reporters may want to find victims who can speak to the issue (for example, a new law on street racing);

**2. Local media**— Cover most of the crime stories in a specific geographic area, usually a city or county. They often provide the most in depth coverage of crime that occurs, as well as limited coverage of items from the national media. Due to their focus on events, victim service workers will likely be in touch with local media more frequently than national media.

**3. Web-based media**— Weblogs, online sharing and social media websites are growing at a rapid pace. Many newspapers put their entire papers online and also do special stories that only appear online. The fact that information can be instantly published and broadly distributed has dramatically increased the speed at which news travels – instead of waiting for tomorrow's newspaper, stories can be posted online in minutes or faster. In fact, news has become instantaneous and this was seen most recently in the Russell Williams' sentencing hearing where reporters were tweeting details live from the courtroom and publishing information on their online blogs. Also, of concern from a victim service point of view is the posting of anonymous comments or remarks attached to online articles that can be hurtful to victims because they are uninformed or mean spirited.

**4. Hard news**— Is current news items that are covered as they are happening, or shortly after they have occurred. Hard news is time sensitive and delivered in a manner that suggests that the public needs to know about it when it is most current. The story may not be news in a day or so. A serious crime, an arrest or a verdict in a high-profile case are all examples of hard news.

5. **Soft news**– Often includes human interest stories that are not time sensitive. They may be features, follow-ups or more in-depth looks at hard news stories. An in-depth story about a victim or his/her family may be an example of soft news.
6. **Columns/Editorials**– Unlike journalists, columnists and editorialists produce columns and editorials that are not free from bias and they do not just report facts. Their work goes beyond a presentation of information and facts to give their personal opinions. If an offender was given a sentence that was perceived as too lenient, a columnist might write a column complaining about judges.

### 2.3. Focus of media on crime

Crime stories constitute the fourth largest category of stories for newspapers and television after sports, general interest and business which is an over-representation of the actual amount of crime occurring. Research suggests that over 50% of crime stories in a sample of Canadian newspapers dealt with offences involving violence but offences involving violence represent less than 6% of reported offences. This is likely a significant factor in the public belief that crime is on the rise. For example, Canada fortunately has a relatively low homicide rate. Every year, approximately, 600 Canadians are murdered and because murder remains a relatively rare event in our society, most of these murders will garner some media attention. So while homicide makes up less than 1% of crimes committed in Canada, it garners a significant amount of media coverage of crime.

The media is most likely to focus on stories that highlight the unique, the sensational, the extreme, and those that have the potential to impact the greatest number of people. For crime-related stories, the media are most likely to focus on events that have occurred multiple times, for example a number of assaults or break-ins that are centred in a small geographic area, or those that are very unlikely to occur. Homicides committed by young offenders are often front page news and may cause people to believe that youth violence is at significant levels, despite being incredibly rare. The reason they are so newsworthy is because they are so rare they shock us, are unique and because of that, may dominate headlines for days and weeks, thereby giving the public a distorted view of how common these crimes are.

The media does not just decide what stories get that kind of attention, but what stories do not get that kind of attention. The murder of a homeless man is not likely to get as much media attention as the murder of a teenage girl from a middle class family. The media can focus on a story, thereby making it headline news, or ignore a different story, and the public will never know.

While focusing on the sensational and most violent crimes, it may seem the media ignores the more common types of crime that are more likely to affect individual readers or viewers, such as single instances of auto theft or break and enter. The media also rarely covers sexual assault and partner assault cases, which are largely crimes that impact women and children and are the focus of many victim service provision agencies in Canada. These serious crimes against women and children often remain hidden from law enforcement, which influences media coverage because they tend to cover crimes that come to the attention of the formal criminal justice system.

## 2.4. Stranger crimes get more coverage

The media also tends to focus on crimes committed by strangers rather than the more common crimes which are committed by someone known to the victim. The abduction of a child by a stranger will garner far more attention than the abduction of a child by a parent. The sexual assault of a woman in her home by someone who broke in will be more newsworthy than a woman who is assaulted in her home by her husband. While this may be explained by the fact that a single case of domestic assault is unlikely to have wide impact on the community, it also hides these crimes and creates the impression that these cases are not reported to the police or prosecuted, which may discourage other victims from seeing the merit in reporting their abuse.

This kind of coverage may give people a false sense of security. As parents, we tell our children to be wary of strangers, or to not to walk alone at night, but few of us are educated about the real dangers. The reality that victim service providers are well aware of is that people are more likely to be assaulted by someone they know and that we are at greater risk of violence in our own homes. The media's focus on stranger crimes asserts the myth that many people have that if they avoid certain situations or doing what the victims did, they will be safe.

## 2.5. The "ideal" victim

Some media coverage reinforces the notion of the good or ideal victim, one who is more innocent than others. A woman who was sitting in her home at night watching television when the offender broke in would appear to be the "good or ideal" victim over the woman who invited the offender into her home, or met him while out at a bar.

Those who are ideal victims include children, some women and the elderly. Young men, the homeless, those with drug problems, sex workers, etc., may find it much more difficult to achieve legitimate victim status. In this sense, there is the danger of creating a hierarchy of victimization. Race, social class and status also play a role, and whether or not it is done intentionally, it is perpetuated by the media. Whether we agree or disagree with how the media chooses to report crimes and the impact it has on victims, as victim service providers, we have a role to assist victims dealing with the media and a unique opportunity to educate the media and the public about crime, victims and the impacts of reporting.

Service providers must also remember that the purpose of the media is to provide the public with the information they want about their community. The way an issue is framed by the media can lead the public to make judgments about some victims being more innocent or ideal than others. For example, the public will view a youth injured due to gang activity and violence very differently than an elderly person who is swarmed and robbed.

## 2.6. Difficulties in Characterizing Media Representations of Crime and Justice

Although scholarly interest in the media, crime, and justice has existed since at least the 1920s, researchers with a specialist focus on criminology did not begin to look at this topic until after the Second World War. The first task that they set for themselves, one that continues

to serve as a staple ingredient in many contemporary projects, was to delineate the idiosyncratic renderings of crime and justice in the media. This could be done by comparing media content with the images of crime and justice furnished by systematic study (i.e., by criminology). For example, in perhaps the earliest study of this type, compared changes in the amount of column inches devoted to crime in newspapers with changes in the volume of crimes recorded by the police. He found that the two were not associated.

Much recent work has used content analysis to compare the proportional representation of different crime types, offenders, and criminal justice outcomes in the media with that found in official statistics. It is found that fictional crime programs broadcast deal almost exclusively with murders, whereas murders never accounted for more than 0.5 percent of offenses known to the police. It shows that the offenders featured in these media samples were older and of higher social status than the typical offender caught by the police. However, summarized more recent research that indicated that young violent offenders and offenders from ethnic minorities were overrepresented in news items compared to official statistics. Finally, it is found that the clear-up rate for offenses reported in the news was above the general clear-up rate achieved by the police during the same period.

Beyond simple comparisons like this, representational processes begin to look more complex. For example it is identified four "myths" about sex offenders that they are "compulsive, homogenous, specialists and incapable of benefiting from treatment" which, they claimed, are perpetuated by the media. Nevertheless, only 38 percent of the articles they examined contained at least one of these myths. Researchers have noted the penchant for certain news items to use strong condemnatory terms for offenders, such as "fiend" or "beast" for sex offenders; yet this is to highlight the well-known difference between "tabloid" and "quality" news, which may be blurring but has not disappeared. An influential perspective for examining the "construction" of crime and justice has been that of "framing," which studies particular configurations of problem definitions, causal interpretations, moral evaluations, and treatment recommendations. However, frames are seen to originate in ideology, politics, culture, and science, rather than the media. The latter mainly serve as a means for communicating frames for there are usually several frames in existence at any given time and as a source of information for researchers interested in studying them. For example, it is identified five frames that characterize political, policy, media, and private "talk" about crime. This kind of variety in the media's depictions of crime and criminal justice makes it very difficult to posit straightforward effects of the resulting content.

Criminologists link what is often claimed to be the media's idiosyncratic renderings of crime and justice with two additional claims that would be significant if they were well supported. The first is that crime and criminal justice are prominent topics in the media. However, general inventories of media content show that these are merely two among many subjects in the news, such as the economy, civil rights, sport, and international affairs and not the most frequent. In the realm of fiction, where classificatory tasks seem much more complicated, films or shows about "crime" or "justice" sit alongside many others about "romance," "comedy," "science fiction," and so on.

**Criminology**

The second claim is that most people get their information about crime and justice from the media; at least, that is what they say when asked about it. This claim would seem unproblematic given that most criminological events cannot be witnessed directly, but it fails to give due consideration to other sources of information, such as that relayed by friends and acquaintances, or that which can be gained through personal experience as a protagonist or victim of crimes or, perhaps more important, lesser delicts of equal moral consequence to the individual. More significantly, attention needs to be paid to the priority accorded to different sources of information and to the notion of "information" itself. What, exactly, is captured from the media? Perhaps people believe that the media are an important source of information, when something other than a single survey question used as a method of measurement might reveal different processes at work. Some of the limitations to survey research for measuring respondents' contact with the media have been explored by who found that many people overstate their viewing of TV news sometimes quite considerably.

## 2.7. How Media Constructs Crime

In making the case for and in developing this position, I have become more and more convinced that there has to be a realist but critical understanding of the role of the media – it is clear the media does have a significant influence on the wider public as a whole, but also on scholars and researchers. Even academic criminologists rely, to greater or lesser degrees, on the way it presents our area of interest and scholarship. Even if people might gain a first-hand understanding of the prison service, for instance, through working in or studying the area, it is almost inevitable that their first ideas and comprehension of prisons and imprisonment will have come from the media – from television, or film, or books, or newspapers.

The same is true for other areas of the criminal justice system. And much of this initial information will have been gained from what might be termed the popular media – the largest television viewing figures and newspaper readership figures are from media sources which academics may not view as reliable or authentic. However, I would argue that that is a little irrelevant if it is the case that people believe the representations of crime, criminals, police, courts, prisons or whatever that they have seen in a film or a television soap or read about in a tabloid newspaper; or indeed if they believe that, at the least, such representations are based on and reasonably close to reality. It follows, then, that to a certain extent, it is sensible, and realistic, to accept that those representations become real for many people.

The basis of this position is that the media constructs representations of crime and justice and in doing so presents an often sensationalised representation; and this does not just impact on the public's lay view of crime but also on criminal justice practitioners. This is not to argue that crime is merely a social construct or fail to acknowledge that the social harm caused by crime is real. This is reflected in what could be seen as a journey in relation to the development of the academic study of crime and justice from a broadly interactionist perspective toward a realist but critical perspective, acknowledging the influence of left realism. Put simply, crime can be both constructed through the media but it is underpinned by often harmful and certainly illegal acts.

This approach helps provide an understanding of how crime, both as a concept but also a real event, develops, is reproduced and then can be transformed in our society, and particularly through the media of the day. While it is appropriate to acknowledge the role of post-modernism and cultural criminology, and in particular the emphasis on how the spread of and role of the media has influenced the manner in which certain activities come to be constructed as criminal and how it is also important to consider everyday consumption of crime as drama and entertainment, I would argue for a more realist approach. This is not to deny the influence of cultural criminology, both generally and on my thinking and approach more specifically.

Overall then, it is vital to emphasize and then to conceptualize how media representations have played a key role in helping develop a greater understanding of crime, criminals and justice. Also, and while adopting an objective and critical approach, how such representations deserve to be accepted as real and therefore legitimate and important areas of examination. The academic study of crime and justice, in all its forms, needs to take account of the importance of the media, both historically and how it has developed, in helping an understanding of the extent, form and also the explanations for crime and crime control. The links between crime, justice and media representations can be found throughout contemporary and historical culture - in film, literature, the press, television, the internet - and merit the attention of the criminological endeavor.

**CHAPTER NO.11**

# **MODERN LAW ENFORCEMENT AND CRIME PREVENTION INTELLIGENCE-LED POLICING**

## **1.0. Intelligence-led policing**

Intelligence-led policing (ILP) is a policing model built around the assessment and management of risk. Intelligence officers serve as guides to operations, rather than operations guiding intelligence. Intelligence-led policing has entered the lexicon of modern policing, especially in the UK and more recently Australia. There is still a lack of clarity among many in law enforcement as to what intelligence-led policing is, what it aims to achieve, and how it is supposed to operate.

Intelligence-led policing is the application of criminal intelligence analysis as an objective decision-making tool in order to facilitate crime reduction and prevention through effective policing strategies and external partnership projects drawn from an evidential base. The aim of intelligence-led policing can be interpreted from the tactical tasking priorities. The four elements concentrate on:

1. targeting offenders (especially the targeting of active criminals through overt and covert means);
2. the management of crime and disorder hotspots;
3. the investigation of linked series of crimes and incidents; and
4. the application of preventative measures, including working with local partnerships to reduce crime and disorder

The crime is not randomly distributed, with the corollary that identification of hotspots of criminal activity is a worthwhile pursuit. It recognizes the importance of working with partnerships to achieve crime prevention, and finally that there should be a spotlight on targeting the criminal and not a focus on the crime. This latter principle is, to a large extent, based on research that shows a small percentage of active and repeat offenders (recidivists) commit a disproportionately large amount of crime. While the National Intelligence Model provides one definition of intelligence-led policing, this paper will explore the process of crime reduction through intelligence-led policing. Good intelligence analysis is vital, but research is also essential to identify crime reduction strategies that actually work and have solid evidential support.

## 1.1. Crime prevention implications

ILP is often viewed [by whom?] as a management tool instead of a crime reduction strategy. Jerry Ratcliffe claims ten benefits of the use of intelligence led policing:

- Supportive and informed command structure
- Intelligence-led policing is the heart of an organization-wide approach
- Integrated crime and criminal analysis
- Focus on prolific and serious offenders
- Analytical and executive training available
- Both strategic and tactical tasking meetings take place
- Much routine investigation is screened out
- Data are sufficiently complete, reliable and available to support quality products that influence decision-making
- Management structures exist to action intelligence products
- Appropriate use of prevention, disruption and enforcement

It is argued that these all help prevent crime by creating a police force that is more efficient with its resources. There is also a growing recognition citation needed within policing that external agencies may hold the key to long-term crime reduction. These agencies, such as local councils, housing authorities, and health and education departments, are believed to have a greater potential to impact a wider range of causal factors. As agencies share information amongst each other, a larger "network of intelligence" is created, which proponents hope, when used effectively, will cause a substantial decrease in crime.

## 1.3. How it Work?

It is important to be clear on the "mechanism" for any crime reduction or prevention initiative, as this helps to understand why it works. In the model of intelligence-led policing, it shall assume that the criminal environment is a permanent feature of the operating environment for police services. Although it is dynamic and fluid, constantly changing in shape, composition and size, it remains a reality that there will always be a criminal environment that the police will need to understand for subsequent operations to be effective. To be truly intelligence-led, the first stage of the model is to be able to interpret the criminal environment. This is usually performed by an intelligence section or unit, and relies on a range of information sources both within and external to the police service. The information that this unit obtains should, in an intelligence-led environment, be passed as some form of intelligence to people who can actually impact in a positive manner on the criminal environment.

This second stage requires the intelligence structure to be able to identify and influence the decision-makers. It should be noted that this requires both an ability to identify the decision makers, as well as to influence their thinking regarding the types of reduction strategies that are implemented.

Finally, the model requires the decision-makers to have the enthusiasm and skills to explore ways to reduce crime and to have a positive impact on the criminal environment.

The model therefore has three structures, and three processes, each of which are discussed in turn below.

## 1. The Criminal Environment

For different levels of policing, the criminal environment to be studied may be different. For example, a local rural police station will have a different criminal environment to compete with compared to a national strategic drugs unit. However the principle remains the same: although there are significant differences (but also some overlaps) in the type of criminal environment to be understood, each level is faced with a challenging criminal situation that is dynamic, has different memberships and structures, and it is hoped can be changed and influenced by police strategies.

## 2. Intelligence

Intelligence can be defined as "a value-added product, derived from the collection and processing of all relevant information relating to client needs, which is immediately or potentially significant to client decision-making". A broader view of intelligence could incorporate the view that intelligence is a structure, a process and a product. In most police services, the intelligence unit or section is a recognised internal organisation with people, skills, methods and an organisational structure. Intelligence is also a process, incorporating a continuous cycle of tasking, data collection, collation, analysis, dissemination and feedback, prior to the next or a refined task. This continuous process is responsible for the generation of an intelligence product, which is designed to shape the thinking of decision-makers. Within the model shown at Figure 1, intelligence therefore requires a number of organisational structures to work effectively in both the interpretation of the criminal environment and the dissemination of a product that can shape the thinking of decision-makers.

## 3. Interpreting the Criminal Environment

How capable are the systems, people, analytical tools and collective understanding to be able to interpret the criminal environment? An effective system requires investment in people, tools and systems, but also an understanding of the functions and limitations of an intelligence system. This is especially the case with a policing style that emphasises the criminal and not the crime as the focal point for intelligence. Often unrealistic expectations can dampen enthusiasm for intelligence-led operations when, for example, an intelligence analyst is unable to precisely predict the next date, time and place of a burglary. In a recent review of Northamptonshire Police in the UK, HMIC found that the National Intelligence Model definition of intelligence-led policing was not widely known amongst intelligence staff. When the people that are tasked with being the hub of intelligence-led policing are not familiar with what intelligence-led policing is, it draws into question the value that they can add to information they receive. Even when clear direction is given, this component of the model requires coordination of sources, data storage and retrieval, analytical tools and training to enable the maximum benefit to be derived.

## 1.4. The Decision-Makers

All operational and leadership ranks have the capability to impact on the criminal environment. Commanders control resources, but the newest probationers often spend the most time on the streets in an operational capacity. Accurate targeting of police activities to the "hot spots" and "hot times" of crime has substantial support as a crime reduction technique, but it requires the necessary intelligence (in this example, the hot places and hot times) to find its way to the decision-makers and for those decision-makers to properly understand and respond to the information.

## Influencing the Decision-makers

As the Australian Customs Service's definition shows, "intelligence" is a product that is "immediately or potentially significant to client decision making". Dissemination is the method of informing the client, yet conveying the significance of even the most stimulating intelligence is a fine art. It is probably impossible to count the number of intelligence failures that have occurred due to an inability of the intelligence organisation to "sell" its product, or the failing of the decision-maker (the intelligence client) to recognise the value of the product. Intelligence also has to compete with other pressures on the decision-maker. For example, a police commander may have an objective intelligence product that recommends targeting a particular group of criminals but may be constrained by the covert nature of the group or by competing demands, such as a possible adverse community reaction, pressures from the media, or financial constraints. Even good intelligence has to compete to influence decision makers. The model in Figure 1 is described as a policing and crime reduction process, because it is not necessarily the case that a decision-maker works for the police. Increasingly, through local partnerships, it is being recognised that decision-makers for crime reduction also exist outside of the police service. A comprehensive intelligence system can recognise this and influence a broad range of internal and external decision makers.

## 1.5. Impacting on the Criminal Environment

The whole process has little value if at the last stage the decision-maker, be they commissioner or probationer, cannot influence the criminal environment and effect crime reduction. There are limitations to the ability of police to significantly change crime rates, but this does not mean that the police cannot achieve any reductions, and that they cannot achieve maximum efficiency in the process. A number of policing-focused tactics have been positively evaluated as having recognised crime prevention benefits, including increased directed patrols in street-corner hot spots of crime and the proactive arrest of serious repeat offenders. There is a tendency, however, for what really works in policing to be overshadowed by schemes that have significant public appeal, but for which the crime reduction evidence is disputed. These schemes include Neighbourhood Watch, DARE (Drug Abuse Resistance Education), and community policing that has no clear crime risk-factor focus all of which have been evaluated overseas as not appearing to significantly reduce crime.

## 1.6. Integration of Intelligence-Led Policing Into the Policing Paradigm

Intelligence-led policing can be closely associated with problem oriented policing in that they are both tactics that can support a broader policing paradigm such as community policing. Some intelligence units use a problem solving methodology, such as, analyses, respond and assess as the framework for prioritization. An evidential base is therefore significant to both problem-oriented policing in the analysis and response stage, and to intelligence-led policing in the selection of crime reduction plans. Problem-oriented policing provide a case management orientated focus for intelligence-led targeting, where the "case" may be an individual, organised crime group, or high crime location. This compartmentalisation of problems into manageable "chunks" is more in line with the case orientation of other professions, and potentially provides for greater managerial accountability. The broader policing philosophy, such as community policing, will be important in providing the "context" for the success or failure of the intelligence-led policing mechanism. This is an important point, because while the mechanism for intelligence-led policing may be sound, it can be introduced to situations where the context is not appropriate for that style of policing. For example, a community policing objective may be to reduce fear of crime. As such, a Neighbourhood Watch arrangement may succeed in the chosen objective, but might not be selected from an intelligence-led policing regime that strives for an actual reduction in crime.

## 1.7. Threats and Opportunities

A review of a burglary reduction program found strong evidence for an intelligence driven short-term policy; a more thorough evaluation of the long term impact is planned. Generally, however, there is a paucity of explicit evaluations of intelligence-led policing. As time passes the new strategy should receive more attention from evaluators, if they can avoid the tendency to concentrate on the policing approach on the street, rather than the managerial systems that create, fuel and drive the approach. Intelligence-led policing strives for greater efficiency in policing, but it has also been accompanied by other efficiency methods, some of which conflict with intelligence-led policing.

There is a performance culture in many police services which strives to measure everything possible, and it is a concern that the benefits of intelligence-led policing will be lost in a quagmire of operational statistics and micromanagement. As Albert Einstein said, "not everything that can be counted counts, and not everything that counts can be counted". A case in point is response times. Many police services now record the response time of officers getting to priority and routine calls for service, and they build improvements of response time into performance agreements for management and front-line officers. Unfortunately the research evidence is fairly conclusive: improving response times to calls for service does not reduce crime.

The expansion of a performance culture can drive police from the hard-to-quantify areas such as community policing and crime prevention to simply concentrate on whatever they are being measured against. Scott expressed these concerns when she recognised the impact of the performance culture on two police divisions in London, finding that the

mechanisms of the new public management were focusing policing objectives on the measurable and the quantifiable, and as a result were driving a return to reactive policing.

Another potential problem is the use of a strategy that emphasises the deployment of tactics once reserved for serious "high impact, low volume" criminals against high volume, more mundane, offenders. This "principle of proportionality" is an area that will have to be managed to maintain public confidence in police tactics that are more focused and targeted, but also potentially more invasive. Concerns have been raised regarding both the financial benefits, and the implications for police legitimacy with a strategy that includes increasing the use of criminal informants. All of this said, there is a real opportunity to engage the public and gather their support for a policing practice that is objective, focused and cost-effective. It is difficult to argue against efficiency and value-for-money, as these factors were the driving forces behind intelligence-led policing in the first place. The drive towards intelligence-led policing has to be tempered by realistic expectations.

## 2.0 COMMUNITY POLICING

*"Establishing and maintaining mutual trust is the central goal of community partnership." (UN Charter)*

### 2.1. Introduction

The system of allocating police officers to particular areas so that they become familiar with the local inhabitants. It is a philosophy of full service personalized policing, where the same officer patrols and works in the same area on a permanent basis, from a decentralized place, working in a proactive partnership with citizens to identify and solve problems.

Community policing creates partnerships between law enforcement agency and other organizations like government agencies, community members, nonprofit service providers, private businesses and the media. The media represent a powerful pattern by which the police can communicate with the community. Community policing recognizes that police cannot solve every public safety problem alone, so interactive partnerships are created. The policing uses the public for developing problem-solving solutions.

The contemporary community policing movement emphasizes changing the role of law enforcement from a static, reactive, incident-driven bureaucracy to a more dynamic, open, quality-oriented partnership with the community. Community policing philosophy emphasizes that police officers work closely with local citizens and community agencies in designing and implementing a variety of crime prevention strategies and problem-solving measures.

### 2.2. Implementation of Community Policing

Common implementations of community-policing include:

- Relying on community-based crime prevention by utilizing civilian education, neighborhood watch, and a variety of other techniques, as opposed to relying solely on police patrols.
- Re-structuralizing of patrol from an emergency response based system to emphasizing proactive techniques such as foot patrol.

- Increased officer accountability to civilians they are supposed to serve.
- Decentralizing the police authority, allowing more discretion amongst lower-ranking officers, and more initiative expected from them

## 2.3. Comparison Traditional Policing and Community Policing

The goal of traditional policing is to protect law-abiding citizens from criminals. They do this by identifying and apprehending criminals while gathering enough evidence to convict them. Traditional beat officers focus on duty is to respond to incidents swiftly, and clear emergency calls. Many officers working busy shifts only have time to respond to and clear emergency calls. This type of policing does not stop or reduce crime significantly; it is simply a temporary fix to a chronic problem.

In contrast, community policing's main goal is to assist the public in establishing and maintaining a safe, orderly social environment. While apprehending criminals is one important goal of community policing it is not necessarily the most important goal. Community policing is concerned with solving the crimes that the community is concerned about, and solving concerns by working with and gaining support from the community. The most effective solutions include coordinating police, government resources, citizens, and local business to address the problems affecting the community. They get in touch with the community in a variety of ways including: polls or surveys, town meetings, call-in programs, and meeting with interest groups. They use these connections to understand what the community wants out of its police officers and what the community is willing to do to solve its crime problem.

The structure of the community policing organization differs in that police assets are refocused with the goals of specific written rules to give more creative problem solving techniques to the police officer to provide alternatives to traditional law enforcement.

Community policing main goal is to assist the public in establishing and maintaining a safe, orderly social environment. While apprehending criminals is one important goal of community policing it is not necessarily the most important goal. Community policing is concerned with solving the crimes that the community is concerned about, and solving civilian concerns by working with and gaining support from the community. The most effective solutions include coordinating police, government resources, citizens, and local business to address the problems affecting the community. They get in touch with the community in a variety of ways including: polls or surveys, town meetings, call-in programs, and meeting with interest groups. They use these connections to understand what the community wants out of its police officers and what the community is willing to do to solve the crime problem.

The structure of the community policing organization differs in that police assets are refocused with the goals of specific written rules to give more creative problem solving techniques to the police officer to provide alternatives to traditional law enforcement

## 2.4. Goal of Community Policing

"Effective community policing depends on optimizing positive contact between patrol officers and community members." (Anonymous)

The goal of community policing is to reduce crime and disorder by carefully examining the characteristics of problems in neighborhoods and then applying appropriate problem-solving remedies. The "community" for which a patrol officer is given responsibility should be a small, well-defined geographical area. Beats should be configured in a manner that preserves, as much as possible, the unique geographical and social characteristics of neighborhoods while still allowing efficient service.

The goal of community policing is to bring the police and the public it serves closer together to identify and address crime issues. Instead of merely responding to emergency calls and arresting criminals, police officers in such programs get involved in finding out what causes crime and disorder, and attempt to creatively solve problems in their assigned communities. To do this police must develop a network of personal contacts both inside and outside their departments. This contact is fostered by foot, bike, or horse patrols any effort that gets a police officer out of his or her squad car. The community policing philosophy now dominates contemporary police work.

The contemporary community policing movement emphasizes changing the role of law enforcement from a static, reactive, incident-driven bureaucracy to a more dynamic, open, quality-oriented partnership with the community. Community policing philosophy emphasizes that police officers work closely with local citizens and community agencies in designing and implementing a variety of crime prevention strategies and problem-solving measures. To accomplish these initiatives, it is crucial that officers feel closely integrated with the majority of citizens and agencies in the community they serve. Typically, this means that officers perceive themselves as sharing important community values, beliefs, and goals. It also implies that officers are confident of community support and involvement in their decisions and actions.

Many common elements in community-oriented policing include:

- Relying on community-based crime prevention by utilizing civilian education, neighborhood watch, and a variety of other techniques, as opposed to relying solely on police patrols.
- Re-structuralizing of patrol from an emergency response based system to emphasizing proactive techniques such as foot patrol.
- Increased officer accountability to civilians they are supposed to serve.
- Decentralizing the police authority, allowing more discretion amongst lower-ranking officers, and more initiative expected from them.

## 2.5. Community Alienation among Police Officers and Its Effect on Community Policing

The experience of community alienation among police officers would appear to be anathema to effective community policing efforts for at least two essential reasons. First, alienation appears to be closely tied to the experience of mastery. Mastery is typically defined as a state of mind in which an individual feels autonomous and experiences confidence in his or her ability, skill, and knowledge to control or influence external events. Community policing requires departments to flatten their organizational pyramid and place even more decision-

making and discretion in the hands of line officers. Thus, it would seem logical that as the level of community alienation or isolation that officers experience increases, there will be a corresponding decrease in officers' sense of mastery in carrying out their expanded discretionary role. Second, a strong sense of community integration for police officers would seem to be vital to the core community policing focus of proactive law enforcement. Proactive enforcement is usually defined as the predisposition of police officers to be actively committed to crime prevention, community problem-solving, and a more open, dynamic quality-oriented law enforcement-community partnership.

Several effects of alienation on police officers' behavior have been demonstrated in the literature. For example, scholars found that a lack of community support resulted in an increased sense of alienation and a greater degree of apathy among police officers. It was also found that a lack of community support and working in a larger populated community was associated with an increased sense of alienation and a greater degree of inactivity among police officers. Moreover, it was discovered that an increased sense of alienation resulted in a greater degree of negative feelings and lethargy among police officers. Finally, it was found that the more police officers felt socially isolated from the community they served, the more they withdrew and the more negative they felt towards its citizens.

## 2.6. Evaluating Community Policing

Determining whether community policing is effective or not is a whole different dilemma. For traditional policing, determining whether police or policies are effective or not may be done by evaluating the crime rate for a geographic area. Community policing is more complicated than simply comparing crime rates. Due to the fact that there is no universally accepted definition of community policing and policies vary widely between departments there is also no universally accepted criteria for evaluating community policing. However there are some commonly used structures. One possible way to determine whether or not community policing is effective in an area is for officers and key members of the community to set a specific mission and goals when starting out. Once specific goals are set, participation at every level is essential in obtaining commitment and achieving goals. Street-level officers, supervisors, executives, and the entire community should feel the goals represent what they want their police department to accomplish. Objectives and goals should be reevaluated periodically to determine what progress the department and officers have made; along with whether or not those same goals are important to the community.

Departments must do some major soul-searching about whether or not the organizational changes necessary to implement effective, alienation-resistant, community-orientated policing. To this effect, "how many departments have actually changed the entrance requirements for new officers to reflect changes in the police role? How many have changed recruit training from a military oriented academy to a curriculum more in tune with the new role demanded by community policing? How many departments have flattened their organizational pyramid and placed more decision making in the hands of officers? How many chiefs have turned the organization "upside-down" and have committed to participatory dialogue with officers as a major part of their management style? How many departments

have actually changed their organizational culture? How many departments have structurally changed on a city-wide basis? Unfortunately, we submit to you, only a very select few".

### 3.0. PUBLIC PRIVATE PARTNERSHIP (PPP)

#### 3.1. Introduction

A public-private partnership is a co-funding approach to the development of public investments such as infrastructure projects, or the provision of services. This may involve partnerships between the private sector and governments, government bodies, the police etc. and non-government organizations, institutes, foundations, universities.

It is a long-term contract between a private party and a government entity, for providing a public asset or service, in which the private party bears significant risk and management responsibility, and remuneration is linked to performance.

There are usually two fundamental drivers for PPPs. Firstly, PPPs are claimed to enable the public sector to harness the expertise and efficiencies that the private sector can bring to the delivery of certain facilities and services traditionally procured and delivered by the public sector. Secondly, a PPP is structured so that the public sector body seeking to make a capital investment does not incur any borrowing. Rather, the PPP borrowing is incurred by the private sector vehicle implementing the project. On PPP projects where the cost of using the service is intended to be borne exclusively by the end user, the PPP is, from the public sector's perspective, an "off-balance sheet" method of financing the delivery of new or refurbished public sector assets. On PPP projects where the public sector intends to compensate the private sector through availability payments once the facility is established or renewed, the financing is, from the public sector's perspective, "on-balance sheet"; however, the public sector will regularly benefit from significantly deferred cash flows.

#### 1.2. Benefits of PPP

The following are the benefits of PPP

- Shared responsibility - for community safety and quality of life, acting as exemplary social actors
- Harnessing innovative ideas and skills – creativity Harnessing technical and in-kind services – resources, equipment, management expertise, job opportunities
- Harnessing wider business network
- Cost efficiencies and information sharing
- Helping ensure sustainability of projects or programmes

#### 1.2. Challenges and Barriers

Public private partnerships have seen a large increase over the years in part because local and state governments rely heavily on the growing number of non-profits to provide many public services that they cannot. Entering into a public private partnership can be rewarding as well as destructive if not done with caution and education. Partnerships need balance from both parties as well as continuous maintenance. If entered into lightly, one can find its organization falling in various areas proving to be one of many partnership failures.

1. **Flexibility** between the two partners as well as the contract and staff involved throughout the process. If one party feels they are losing some of the control they may work on adopting more rules and regulations throughout the process instead of working together to be flexible and mediate an issue.
2. **Timeline** Non-profits are working on a long-term timeline. Many of their goals can only be achieved with long-term commitment; this is where their focus will lie. For-profit organizations are more short-term oriented because of short-term goals focusing primarily on profitability. Finally, government agencies' timeline depends a lot on election timelines and therefore can change regularly.
3. **Focus of the project** Partners may not have the same focus when entering into a partnership even though they think they might.
4. **Funding priorities** When parties can't agree on where funding should go this can sometimes lead to losses in time, resources, and the overall funding for the project. Funding priorities for government bodies looks typically at where the public's funds were spent in relation to the contract made. This then typically is looked at as in how many hours of participations, forms filled out, meals served. Etc. Neighborhood organizations or small and local non-profits saw a broad source of funding during the early years but there has been a shift in funding more recently reducing the overall funding and seeing more of it go to larger agencies focusing on large grants.
5. **Accountability** With the rise in public private partnerships there is also a rise in the responsibility that the non-profits tend to hold. With the government relying on many more of these organizations to provide the public services they cannot it is also proving difficult for the government to hold these non-profits responsible. When responsibilities are not set to the letter this can cause some in managerial positions to take the back seat, seeing their counterparts taking the initiative to get tasks done. This leaves an unbalance of work and sometimes those with the most stills are not doing the job. This can also be brought on by under management causing more problems such as a lack of focus for the projects, mismanaged funding, and miscommunication.
6. **Communication or understanding** One of the largest issues that can be discussed, communication can be a huge downfall and can contribute to many of the other risks within partnerships. It can be said that when entering into a cross-sector partnership it is difficult to understand and collaborate due to the diversity and differing languages spoken amongst the sectors. Items like performance measures, goal measurements, government regulations, and the nature of funding can all be interpreted differently thus causing blurred lines of communication.
7. **Autonomy within the partnership.** While working together is important it is still a strength to be able to work on parts of the project alone, take initiative when needed, and keep some individualism throughout the process. This is beginning to happen more with the privatization of public private partnerships where the private organization may own the partnership itself and the government then keeps full responsibility for it. This keeps parts of the partnership separate for focus.

8. Conflicts can arise from any of the above topics but even outside issues or forces may bring a partnership to a halt. Even though these partnerships are entered into with the best of intentions even the most trivial issues can snowball into greater conflict halting a partnership dead in its tracks. Having no understanding and communication between parties can cause conflicts with use of language, stereotyping, negative assumptions, and prejudice about the other organization. These conflicts can be related to territorialism or protectionism, and a lack of commitment to working within the partnership.

#### 1.4. Possible solutions:

Some research leads us to believe that partnerships are not natural for business and managers do not want to depend on others but it is possible with careful solutions.

1. Creating an ongoing narrative about partnerships and how will these be developed, maintained, terminated. This is especially prevalent to the local and state governments who rely heavily on the non-profits for the public services. Many partnerships can be terminated early due to issues with trust and cooperation during the contract implementation process. These issues can be avoided when the organization has initial guidelines for dos and don'ts.
2. Creating a formal control mechanism for the partnership.
  - a. Insure that there is a continuous commitment with negotiations in any time of trouble and even an outline for termination procedures if necessary.
  - b. In addition items like conflict resolution, outreach and organizational development are items that managers can work on and even assign specialists to each task. Creating a timeline to be followed throughout the partnership assists in mutual understanding and communication as well. Assigning specialists to work with skills in communication, conflict resolution, negotiation and policy analysis cross-sector partnerships have also been able to flourish.

#### 1.5. Public Private Partnership in Policing

Public law enforcement officials have relied on private citizens for information in solving crimes and assisting the prosecutor in convicting offenders for centuries, long before the emergence of the first truly professional metropolitan police department in London in 1829. Bounty programs had been in effect for centuries prior to that, sometimes under the authority of the executive branch of government and sometimes under the jurisdiction of the courts, to encourage private citizens to bring information to law enforcement officials to assist them in solving crimes and bringing offenders to justice.

The professionalization of policing in the nineteenth century served to substantially legitimize and strengthen public safety and security as a more exclusively public sector responsibility, first in the United Kingdom and eventually in the United States and elsewhere. This began to change in the United States in the 1960s, as soaring crime rates exposed serious flaws in the professional model of policing.

In 1960, police departments had been comfortably operating out of a set of notions about professionalism that had served the public well for decades, ideas that came to be

substantially modified toward the end of the twentieth century: that the police were the primary authorities on crime and how to respond to it, that police supervisors and executives were the locus of authority within the police hierarchy, that it was too risky to allow patrol officers to exercise substantial discretion even in routine matters, that the basic pathways to reduced crime were through more rapid response to calls for service and more arrests, that more police could only help to increase arrest rates and shorten response times, that the public was not equipped to provide much help to police other than as witnesses, that building good community relations was useful primarily for damage control rather than as an end in itself, and that adherence to these precepts would give the police a better image and earn respect among the general public. This model of policing made sense in the first half of the twentieth century, when many police departments throughout the country had been struggling for years to overcome reputations for ineptness, corruption, and brutality.

## 1.6. Trends and implications for the public and private policing sectors

- 1. The rise of a substantial and multifaceted** private security industry has imposed new demands on and problems for police departments, but it has simultaneously raised rich opportunities for law enforcement agencies to leverage their scarce resources toward a more effective and efficient capacity for serving the general public. As they exploit such opportunities, however, the police must be mindful of the need to develop partnerships with private agents with eyes wide open to the risks inherent in those pursuits. A fundamental objective should be to establish a coherent framework for assessing public-private partnerships, to ensure that arrangements that bolster public safety and security are strengthened while ones that harm society or offer costly, ineffective, or ethically dubious solutions to security are quickly revealed and aborted.
- 2. Are partnerships involving sworn officers**, private security personnel, and civilians generally superior to the use of any of these components alone? Can future police partnerships with private businesses be structured more constructively, without eroding the legitimacy of police organizations? Should we expect these partnerships to be adversely affected in the new era of terrorism? One answer to all of these questions is clear: Sweeping generalizations are dangerous and cookie cutter solutions are likely to be unsuccessful. To be effective, public-private security partnerships must be developed situational. This has been established cross-nationally (Bhanu and Stone 2004), and it is likely to be equally true from one jurisdiction to another within any large political entity.
- 3. The varieties of public policing**, private security forces, and modes of civilianization are as vast as the needs of the public. Private security alternatives range from well-trained and well-paid agents, often current or former sworn officers who operate in coordination with municipal police departments, to plant guards whose job is simply to call the police when they observe suspicious activity, to vigilante groups and gang-like organizations that often compete with local police for the control of neighborhoods. Similarly, civilianization in a given department may be warranted for some positions

but not others, depending on the needs of the community, the skills of the sworn officers, local labor market conditions, and other factors. Meaningful comparisons require a thorough assessment of the key particulars in the matter.

As local budgets for public safety continue to become constricted by taxpayers increasingly unwilling to tax themselves, municipal police and county sheriff's departments must find new ways to leverage their scarce resources by building even stronger alliances with private security agencies and personnel that satisfy conventional norms of legitimacy. When they fail to do so, they risk losing some of their most capable officers to lucrative positions as private investigators and executives of private security agencies.

4. **The great challenge in forming** effective public-private partnerships for the future is to do so with job enrichment inducements that maintain the loyalty of the most valuable personnel resources. Opportunities to prevent and solve potentially grave problems in the new era of terrorism certainly provide one such inducement. Officers so motivated are less likely to be interested in leaving the department and less likely to bend when faced with tensions between public responsibilities and private inducements. Partnerships are fine when they serve the general public, but they must be built on a foundation that ensures that the officer's overarching responsibility to serve public interests will not be compromised.
5. **More enlightened policing, especially in the form of community policing** and problem-oriented policing, has been credited with a substantial share of the decline in crime throughout the end of the twentieth and early part of the twenty-first centuries. One cannot discard the prospect that improved public-private partnerships in policing have contributed to these developments. As long as police departments maintain a healthy set of incentives and provide strong, ethical leadership, the public safety sector should be able to build on these gains for the foreseeable future.

**CHAPTER NO.12**

# **GENDER, CRIME, RURAL, AND URBANIZATION IN PAKISTAN**

The following concepts are discussed in this chapter

- Gender and Crime in Urban and Rural Pakistan
- Crime and Urbanization, Organized Crime and White-Collar Crime

## **1.0 Gender and Crime in Urban and Rural Pakistan**

Gender is the single best predictor of criminal behavior: men commit more crime, and women commit less. This distinction holds throughout history, for all societies, for all groups, and for nearly every crime category. The universality of this fact is really quite remarkable, even though many tend to take it for granted.

Most efforts to understand crime have focused on male crime, since men have greater involvement in criminal behavior. Yet it is equally important to understand female crime. For example, learning why women commit less crime than men can help illuminate the underlying causes of crime and how it might better be controlled.

This discussion of gender and crime first reviews both current and historical information on the rates and patterns of female crime in relation to male crime. The discussion is followed by a consideration of theoretical explanations of female crime and gender differences in crime. Finally, the authors briefly outline a "gendered" approach to understanding female crime that takes into account the influence of gender differences in norms, in socialization, in social control, and in criminal opportunities, as well as psychological and physiological differences between men and women.

### **Similarities in male and female offending rates and patterns**

Both males and females have low rates of arrest for serious crimes like homicide or robbery; and high rates of arrest for petty property crimes like larceny-theft, or public order offenses such as alcohol and drug offenses or disorderly conduct. In general, women tend to have relatively high arrest rates in most of the same crime categories for which men have high arrest rates. For example, rates of homicide are small for both sexes (about 17 offenders for every 100,000 males, about 2 offenders per 100,000 females), as compared to larceny rates, which measure about 800 offenders per 100,000 males and 380 offenders per 100,000 females.

Male and female arrest trends over time or across groups or geographic regions are similar. That is, decades or groups or regions that have high (or low) rates of male crime tend to also have high (or low) rates of female crime. For example, in the second half of the twentieth century, the rates of arrest for larceny-theft increased dramatically for both men and

women; and declined even more dramatically for both men and women in the category of public drunkenness. Similarly, states or cities or countries that have higher than average arrest rates for men also have higher arrest rates for women.

Male and female offenders have similar age-crime distributions, although male levels of offending are always higher than female levels at every age and for virtually all offenses. The female-to-male ratio remains fairly constant across the life span. The major exception to this age-by-gender pattern is for prostitution, where the age-curve for females displays a much greater concentration of arrests among the young, compared to an older age-curve for males. A variety of factors account for this difference. For example, males arrested under a solicitation of prostitution charge may be men old enough to have acquired the power to be pimps or the money to be customers men who often put a premium upon obtaining young females. The younger and more peaked female age curve clearly reflects differing opportunity structures for crimes relating to prostitution. Older women become less able to market sexual services, whereas older men can continue to purchase sexual services from young females or from young males. The earlier physical maturity of adolescent females also contributes to their dating and associating with older male delinquent peers.

Female offenders, like male offenders, tend to come from backgrounds marked by poverty, discrimination, poor schooling, and other disadvantages. However, women who commit crime are somewhat more likely than men to have been abused physically, psychologically, or sexually, both in childhood and as adults.

## 1.1. Relationship of crime with gender

The relations between men and women, both perceptual and material. Gender is not determined biologically, as a result of sexual characteristics of either women or men, but is constructed socially. It is a central organizing principle of societies, and often governs the processes of production and reproduction, consumption and distribution'. Despite this definition, gender is often misunderstood as being the promotion of women only. Normally gender issues focus on women and on the relationship between men and women, their roles, access to and control over resources, division of labour, interests and needs. Gender relations affect household security, family well-being, planning, production and many other aspects of life.

The term violence against women has been defined as the range of sexually, psychologically, and physically coercive acts used against women by current or former male intimate partners.

It is the most pervasive yet least recognized human right abuse in the world. Some of the other terms that are used interchangeably to describe the issue include intimate partner violence, courtship violence, domestic violence, domestic abuse, spouse abuse, battering, and marital rape.

In Pakistan, domestic violence is considered a private matter, as it occurs in the family, and therefore not an appropriate focus for assessment, intervention or policy changes. Women have to face discrimination and violence on a daily basis due to the cultural and religious

norms that Pakistani society embraces. According to an estimate, approximately 70 to 90% of Pakistani women are subjected to domestic violence.<sup>9</sup> Various forms of domestic violence in the country include physical, mental and emotional abuse. Some common types include honor killing, spousal abuse including marital rape, acid attacks and being burned by family members. Spousal abuse is rarely considered a crime socially unless it takes an extreme form of murder or attempted murder which could range from driving a woman to suicide or engineering an accident (frequently the bursting of a kitchen stove).

Indeed, domestic violence has become an epidemic in Pakistani society but unfortunately, nowadays, it has alarmingly increased in urban areas as compared with rural society. Recent reports and reliable surveys conducted on urban Pakistani society suggest that nearly two in every four women experience domestic violence in their life in the forms of verbal abuse, assault and battery, restriction of personal liberty, economic control, or marital rape. Several surveys conducted in women's prisons also reveal significant correlation between domestic violence and crimes committed by women. One of the learned speakers, at a one-day workshop on 'Prisoners' Vulnerability: lacking awareness' held at the Federal Judicial Academy, Islamabad, under the auspices of the Law and Justice Commission of Pakistan, said that over 60 per cent of the women who committed crimes had suffered from domestic violence in the past. Keeping in view the growing domestic violence against women in urban Pakistan, it is suggested that the government should launch a series of reform projects and policy experiments to enhance the capacity of legal institutions and empower justice sector stakeholders to intervene and reduce domestic violence across the country.

While developing stronger legislation *issine qua non*, it will be equally necessary to strengthen community level awareness and collect responses to incidences of domestic violence. Educational institutions may be taken on board to raise awareness about this chronic issue. Radio and television channels should be requested to show dramas and features, which discourage the growing inhuman tendency of violence against women in society. Above all, the National Commission on the Status of Women should be asked to play a proactive role in raising awareness and advocacy against this despicable social behaviour in our society.

Gender-based violence (GBV) is a major public health and human rights problem throughout the world. It is prevalent in rich and poor countries, in rural and urban areas, in situations of conflict and in peace, and in the aftermath of natural disasters.

Whenever around the globe we are talking about gender based violence, usually the discussion is based more on highlighting violence against women as it is believed that worst forms of violence by men against women can be noted in every society. According to statistical data from UN, nearly 5000 women are killed in the world every year only in the name of 'honor'. Globally, at least one in three women and girls face some kind of violence in her lifetime. World Health Organization's World Report on Violence and Health notes that "one of the most common forms of violence against women is that performed by a husband or male partner".

Gender based violence is not only observable in third world countries like Pakistan but also in developed countries like USA. According to the National Center for Injury Prevention

and Control, in US, women experience about 4.8 million intimate partner-related physical assaults and rapes every year. Also in 2005, 1181 women were killed by their intimate partners in US.

Gender based Violence in many of the developing countries might not be seen as violence rather as a cultural practice and normal part of their life. Usually the violent behavior of males specially husbands towards their female members especially wives goes unreported as it is done behind closed doors and we may find females never complaining of it.

## 1.2. Gender Based Violence and Pakistan:

Pakistan is not a country who has not seen gender based violence on the land. Thousands of individuals particularly women have been victimized by gender based violence. In the patriarchal society of Pakistan, women who make up 56% of the total population bear the brunt of poor governance, social and economic systems and feudalism. They face many forms of violence like rape, gang rape, forced marriages, acid throwing, stove burning, customary practices of Karo Kari and Wanni, domestic violence, sexual harassment at workplace, honor killings etc but has remained to be of no importance for judiciary of Pakistan, particularly the lower judiciary where even cases demanding immediate justice for the victim remain pending for months and years and even some people withdraw cases in the mean time because of the threats they receive from the opponent accused party.

This thing, instead of uprooting violence from the society, has given oxygen to elements who keep on assaulting women. According to an estimate, during the last ten years, 73913 cases of violence against women had been reported. In 2008, according Dawn newspaper, 7773 cases of violence against women were reported. Only in the early six months of year 2009, the cases that were reported went upto 4514.

## 1.3. Forms of Gender Based Violence in Pakistan:

The Islamic Republic of Pakistan is the sixth most populous country in the world, with a Gender-related Development Index ranking of 125th out of 169 countries, and a Gender Empowerment Measure rank of 99 out of 109 countries. Violence against women both violates and impairs against women show a serious departure from or nullifies the enjoyment by women of their tradition, local culture and the teachings of Islam human rights and fundamental freedoms... In all and other religions. Many forms of violence against societies, to a greater or lesser degree, women are not recognized as crimes or violations and girls are subjected to physical, sexual and of women's rights. Even where gender-based psychological abuse that cuts across lines of violence is criminalized, perpetrators may not be income, class and culture

Following is the gender based form of violence, we can observe in Pakistan:

- Murder
- Acid throwing
- Forced Marriages
- Rape/ Gang Rape
- Abduction or kidnapping
- Domestic torture (by in laws and relatives)

- Custodial Violence
- Sexual Harassment

## 1. Murder:

Murder can be defined in legal terms as "an act of killing persons unlawfully with intention". Murder is regarded as one of the harshest forms of violence and also exists in big significant numbers. According to Federal Bureau of Statistics, Government of Pakistan, during the year, 1998-2007, 96708 cases of murder were reported whereas 123396 cases of attempted murder were reported. According to another statistical data, people are murdered at the rate of almost 12000 per total population each year in Pakistan. . Like many countries, the constitution of Pakistan suggests from life imprisonment to death penalty for the accused found guilty but the culprits often seem to remain at large if they have links with the influential people.

In Pakistan, people are murdered for many reasons, like in revenge by opponent parties, for political reasons, over tribal and domestic disputes. There is another horrific root cause of murder which has consumed the lives of many people. That is murder in the name of 'honor'.

## 1. Honor killings:

In this form of brutal murder, women are mostly the victims. In all the four provinces, honor killings have different names like Kalakali in Punjab, Karokari in Sindh, Siyakaari in Baluchistan and taurtoora in NWFP. According to United Nations Population Fund (UNFP) in Pakistan, every year, 1000 women are killed only in the name of honor. For many people specially in rural and backward areas, it is a violence which may not be violence rather an act by 'men' to protect the honor of their family which according to their perceptions, give them full liberty to kill their wives if they doubt they have illicit relations with someone else and also kill their daughters and sisters who marry someone after their own heart and going against their family's consent so that they could teach them and other female members a 'lesson'. Also in such forms of violence, men are also victimized to some extent but the ratio of women is greater than that of men.

The practices of honor killings are more common in rural areas because most of such practices take place with consent of the landlords who have close ties with law enforcement agencies and the alleged are often at large. The National Assembly of Pakistan passed a law for controlling this practice in 2004 however the statistics show such practices are still carried out.

## 2. Acid Throwing:

Acid throwing is another brutal form of violence that we can see in Pakistan .In this, perpetrators of these attacks throw acid on the victim usually on their faces which not only disfigures their face, burn tissues of their body but also expose their bones and even dissolve them. The consequences of these attacks include blindness and permanent scarring of the face and the body. Mostly the women are victim of these attacks. According to an estimate, up to 400 women fall victim to acid attacks perpetrated by their husbands or in-laws each year in Pakistan.

Reports have shown some reasons behind such brutal incidents. Usually, acid throwing attacks have been used as a form of revenge for refusal of sexual advances, proposals of marriage and demands for dowry. Property disputes are also one of the causes of such incidents.

Even though not all acid throwing cases are reported, an even lesser number of acid burn victims are provided any justice. Belonging to poor or marginalized fringes of the society, most acid survivors can hardly afford the cost of their own healing and are thus fated to continue suffering, lest the handful of relevant organizations succeed in reaching out to them. The victim is faced with physical challenges, which require long term surgical treatment, as well as psychological challenges, which require in-depth intervention from psychologists and counsellors at each stage of physical recovery.

Depression and anxiety are common amongst all patients with large burn injuries; however for victims with acid injuries, the physical scarring can lead to feelings of shame and embarrassment, resulting in the survivor living a life in hiding due to fear of prejudice and stigma from their peers and the community.

### 3. Forced Marriages:

In Pakistan, many young girls/women are forced into wed-lock against their consent. Although, the Islamic laws give full liberty to women to marry after her own heart but this fact remains to be quite far from people who are only Muslims by name. In urban areas of Pakistan, marriages take place with girls' consent but it is in the backward areas where the problem lies. Despite the aforementioned Act, the tradition is still practiced in some areas through Vanni and Watta Satta.

### 4. Rape/Gang Rape

Fourth form of violence is rape that we see in Islamic State of Pakistan. Often, young girls and women are victims of gender-based rape in our society. Talking about rape cases against women, often, jirgas and panchayits had been found giving verdicts where people of victim's party were ordered to rape the female members of accused. Also, in many other cases it has been found that women are raped in revenge for seeking divorce, refusing marriage proposals, marrying of their own choice, defying cultural norms and for many other efforts at independent decision making. We can also call rape an advanced stage of sexual harassment. In some cases, it is found that fake aalimis and pirs were accused of rape that fooled people of getting away with evil spirits.

### 5. Abduction or Kidnapping:

Kidnapping means "to take away a person against his will or consent by use of force and fraud and keeping the person in false imprisonment without any legal authority either for ransom or for other criminal activity". The word abduction is also same in meaning but in legal terms, abduction refers to women's kidnap.

Talking in the context of gender based violence, usually males and most of times young aged men are abducted or kidnapped for ransom, however in many other cases, abduction is done for other criminal purposes like demanding government or state authority to release the

kidnapper's companions being arrested in various interrogations or at local level to force others to meet their demands in return for the person being kidnapped. In cases of women, they are more abducted for attempted rapes or even in revenge if the proposal for marriage is rejected.

With the rise of insurgency, the kidnapping has taken another reason which demands people to follow their perspectives of life rather than allowing them to live according to an individual's own standards. Some reports suggest that men and even women were kidnapped to teach them a lesson and to force them to lead life according to Islam.

## 6. Domestic torture (By in laws and Relatives):

Domestic torture and abuse is a widespread issue in Pakistan and victims include women belonging to all sections of society. They are beaten, mutilated and even burnt by their relatives often on quite petty issues. Often the women in houses are less aware of their rights and that is why they do not think that this is infact, violence against them or even if they can understand that they do not have so much strength in their voices to raise them against the male chauvinist approach.

## 7. Custodial Violence:

Custodial violence has also proved one of the brutal forms of injustice. It has not only affected the person accused but also his family. In many of the cases police has subjected the accused under severe torture for two reasons: To force the person to confess about the criminal act and to show efficiency in investigation or to extort bribery.

Some reports suggest that the person is not genuinely guilty or supposed to be guilty but to file a fake case against him subjected him to torture. Also, in some reports it has been found that if the person accused in a crime could not be arrested, police in support of influential people has arrested his relatives and detained them for many several days so that the accused could hand over him to police despite our law under which relatives of accused cannot be detained.

Women have also bore the brunt of custodial violence. There are cases that were being raped under custody by police officials. But the sad fact is that 95% of custodial violence reports against women go unreported.

## 8. Sexual Harassment:

Sexual harassment is defined as "any unwelcome sexual advance, request for sexual favours or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment or the attempt to punish the complainant for refusal to comply to such a request or to make it a condition for employment."

In Pakistan, sexual harassment is on rise. All women who face harassment suffer adverse effects, and according to some estimates, almost 80 to 90 percent of women face some sort of harassment in public places, educational sectors and in the workplace. Among the most common forms of harassment in Pakistan are the discomforting gazes that follow a woman wherever she goes, as soon as she sets foot outside her home.

The dynamics of harassment at the workplace take on special significance considering the amount of time an adult spends at the workplace and the spillover effects on career growth, worker productivity. Media reports suggest that there has come up many issues regarding sexual harassment in various working sectors but the authority could not take serious action against the person accused because of lack of policies on sexual harassment.

The National Assembly did approve a bill against sexual harassment on August 4, 2009 which was to be ratified after approval from Senate in November but no importance was given and had to be withdrawn automatically since it could not be approved by Senate.

## 2.0. CRIME AND URBANIZATION, ORGANIZED CRIME AND WHITE-COLLAR CRIME

### 2.1. CRIME AND URBANIZATION

Crime is a common and dangerous thing in our society. Specially criminal activities damage the basement of a country. Urbanization basically carries some materials of this crime. I have tried to show the focused main nature and impact of crime in society. And consequence of crime in urban area. We know that when criminal know the process of crime then they get new opportunity to do it. Urbanization has given much opportunity and much facility to do crime. When we notice in our city area then we can find many scenery of crime, and how some criminal activities destroy our traditional status and the way of development. At present crime has speeded in rural area but here there is no the shed of urbanization. For hence the rule of urbanization is very little in rural area.

Criminal activities are a burden for a nation. I have tried to indicate the violence and correlation of crime and urbanization. By urbanization is responsible for crime. Urban people mainly doesn't interest to know the feature of urban crime. By this way singular intention of city dweller can minimize the hidden agenda of crime. At any cost we have to find out every hidden cause of urban crime by researching issue.

Crime and urbanization is the common topics in the present world. Urbanization creates many process to occur crime. In the other hand crime creates many problems in city life. In sociological perspective crime and urbanization are correlated. Crime is an activity which is against the law and the fact that the linkage between Criminal activities and the socio-economic development of the society is undeniable. Moreover, the relationship between crime and evolution of mankind may also be considered a historical one as Cain (first son of Adam and Eve) committed first crime when he murdered his brother Able because of jealousy. Due to the complex nature of the subject of crime, for example, regarding its causes and consequences, various academic disciplines such as criminology, sociology, geography, psychology and demography study it from their own perspective. A relatively new emerging field, however, is the economics of crime which tries to identify the socio-economic causes and consequences of criminal activities in a society.

### 2.2. Impacts of Urban Violence and Poverty

- City homicide rates tend to be higher than national Averages.
- Highly urbanized and poorer areas of cities present the highest risks of homicide, and homicide rates can be several times higher in low-income areas than in the rest of the city.

- At the global level, male homicide rates are roughly double female rates. At the national level in poor settings, the ratio can be even more extreme.
- Endemic urban violence has been shown to gradually transform relationships in ways that erode effective collective action which is essential for enabling predictable exchanges within political, market and social domains.

### 2.3. Gendered risks and impacts of urban violence

- Across rural and urban settings, men are much more likely to kill or be killed. In urban settings, males are more likely to suffer physical assault and violent robbery. Women suffer much higher rates of sexual violence and domestic violence.
- Girls exposed to violence in the home may be predisposed to entering into abusive relationships. In a range of countries, women were twice as likely to report abuse by intimate partners if their own mothers had been abused.
- In contexts of gang violence and open warfare, sexual violence involving girls and women is often used as a form of coercion and intimidation, and as a way of defining rival groups.
- City design can influence gendered patterns of insecurity. Feminist critiques show that the physical and social spaces of cities reflect unequal gender relations in a given society. For instance, as suburbanization shaped patterns of labor and mobility to and from urban centers, public transportation designed for the needs.

### 2.4. Relationship Between Crime and Urbanization

Crime is a social disease. It destroys our social life and our basic production. Urbanization has created much scope in this factor. From old time to today's modern societies, crime has always been a hot subject and kept its place in every day's agenda. In particular, as and development of countries increase, in general, from one to another, it is expected that crime rate should decline over time. However, it does not decline, and it has become more important in the second half of this century. It is pointed out years ago that "Crime has probably become more important during the last forty years". Every society has its own values system. Crime is defined by mainly these values system. For one reason or the other, there has been crime in every society throughout history though the rate, type, cause, and effect on each society might be highly different.

While 30 percent of world population was living in urban areas in 1950, it was about 47 percent in 2000, and estimated to reach 60 percent in 2030. Therefore, it is crucial to understand the relationship between crime and urban areas.

Urbanization is a newly invented matter, but crime isn't. But there are huge numbers of relations between crime and urbanization. In urban areas are full of facilities which are responsible to occur crime in urban areas. Relationship between crime and urbanization may be uncertain. Mash and Masih state "At low levels of urbanization, crime may be high because of sparse urbanization may lead to decrease in crime because of closer proximity of and finally, with even urbanization, crime may rise because individuals may not identify whether they are engaged in a legal or illegal activity. It is found positive relationship between city size and. Thus, we can say that urbanization may have both negative and positive effects on crime in different urban settings. It needs an empirical investigation to see which effect outweighs.

Urbanization has also brought new challenges in terms of conflict, violence and urban governance – and citizen security in particular. The World Bank's landmark 2011 World Development Report highlighted the significance of violence as a development problem. Its work noted how violence is changing, becoming less structured around notions of civil war and conflict, and more focused around criminal violence, terrorism and civil unrest.

Urban crime concept has developed from the nature of crime. If we notice the nature of crime so it will be clear to us the consequences of crime. Many of the population suffer from urban crime. Specially young people who involved in this crime.

Crime is an old word in the context of Pakistan. From ancient time to present time it is available in Pakistan. Different types of crime have spread in all over the country. If we notice in the village of Pakistan here crime patterns is different. Because here urbanization is absent. Urban environment is totally favorable to occur crime. But rural environment doesn't favorable to occur crime. We know that there are many facility of urbanization. Urbanization gives the opportunity to communicate with other countries very easily. Foreign culture is available. We can enjoy other culture from the help of urbanization.

In the other hand urbanization gives the negative effect on our social life. In the urban society men become criminal .Because in the urban area police system become corrupted. Judicial system also becomes corrupted. Many common people face crime by new process. Some crime which crime is created by urbanization. Such as Mobile phone threat, video pornography, murder, and cyber crime. All crime is created by urbanization. In the ancient time there was not availability of mobile phone, there was absent of corrupted judicial system, corrupted police system etc.

In the present era we can identify that school going girl are faced eve- teasing by mobile phone. Some of the corrupted people catch video pornography by illegal way. And the development process of the country is destroyed by these types of crime. If we want to develop our country is following developed countries so we have to recover all types of crime from city area.

## 2.5. Recommendation

There are many problem in urban area .Crime is the major problem in urbanization. Every citizen should concern about this problem. Pakistan is a developing country, and it's an over populated country. Many population involved in different types of crime. some recommendation are noted here-

- Urban citizen should concern about urban crime.
- government should take different preventive steps.
- crime related journal should broadcast in media.
- Daily newspapers should publish pure and truthful news.
- Police has to play an important role to recover crime from urban area.
- Judicial system will run without political handicapped.
- Pakistan can participate in crime related convention with developed countries.

### 3.0 WHITE-COLLAR CRIME AND ORGANIZED CRIME

Two major categories of crime attracted considerable attention from the U.S. criminal justice system during the twentieth century and posed far greater costs to society than usual street crime. They were white-collar crime and organized crime. Both involved illegal activities through enterprises. An enterprise is a group of associated individuals such as a business partnership, corporation, or union. The key difference between the two is that white-collar criminals try to profit off of legitimate businesses in a nonviolent way, while organized crime seeks profits through illegal businesses and frequently employs physical intimidation and violence. In addition, white-collar crime can involve one person or a group of individuals. Organized crime usually employs a large number of crime bosses and members.

#### 3.1. WHITE-COLLAR CRIME

White-collar crime is a term used to describe non-violent crimes, generally of a financial nature, that are committed by businesspeople or public officials. The term itself comes from the fancy button-up dress shirts that people in those professions are generally known to wear. White-collar crime is a financially motivated, nonviolent crime committed for illegal monetary gain. White-collar crime, is similar to corporate crime, because white-collar employees are more likely to commit

- Bank Fraud
- Blackmail:
- Bribery:
- Cellular Phone Fraud:
- Computer fraud:
- Counterfeiting:
- Credit Card Fraud:
- Currency Schemes:

The term "white-collar crime" was coined in 1939 by Edwin Sutherland, who defined it as a "crime committed by a person of respectability and high social status in the course of his occupation" in a speech entitled "The White Collar Criminal" delivered to the American Sociological Society. Much of Sutherland's work was to separate and define the differences in blue-collar street crimes such as arson, burglary, theft, assault, rape, and vandalism, which are often blamed on psychological, associational, and structural factors. Instead, white-collar criminals are opportunists, who learn to take advantage of their circumstances to accumulate financial gain. They are educated, intelligent, affluent, and confident

#### 4.0. ORGANIZED CRIME

Organized crime refers to crimes that can be either violent or non-violent in nature, and are generally committed for profit of a group of people with a hierarchical internal structure. The organized nature of these enterprises gave the term its genesis. Organized crimes include such crimes as racketeering, robbery, theft, drug dealing, assault and trafficking and smuggling of illegal goods and humans for prostitution.

Organized crime is a category of transnational, national, or local groupings of highly centralized enterprises run by criminals who intend to engage in illegal activity, most commonly for money and profit. Some criminal organizations, such as terrorist groups, are politically motivated. Sometimes criminal organizations force people to do business with them, such as when a gang extorts money from shopkeepers for so-called "protection". Gangs may become disciplined enough to be considered organized. A criminal organization or gang can also be referred to as a mafia, mob, or crime syndicate; the network, subculture and community of criminals may be referred to as the underworld.

Other organizations including states, militaries, police forces, and corporations may sometimes use organized-crime methods to conduct their activities, but their powers derive from their status as formal social institutions. There is a tendency to distinguish organized crime from other forms of crime, such as white-collar crime, financial crimes, political crimes, war crime, state crimes, and treason. This distinction is not always apparent and academics continue to debate the matter.

For example, in failed states that can no longer perform basic functions such as education, security, or governance (usually due to fractious violence or to extreme poverty), organized crime, governance and war sometimes complement each other. The term "Parliamentary Mafocracy" has been used to describe democratic countries whose political, social and economic institutions come under the control of a few families and business oligarchs.

#### 4.1. Similarities Between White-Collar Crime and Organized Crime

While there are myriad differences between the two, similarities do exist between the two types of crime. Both terms refer to crimes that are committed within the guise of a legal operation, whether as a corporation or a legal cover business such as garbage hauling. Both terms include crimes that may not have individual victims so much as they have richer victims like defrauding businesses or embezzling government funding. And both terms generally refer to an extended series of crimes committed together in furtherance of profit, such as a combination of extortion, fraud and embezzlement.

#### 4.2. Differences Between White-Collar Crime and Organized Crime

There are marked differences between white-collar crime and organized crime. White-collar crime rarely includes any violent offenses, while organized crime often does. White-collar crimes are generally each punishable individually but not in the aggregate; however, organized crimes can be punished separately but also together as racketeering, the legal term for certain illegal activities committed as part of an ongoing criminal enterprise. Racketeering is punishable under federal law by the Racketeer Influenced and Corrupt Organizations Act, known as RICO. Finally, white-collar crimes are generally masked behind corporations or other high-level business, while organized crime is generally hidden behind less esteemed fronts such as garbage hauling, licensed gambling and auto repair shops.

# **HUMAN RIGHTS**

## **1.0. Introduction**

The basic rights and freedoms to which all humans are considered to be entitled, often held to include the rights to life, liberty, equality, and a fair trial, freedom from slavery and torture, and freedom of thought and expression. This is called Human Rights.

Human rights are held by all persons equally, universally, and forever. Human rights are inalienable: you cannot lose these rights any more than you can cease being a human being.

Human rights are indivisible: you cannot be denied a right because it is "less important" or "non-essential." Human rights are interdependent: all human rights are part of a complementary framework. For example, your ability to participate in your government is directly affected by your right to express yourself, to get an education, and even to obtain the necessities of life.

Another definition for human rights is those basic standards without which people cannot live in dignity. To violate someone's human rights is to treat that person as though she or he were not a human being. To advocate human rights is to demand that the human dignity of all people be respected.

In claiming these human rights, everyone also accepts the responsibility not to infringe on the rights of others and to support those whose rights are abused or denied.

### **1.1. Human Rights Abuse**

"Human rights violations are among the root causes of every form of insecurity and instability. Failure to ensure good governance, the equitable rule of law and inclusive social justice and development can trigger conflict, as well as economic, political and social turmoil," (Anonymous)

There is now near-universal consensus that all individuals are entitled to certain basic rights under any circumstances. These include certain civil liberties and political rights, the most fundamental of which is the right to life and physical safety. Human rights are the articulation of the need for justice, tolerance, mutual respect, and human dignity in all of our activity. Speaking of rights allows us to express the idea that all individuals are part of the scope of morality and justice.

To protect human rights is to ensure that people receive some degree of decent, humane treatment. To violate the most basic human rights, on the other hand, is to deny

individuals their fundamental moral entitlements. It is, in a sense, to treat them as if they are less than human and undeserving of respect and dignity. Examples are acts typically deemed "crimes against humanity," including genocide, torture, slavery, rape, enforced sterilization or medical experimentation, and deliberate starvation. Because these policies are sometimes implemented by governments, limiting the unrestrained power of the state is an important part of international law. Underlying laws that prohibit the various "crimes against humanity" is the principle of nondiscrimination and the notion that certain basic rights apply universally.

Human rights describe equal rights and freedom for anyone and everyone regardless of race, color, sex, language, religion or political affiliation. All humans live in societies together. As stated by the U.N. declaration of Human Rights in 1948 "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." This statement defines that each and every human is entitled to all rights. Human rights are fundamental to human existence. There may be disagreement on the details of human rights, but barely any on the basic aspects of them. Human rights were always violated in human history.

Maslow's hierarchy of needs can attest to the basic fundamental human rights that we all share. In order to be at a level of satisfaction an individual must meet five basic criteria. The basic needs are the physiological needs, safety needs, needs of love and affection, needs for esteem, and once everything else is met, self-actualization or as Maslow describe it, "the need to be and do that which a person was born to do." This ties in with human rights in that it can connect us and become equals. Even though the U.N. has made a declaration concerning human rights, we as humans should not have an international governing body lay it out for us. Leaders, citizens, all people should know that we are all free and have rights that should be met. If not, measures should be taken to make sure that every human being's rights are not violated.

## 1.2. What happens when Human Rights Abuse?

- Forcibly evicting people from their homes (the right to adequate housing)
- Contaminating water, for example, with waste from State-owned facilities (the right to health)
- Failure to ensure a minimum wage sufficient for a decent living (rights at work)
- Failure to prevent starvation in all areas and communities in the country (freedom from hunger)
- Denying access to information and services related to sexual and reproductive health (the right to health)
- Systematically segregating children with disabilities from mainstream schools (the right to education)
- Failure to prevent employers from discriminating in recruitment (based on sex, disability, race, political opinion, social origin, HIV status, etc.) (The right to work)
- Failure to prohibit public and private entities from destroying or contaminating food and its source, such as arable land and water (the right to food)

- Failure to provide for a reasonable limitation of working hours in the public and private sector (rights at work)
- Banning the use of minority or indigenous languages (the right to participate in cultural life)
- Denying social assistance to people because of their status (e.g., people without a fixed domicile, asylum-seekers) (the right to social security)
- Failure to ensure maternity leave for working mothers (protection of and assistance to the family)
- Arbitrary and illegal disconnection of water for personal and domestic use (the right to water).

## 2.0. HUMAN RIGHTS ABUSE OF CHILDREN

"To guarantee the human rights of children is to invest in the future". (Amnesty International)

Millions of children have no access to education, work long hours under hazardous conditions and are forced to serve as soldiers in armed conflict. They suffer targeted attacks on their schools and teachers or languish in institutions or detention centers, where they endure inhumane conditions and assaults on their dignity. Young and immature, they are often easily exploited. In many cases, they are abused by the very individuals responsible for their care. We are working to help protect children around the world, so they can grow into adults.

### 2.1. Common Problem which Children Face

common problems children face, such as:

- Refugees (children make up over half of the world's refugees)
- Hazardous labor exploitation
- physical abuse
- sexual violence and exploitation
- recruitment as child soldiers
- Police abuse and arbitrary detention of street children
- Orphans and abandoned children without adequate care
- Sexual abuse and trafficking
- Lack of access to education, or substandard education

### 2.2. Types of Child Abuse

The World Health Organization distinguishes four types of child maltreatment: physical abuse; sexual abuse; emotional and psychological abuse; and neglect.

#### 1. Physical abuse

Among professionals and the general public, people often do not agree on what behaviors constitute physical abuse of a child. Physical abuse often does not occur in isolation,

but as part of a constellation of behaviors including authoritarian control, anxiety-provoking behavior, and a lack of parental warmth

Corporal punishment involves hitting ('smacking', 'slapping', 'spanking') children, with the hand or with an implement whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children's mouths out with soap or forcing them to swallow hot spices)

## 2. Sexual abuse

Child sexual abuse (CSA) is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation. Sexual abuse refers to the participation of a child in a sexual act aimed toward the physical gratification or the financial profit of the person committing the act. Forms of CSA include asking or pressuring a child to engage in sexual activities (regardless of the outcome), indecent exposure of the genitals to a child, displaying pornography to a child, actual sexual contact with a child, physical contact with the child's genitals, viewing of the child's genitalia without physical contact, or using a child to produce child pornography. Selling the sexual services of children may be viewed and treated as child abuse with services offered to the child rather than simple incarceration.

## 3. Psychological abuse

There are multiple definitions of child psychological abuse:

- In 2013, the American Psychological Association (APA) added Child Psychological Abuse to the DSM-5, describing it as "non-accidental verbal or symbolic acts by a child's parent or caregiver that result, or have reasonable potential to result, in significant psychological harm to the child."
- In 1995, APSAC defined it as: spurning, terrorizing, isolating, exploiting, corrupting, denying emotional responsiveness, or neglect" or "A repeated pattern of caregiver behavior or extreme incident(s) that convey to children that they are worthless, flawed, unloved, unwanted, endangered, or only of value in meeting another's needs"
- In the United States, states laws vary, but most have laws against "mental injury"
- Some have defined it as the production of psychological and social defects in the growth of a child as a result of behavior such as loud yelling, coarse and rude attitude, inattention, harsh criticism, and denigration of the child's personality. Other examples include name-calling, ridicule, degradation, destruction of personal belongings, torture or killing of a pet, excessive criticism, inappropriate or excessive demands, withholding communication, and routine labeling or humiliation.

Victims of emotional abuse may react by distancing themselves from the abuser, internalizing the abusive words, or fighting back by insulting the abuser. Emotional abuse can result in abnormal or disrupted attachment development, a tendency for victims to blame themselves (self-blame) for the abuse, learned helplessness, and overly passive behavior.

## 4. Neglect

Child neglect is the failure of a parent or other person with responsibility for the child, to provide needed food, clothing, shelter, medical care, or supervision to the degree that the child's health, safety or well-being may be threatened with harm. Neglect is also a lack of attention from the people surrounding a child, and the non-provision of the relevant and adequate necessities for the child's survival, which would be lacking in attention, love, and nurture.

Some observable signs of child neglect include: the child is frequently absent from school, begs or steals food or money, lacks needed medical and dental care, is consistently dirty, or lacks sufficient clothing for the weather. The 2010 Child Maltreatment Report (NCANDS), a yearly United States federal government report based on data supplied by state Child Protective Services (CPS) Agencies in the U.S., states, "as in prior years, neglect was the most common form of maltreatment".

Neglectful acts can be divided into six sub-categories:

- **Supervisory Neglect:** characterized by the absence of a parent or guardian which can lead to physical harm, sexual abuse or criminal behavior;
- **Physical Neglect:** characterized by the failure to provide the basic physical necessities, such as a safe and clean home;
- **Medical Neglect:** characterized by the lack of providing medical care;
- **Emotional Neglect:** characterized by a lack of nurturance, encouragement and support;
- **Educational Neglect:** characterized by the caregivers lack to provide an education and additional resources to actively participate in the school system; and
- **Abandonment:** when the parent or guardian leaves a child alone for a long period of time without a babysitter.

## 3.0. HUMAN RIGHTS ABUSE OF WOMEN

Violence against women is a violation of human rights that cannot be justified by any political, religious, or cultural claim. A global culture of discrimination against women allows violence to occur daily and with impunity. Amnesty International calls on you to help us eradicate violence against women and help women to achieve lives of equality and human dignity.

Violence against women is rampant in all corners of the world. Such violence is a human rights violation that manifests itself in a number of ways, including:

### 1. Violence against women in custody

The imbalance of power between inmates and guards is a result of prisoners' total dependency on correctional officers and guards' ability to withhold privileges and is manifest in direct physical force and indirect abuses. Because incarcerated women are largely invisible to the public eye, little is done when the punishment of imprisonment is compounded with that of rape, sexual assault, groping during body searches, and shackling during childbirth. Women are often coerced into providing sex for "favors" such as extra food or personal hygiene

products, or to avoid punishment. There is little medical or psychological care available to inmates. Though crimes in prison such as rape are prevalent, few perpetrators of violence against female inmates are ever held accountable. In 1997, for example, only ten prison employees in the entire federal system were disciplined for sexual misconduct.

## 2. Acid Burning and Dowry Deaths

Women's subjugation to men is pervasive in the political, civil, social, cultural, and economic spheres of many countries. In such societies, a woman who turns down a suitor or does not get along with her in-laws far too frequently becomes a victim of a violent form of revenge: acid burning. Acid is thrown in her face or on her body and can blind her in addition to often fatal third-degree burns. Governments do little to prevent the sale of acid to the public or to punish those who use it to kill and maim. Similarly, the ongoing reality of dowry-related violence is an example of what can happen when women are treated as property. Brides unable to pay the high "price" to marry are punished by violence and often death at the hands of their in-laws or their own husbands.

## 3. "Honor" Killings

In some societies, women are often looked upon as representatives of the honor of the family. When women are suspected of extra-marital sexual relations, even if in the case of rape, they can be subjected to the crudest forms of indignity and violence, often by their own fathers or brothers. Women who are raped and are unable to provide explicit evidence, are sometimes accused of zina, or the crime of unlawful sexual relations, the punishment for which is often death by public stoning. Such laws serve as a great obstacle inhibiting women from pursuing cases against those who raped them. Assuming an accused woman's guilt, male family members believe that they have no other means of undoing a perceived infringement of "honor" other than to kill the woman.

## 4. Domestic violence

Violence against women is a global pandemic. Without exception, a woman's greatest risk of violence is from someone she knows. Domestic violence is a violation of a woman's right to physical integrity, to liberty, and all too often, to her right to life itself. When states fail to take the basic steps needed to protect women from domestic violence or allow these crimes to be committed with impunity, states are failing in their obligation to protect women from torture.

## 5. Female Genital Mutilation

Female genital mutilation is the removal of part or all of the external female genitalia. In its most severe form, a woman or girl has all of her genitalia removed and then stitched together, leaving a small opening for intercourse and menstruation. It is practiced in 28 African countries on the pretext of cultural tradition or hygiene. An estimated 135 million girls have undergone FGM with dire consequences ranging from infection (including HIV) to sterility, in addition to the devastating psychological effects. Though all the governments of the countries in which FGM is practiced have legislation making it illegal, the complete lack of enforcement and prosecution of the perpetrators means FGM continues to thrive.

## 6. Human Rights Violations Based on Actual or Perceived Sexual Identity :

Sexuality is regulated in a gender specific way and maintained through strict constraints imposed by cultural norms and sometimes through particular legal measures supporting those norms. The community, which can include religious institutions, the media, family and cultural networks, regulates women's sexuality and punishes women who do not comply. Such women include lesbians, women who appear "too masculine," women who try to freely exercise their rights, and women who challenge male dominance. Lesbian women, or women who are perceived to be lesbian, experience abuses by state authorities in prisons, by the police, as well as private actors such as their family and community. Numerous cases document young lesbians being beaten, raped, forcibly impregnated or married, and otherwise attacked by family members to punish them or "correct" their sexual identity. Lesbians in the United States face well-founded fears of persecution by police because of their sexual identity and violence against lesbians occurs with impunity on a regular basis.

## 7. Gender Based Asylum

The UN High Commission on Refugees advocates that "women fearing persecution or severe discrimination on the basis of their gender should be considered a member of a social group for the purposes of determining refugee status." (*Guidelines on the Protection of Refugee Women*) Such persecution may include harms unique to their gender such as, but not limited to, female genital mutilation, forcible abortion, domestic violence that the state refuses to act on and honor killings. However, women seeking asylum in the United States rarely gain refugee status based on claims of gender-related violence, as U.S. asylum adjudicators apply a restrictive interpretation of the international definition of a refugee entitled to persecution. In particular, lesbian women seeking asylum from sexuality-based persecution in their countries of origin often, and legitimately, fear disclosing their sexuality to authorities.

## 8. The Problem of Impunity

Perpetrators of violence against women are rarely held accountable for their acts. Women who are victims of gender-related violence often have little recourse because many state agencies are themselves guilty of gender bias and discriminatory practices. Many women opt not to report cases of violence to authorities because they fear being ostracized and shamed by communities that are too often quick to blame victims of violence for the abuses they have suffered. When women do challenge their abusers, it can often only be accomplished by long and humiliating court battles with little sympathy from authorities or the media. Violence against women is so deeply embedded in society that it often fails to garner public censure and outrage.

## 4.0. HUMAN RIGHTS ABUSE OF MINORITIES

"Minorities in all regions of the world continue to face serious threats, discrimination and racism, and are frequently excluded from taking part fully in the economic, political, social and cultural life available to the majorities in the countries or societies where they live." ( UN High Commissioner for Human Rights)

All countries in the world include persons belonging to national or ethnic, religious and linguistic minorities, enriching the diversity of their societies. Although a great variety of minority situations exist, common to all is the fact that, too often, minorities face multiple forms of discrimination resulting in marginalisation and exclusion. Achieving effective participation of minorities and ending their exclusion requires that we embrace diversity through the promotion and implementation of international human rights standards.

The protection of the rights of minorities is provided for under article 27 of the International Covenant on Civil and Political Rights and article 30 of the Convention on the Rights of the Child. However, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities is the document which sets essential standards and offers guidance to States in adopting appropriate legislative and other measures to secure the rights of persons belonging to minorities. Overall, States through their commitments under treaty law, and minorities themselves, or their representatives can influence the human rights monitoring and implementation procedures and work toward securing effective participation and inclusion.

The fundamental pillar of human rights and minority legal protection are the principles of non-discrimination and equality which constitute the basis of all core human rights treaties. They apply to everyone in relation to all human rights and freedoms and prohibit discrimination on the basis of a list of non-exhaustive categories such as race, colour, religion, language, nationality and ethnicity. Through respect for these two principles, the enjoyment of many human rights can be secured, including the right to effective participation in decision-making by minorities and in particular minority women.

Minority rights are being increasingly recognized as an integral part of the United Nation's work for the promotion and protection of human rights, sustainable human development, peace and security. OHCHR has a leading role within the UN system in this respect, as the Office has highlighted countering discrimination as one of its thematic priorities in the period from 2010 to 2013. OHCHR is also taking a lead in the Inter-Agency work on minority issues, in line with Article 9 of the Declaration, by ensuring that coordinated effort is made towards advancing and prioritising minority rights throughout the UN system.

#### 4.1. Combating Discrimination against Minorities

Virtually all countries in the world have national or ethnic, linguistic and religious minorities within their populations. Many violations of civil, political, economic, social and cultural rights have a basis in discrimination, racism and exclusion on the grounds of the ethnic, religious, national, or racial characteristics of the victim group.

Minority issues have been on the agenda of the United Nations for more than 60 years. Already in 1948 the General Assembly declared that the United Nations could not remain indifferent to the fate of minorities. The 2005 World Summit Outcome reaffirmed the importance of minority rights' protection and promotion to the work of the United Nations, stating that "the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society."

The main point of reference for the international community regarding the rights of minorities is the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the General Assembly in 1992. It includes a list of rights to which persons belonging to minorities are entitled, including the right to enjoy their own culture, to profess and practice their own religion and to use their own language. The Declaration reaffirms the rights of persons belonging to minorities to enjoy all human rights and fundamental freedoms in accordance with the principles of non-discrimination and equality before the law. Other key principles include the protection of existence, promotion and protection of identity, and the right to effective participation.

## 4.2. Activities of the United Nations

- The Indigenous Peoples and Minorities Unit is the entity within the Office of the High Commissioner for Human Rights specifically tasked with furthering the rights of persons belonging to minorities, including their struggle against discrimination. The Unit builds national capacity, including through human rights training for members of the civil society within the framework of the Minority Fellowship Programme; conducts research and analysis; provides substantive input to the work of the Independent Expert on Minority Issues and the Forum on Minority Issues; and engages with the wider community forging partnerships, raising awareness about the Declaration and other key standards and mobilizing support for anti-discrimination measures through legislation, policies and programmes. The Unit also coordinates the Inter-Agency Group on Minority Issues and provides support to the Office on the ground and UN country teams in their efforts to promote the rights of persons belonging to minorities and to eliminate discrimination against them.
- The Independent Expert on minority issues has a mandate to promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and to identify best practices and possibilities for technical cooperation by the UN human rights office.
- The Forum on Minority Issues serves as a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities and provides thematic contributions and expertise to the work of the Independent Expert on minority issues.
- The UN human rights office supports the activities of a number of human rights treaty bodies as well as special procedures which all devote attention to situations and rights of persons belonging to minorities (see especially the Committee on the Elimination of Racial Discrimination and Human Rights Committee).
- The UN human rights office supports the Working Group of Expert on People of African Descent, which elaborates short, medium and long term proposals for the elimination of racial discrimination against people of African descent.

## 5.0. HUMAN RIGHT PROTECTION

Protecting human rights is closely linked to advancing long-term, sustainable development. Rights are both part of the goal of development and instrumental to attaining other goals such as economic growth or democracy.

The links between rights and development are many and complex:

- **Lack of rights leads to exclusion** and marginalization of citizens, which lies at the root of much poverty, even in resource-rich environments.
- **Lack of rights exacerbates conflict** and leads to cycles of violence.
- **Having rights means that people participate** in making choices about their own lives, unleashing their own creative energies and strengthening social unity.
- **Living within a rights-protecting culture** allows people to develop to the maximum of their capabilities.

## 5.1. Protection of rights:

Actions or programming aimed at preventing or avoiding rights violations by the state, such as:

- Protection of human rights defenders.
- Increasing the capacity of vulnerable populations (including victims of torture or war trauma, people with disabilities, indigenous or tribal peoples, LGBT individuals, labor activists, detainees, women and children) to defend their rights and advocate for themselves.
- Atrocity prevention, aimed at preventing attacks on vulnerable or marginalized populations.
- Efforts to stop human trafficking and protect its victims.

## 5.2. Promotion of rights

Actions or programming aimed at advancing rights, empowering communities and rights advocates, and advancing awareness, including:

- Legislation and regulations aimed at preserving human rights in national law.
- Human-rights education and awareness, especially among particularly vulnerable or marginalized populations.
- Transitional justice or support for the different ways in which societies come to terms with a legacy of past human-rights violations and/or war crimes.

## 5.3. Principles:

A way of working and thinking that imbues all our development work—a cross-cutting issue with applicability to everything we do:

- Individuals have rights; our goal is to help them realize those rights.
- Governments have duties; our goal is to help them carry out those duties.
- “Do no harm”; our programming should not inadvertently lead to rights violations, including forced displacement or systematic discrimination of people.
- Protecting human rights strengthens resiliency by helping states and communities address underlying grievances that cause instability and conflict.

## 5.4. Steps to Protect Human Rights

Human rights are fundamental rights that all human beings possess regardless of their race, ethnicity, sex, national or ethnic origin, color, residence, religion or any other status.

These rights cannot be earned and they cannot be taken away, but they can be repressed or violated by individuals, nations or governments. While there are a number of national and international laws in place to protect human rights, every person has an affirmative duty to also promote and protect these rights. Individuals can promote human rights locally by participating in activist events, or professionally by becoming a human rights lawyer or working for a human rights organization.

## 1. Recognize civil rights.

In 1948, the United Nations General Assembly set forth the Universal Declaration of Human Rights (UDHR), which is a list of human rights inherent to all people. Members of the UN pledged to protect and promote these rights. The largest concentration of rights in the UDHR can be categorized as "civil rights," which are rights related to one's physical integrity and protection under the law. The first 18 tenets of the UDHR set forth individual's civil rights, which include:

- The right to equality and the right to life, liberty, and personal security.
- Freedom from discrimination, slavery, and from torture and degrading treatment.
- The right to recognition as a person before the law and equality under the law.
- The right to a remedy from a competent tribunal and to a fair public hearing.
- Freedom from arbitrary arrest and exile and from interference with privacy, family, home and correspondence.
- The right to be considered innocent until proven guilty.
- The right to free movement in and out of one's own country and the right to asylum from persecution in other countries.
- The right to a nationality and the freedom to change it.
- The right to marriage and family, and to own property.
- Freedom of belief and religion

## 2. Identify political rights.

Human rights that are political in nature include those rights related to a person's participation in government and the freedom from governmental intrusion. These rights are set forth in Articles 19 to 21 of the UDHR and include:

- Freedom of opinion and expression and the right to information.
- Freedom of peaceful assembly and association.
- The right to participate in government, equal access to public service in his or her country, and the right to vote in free elections

## 3. Recognize economic and social rights.

These rights establish the conditions that are necessary for individuals to prosper and to have an adequate standard of living. Articles 22 to 26 of the UDHR set forth economic and social rights, which include:

- The right to social security.

- The right to participate in desirable work and to join trade unions.
- The right to rest and leisure and an adequate living standard for one's health and well-being.
- The right to education, which is free during elementary and fundamental stages of development

#### 4. Be aware of cultural rights.

Article 27 of the UDHR sets forth a person's cultural rights. These rights include the right to participate in the cultural life of the community and the protection of the moral and material interest in a person's own scientific, literary or artistic production

### 6.0 ROLE OF CIVIL SOCIETY: PROTECTION OF HUMAN RIGHTS

It is of paramount importance to clarify the roles and limits of civil society in the protection of human rights. The protection of groups and individuals as well as their rights falls under the State functions. This covers the establishment of standards, laws and institutions that derive their legitimacy from popular sovereignty, and are capable of protecting the rights of individuals and groups. However, we are witnessing a paradoxical process. The expansion of freedom and the democratization process are accompanied by a civic disengagement, political demobilization and a crisis of confidence in institutions and political parties. Given the persistence of authoritarian reflexes, this only reinforces the belief that civil society can replace the state and political parties, while having neither the capacity nor the vocation. Its fundamental vocation is to set itself up as against power, which should not be considered as necessarily against the power.

It goes without saying that the role of civil society in promoting human rights takes in this context a fundamental value. Ultimately, it is about forming a citizen sufficiently armed to defend his/her rights. The aim is to achieve the empowerment which entails the participation of individuals in the definition of their rights and freedoms. Beyond its role of monitoring respect for human rights, laws and their constitutionality, safeguarding the physical security of person, safeguarding the lawful property, safeguarding public properties, elements that are central in the protection and empowerment, civil society has a role to play as:

- a force of proposal of new social values that respect human dignity, physical security of person, freedoms and responsibilities, as every right implies its corollary: a duty;
- a force of change by mobilizing people;
- a force for generating ideas with the support of experts and researchers ;
- a catalyst for new practices on the ground that give its work a social pillar, strength and legitimacy.
- It goes without saying that this control approach is part of democracy-building, which is:
  - A moral requirement, a practice and an instrument of justice, equality and rule of law;
  - A control of the community on the powers, a way of ensuring opportunity for people to participate in the process of decision-making, implementation and monitoring of projects.

- A possibility for people to freely choose their leaders, participate in the management of power, control their representatives and put an end to their mandates in the event of failure.

Within this context, particularly in societies under transition, civil society cannot act alone and should support the establishment of national institutions for the protection of human rights. As mediation bodies, these institutions can fully play their role only if they enjoyed full autonomy vis-à-vis the state and acted in strong collaboration with civil society. They should be the place where the voice of society can be heard and the constraints facing the State can be expressed, in order to:

- consolidate constitutional human rights guarantees;
- adopt and implement an integrated national strategy against impunity;
- draw up and implement public policies in the areas of justice, security and law enforcement, education and in-service training, and ensure active involvement of all components of society;
- strengthen the control of the constitutionality of laws and autonomous regulations resulting from the executive branch;
- ensure security governance, which entails the upgrade, clarification and publication of regulations.

In addition, the choices and the imperatives of economic liberalization and privatization of basic public services generate and exacerbate social exclusion and security excesses, which are enhanced by a globalization that favors restrictions on freedom of movement of people and security policies.

In this context, in order to fulfill its role of promoting and protecting human rights, civil society must rethink its relation with the state, whose nature is crucial in the strategy to be adopted.

- How to overcome mistrust and suspicions in such a way as to enable defenders of human rights, through partnerships, to contribute to training and raising the awareness of security officers in respecting the autonomy and independence of associations?
- How to affirm the independence of members of parliament and make them allies and a counterweight to the executive branch?
- How to control the way parliamentarians fulfill their responsibilities and commitments vis-à-vis citizens?
- How to promote clear provisions on the separation of powers, namely constitutional, legal and institutional mechanisms that are likely to ensure a better balance between the executive and the legislature?

This requires upgrading and strengthening the action and political participation, knowing that civil society could not actually become strong and flourish if political society, whose function is to manage institutions, was not strengthened. Without a regulatory body, that is a legitimate state with fair laws and strong independent judiciary, civil society, vague concept, with components socially, politically and culturally heterogeneous, could eventually induce perverse effects of localism, regionalism, fragmentation of actions and visions, privatization and exasperation of violence. Under these conditions, civil society would not perform its function which is, *inter alia*, the promotion and protection of rights humans.

## 7.0. ROLE OF NGO'S IN PROTECTING HUMAN RIGHTS

Several nongovernmental organizations around the world have dedicated their efforts to protecting human rights and advocating against human rights abuses. In fact, major human rights NGOs maintain websites and other platforms documenting violations and calling for remedial action both, at government and even grass-roots levels. Through these platforms, they have been able to acquire public support and condemn abuses of human rights considering the fact that calls for reforms are always successful when backed by strong advocacy from the public.

In order to help in the protection of human rights, quite a number of nongovernmental organizations like Amnesty International, Human Rights Watch, Human Rights Without Frontiers, Human Rights Action Center among others have been on the front line, monitoring the actions of governments and exerting pressure on them to act in accordance with human rights principles. As a result of this, various governments have been able to also initiate programs advocating against human rights abuses. In some cases, such pressure has also pushed some government to arrest, prosecute and charge individuals who have been accused of acts of human rights violations.

The term non-governmental or non-profit is normally used to cover the range of organisations which go to make up civil society. Such organisations are characterised, in general, by having as the purpose of their existence something other than financial profit. However, this leaves a huge multitude of reasons for existence and a wide variety of enterprises and activities. NGOs range from small pressure groups on, for example, specific environmental concerns or specific human rights violations, through educational charities, women's refuges, cultural associations, religious organisations, legal foundations, humanitarian assistance programmes and the list could continue all the way to the huge international organisations with hundreds or even thousands of branches or members in different parts of the world. In this section, we look briefly at the significant role that such organisations have had, and continue to have, in the protection of human rights throughout the world. At nearly every level of the different attempts to preserve the dignity of individual citizens when this is threatened by the power of the state, NGOs play a crucial role in:

- fighting individual violations of human rights either directly or by supporting particular 'test cases' through relevant courts
- offering direct assistance to those whose rights have been violated
- lobbying for changes to national, regional or international law
- helping to develop the substance of those laws
- promoting knowledge of, and respect for, human rights among the population.

The contribution of NGOs is important not only in terms of the results that are achieved, and therefore for the optimism that people may feel about the defence of human rights in the world, but also because NGOs are, in a very direct sense, tools that are available to be used by individuals and groups throughout the world. They are managed and co-ordinated – as many organisations are – by private individuals, but they also draw a large part of their strength from other members of the community offering voluntary support to their cause. This fact gives them great significance for those individuals who would like to contribute to the improvement of human rights in the world.

The 1993 UN World Conference on Human Rights – known as the Vienna Conference – was attended by 841 NGOs from throughout the world, all of which described themselves as working with a human rights mission. Though an impressive figure in itself, this actually represented only a tiny fraction of the total number of human rights NGOs active in the world.

Most self-professed "human rights organisations" tend to be engaged in the protection of civil and political rights. The best known of such organisations, at least on the international stage, include Amnesty International, Human Rights Watch, the International Federation for Human Rights, Human Rights First and Interights. However, as we have seen, civil and political rights are just one category of the many different human rights recognised by the international community, and new rights are continuing to emerge, even today. When we take this into account and consider the NGOs active in countering poverty, violence, racism, health problems, homelessness and environmental concerns, to name just a few, the actual number of NGOs engaged in human rights protection, in one form or another, runs into the hundreds of thousands throughout the world.

NGOs may attempt to engage in the protection of human rights at various different stages or levels, and the strategies they employ will vary according to the nature of their objectives – their specificity or generality; their long-term or short-term nature; their local, national, regional or international scope, and so on.

### **a. Direct assistance**

It is particularly common for NGOs working on social and economic rights to offer some form of direct service to those who have been victims of human rights violations. Such services may include forms of humanitarian assistance, protection or training to develop new skills. Alternatively, where the right is protected by law, they may include legal advocacy or advice on how to present claims. In many cases, however, direct assistance to the victim of a violation or a human rights defender is either not possible or does not represent the best use of an organisation's resources. On such occasions, and this probably represents the majority of cases, NGOs need to take a longer term view and to think of other ways either of rectifying the violation or of preventing similar occurrences from happening in the future.

### **b. Collecting accurate information**

If there is a fundamental strategy lying at the base of the different forms of NGO activism, it is perhaps the idea of attempting to "show up" the perpetrators of injustice. Governments are very often able to shirk their obligations under the international treaties, or other rights standards, that they have signed up to because the impact of their policies is simply not known to the general public. Collecting such information and using it to promote transparency in the human rights record of governments is essential in holding them to account and is frequently used by NGOs.

They attempt to put pressure on people or governments by identifying an issue that will appeal to people's sense of injustice and then making it public. Two of the best known examples of organisations that are reputed for their accurate monitoring and reporting are Amnesty International and the International Committee of the Red Cross. Both of these organisations possess authority not only among the general public but also at the level of the UN, where their reports are taken into account as part of the official process of monitoring governments that have agreed to be bound by the terms of international treaties.

### c. Campaigning and lobbying

International actors often engage in campaigning and advocacy in order to bring about a policy change. Again, there are numerous forms, and an NGO will try to adopt the most appropriate one, given the objectives it has in mind, the nature of its "target", and of course, its own available resources. Some common practices are outlined below.

Letter-writing campaigns are a method that has been used to great effect by Amnesty International and other NGOs. People and organisations "bombard" government officials with letters from thousands of its members all over the world.

Street actions or demonstrations, with the media coverage that these normally attract, may be used when organisations want to enlist the support of the public or to bring something to the public eye in order to 'name and shame' a government.

The media will frequently play an important part in lobbying practices, and social media and the Internet are now assuming an increasingly significant role.

Shadow reports are submitted to UN human rights monitoring bodies to give an NGO perspective of the real situation regarding the enjoyment of human rights in a particular country.

In addition to demonstrations of support or public outrage, NGOs may also engage in private meetings or briefings with officials. Sometimes the mere threat of bringing something to the public eye may be enough to change a policy or practice, as in the story below. Whilst this used to be mobilised, at one time, through tapes, posters and faxes, it is now mobilised through email campaigns and petitions, internet sites, blogs and electronic social networks.

In general, the greater the backing from the public or from other influential actors (for example, other governments), the more likely is it that a campaign will achieve its objectives. Even if they do not always use this support directly, NGOs can ensure that their message is heard simply by indicating that a large popular movement could be mobilised against a government or many governments.

### d. Human rights education and awareness

Many human rights NGOs also include, at least as part of their activities, some type of public awareness or educational work. Realising that the essence of their support lies with the general public, NGOs will often try to bring greater knowledge of human rights issues to members of the public. A greater knowledge of these issues and of the methods of defending them is likely to engender a greater respect and this, in turn, will increase the likelihood of being able to mobilise support in particular instances of human rights violations. It is that support, or potential support, that lies at the base of the success of the NGO community in improving the human rights environment.

**CHAPTER NO.14**

# **MONEY LAUNDERING AND CYBER CRIME**

## **1.0 MONEY LAUNDERING**

Money laundering is the process of creating the appearance that large amounts of money obtained from serious crimes, such as drug trafficking or terrorist activity, originated from a legitimate source.

Money laundering is the generic term used to describe the process by which criminals disguise the original ownership and control of the proceeds of criminal conduct by making such proceeds appear to have derived from a legitimate source.

The processes by which criminally derived property may be laundered are extensive. Though criminal money may be successfully laundered without the assistance of the financial sector, the reality is that hundreds of billions of dollars of criminally derived money is laundered through financial institutions, annually. The nature of the services and products offered by the financial services industry (namely managing, controlling and possessing money and property belonging to others) means that it is vulnerable to abuse by money launderers.

### **1.1. How is the offence of money laundering committed?**

Money laundering offences have similar characteristics globally. There are two key elements to a money laundering offence:

1. The necessary act of laundering itself i.e. the provision of financial services; and
2. A requisite degree of knowledge or suspicion (either subjective or objective) relating to the source of the funds or the conduct of a client.

The act of laundering is committed in circumstances where a person is engaged in an arrangement (i.e. by providing a service or product) and that arrangement involves the proceeds of crime. These arrangements include a wide variety of business relationships e.g. banking, fiduciary and investment management.

The requisite degree of knowledge or suspicion will depend upon the specific offence but will usually be present where the person providing the arrangement, service or product knows, suspects or has reasonable grounds to suspect that the property involved in the arrangement represents the proceeds of crime. In some cases the offence may also be committed where a person knows or suspects that the person with whom he or she is dealing is engaged in or has benefited from criminal conduct.

### **1.2. Are all crimes capable of predating money laundering?**

Different jurisdictions define crime predating the offence of money laundering in different ways. Generally the differences between the definitions may be summarised as follows:

1. Differences in the degree of severity of crime regarded as sufficient to predicate an offence of money laundering. For example in some jurisdictions it is defined as being any crime that would be punishable by one or more years imprisonment. In other jurisdictions the necessary punishment may be three or five years imprisonment; or
2. Differences in the requirement for the crime to be recognized both in the country where it took place and by the laws of the jurisdiction where the laundering activity takes place or simply a requirement for the conduct to be regarded as a crime in the country where the laundering activity takes place irrespective of how that conduct is treated in the country where it took place.

In practice almost all serious crimes, including, drug trafficking, terrorism, fraud, robbery, prostitution, illegal gambling, arms trafficking, bribery and corruption are capable of predating money laundering offences in most jurisdictions.

### **1.3. Can Fiscal Offences such as tax evasion predicate Money Laundering?**

The answer depends upon the definition of crime contained within the money laundering legislation of a particular jurisdiction.

Tax evasion and other fiscal offences are treated as predicate money laundering crimes in most of the world's most effectively regulated jurisdictions.

### **1.4. Why is money laundering illegal?**

The objective of the criminalisation of money laundering is to take the profit out of crime. The rationale for the creation of the offence is that it is wrong for individuals and organisations to assist criminals to benefit from the proceeds of their criminal activity or to facilitate the commission of such crimes by providing financial services to them.

### **1.5. How is money laundered?**

The processes are extensive. Generally speaking, money is laundered whenever a person or business deals in any way with another person's benefit from crime. That can occur in a countless number of diverse ways.

Traditionally money laundering has been described as a process which takes place in three distinct stages.

### **1.6. Methods and Stages of Money Laundering**

There are three stages involved in money laundering; placement, layering and integration.

**1. Placement** –This is the movement of cash from its source. On occasion the source can be easily disguised or misrepresented. This is followed by placing it into circulation through financial institutions, casinos, shops, bureau de change and other businesses, both local and abroad. The process of placement can be carried out through many processes including:

- **Currency Smuggling** – This is the physical illegal movement of currency and monetary instruments out of a country. The various methods of transport do not leave a discernible audit trail.

- **Bank Complicity** – This is when a financial institution, such as banks, is owned or controlled by unscrupulous individuals suspected of conniving with drug dealers and other organised crime groups. This makes the process easy for launderers. The complete liberalisation of the financial sector without adequate checks also provides leeway for laundering.
- **Currency Exchanges** – In a number of transitional economies the liberalisation of foreign exchange markets provides room for currency movements and as such laundering schemes can benefit from such policies.
- **Securities Brokers** – Brokers can facilitate the process of money laundering through structuring large deposits of cash in a way that disguises the original source of the funds.
- **Blending of Funds** – The best place to hide cash is with a lot of other cash. Therefore, financial institutions may be vehicles for laundering. The alternative is to use the money from illicit activities to set up front companies. This enables the funds from illicit activities to be obscured in legal transactions.
- **Asset Purchase** – The purchase of assets with cash is a classic money laundering method. The major purpose is to change the form of the proceeds from conspicuous bulk cash to some equally valuable but less conspicuous form.

**2. Layering** – The purpose of this stage is to make it more difficult to detect and uncover a laundering activity. It is meant to make the trailing of illegal proceeds difficult for the law enforcement agencies. The known methods are:

- **Cash converted into Monetary Instruments** – Once the placement is successful within the financial system by way of a bank or financial institution, the proceeds can then be converted into monetary instruments. This involves the use of banker's drafts and money orders.
- **Material assets bought with cash then sold** – Assets that are bought through illicit funds can be resold locally or abroad and in such a case the assets become more difficult to trace and thus seize.

**3. Integration** – This is the movement of previously laundered money into the economy mainly through the banking system and thus such monies appear to be normal business earnings. This is dissimilar to layering, for in the integration process detection and identification of laundered funds is provided through informants. The known methods used are:

- **Property Dealing** – The sale of property to integrate laundered money back into the economy is a common practice amongst criminals. For instance, many criminal groups use shell companies to buy property; hence proceeds from the sale would be considered legitimate.
- **Front Companies and False Loans** – Front companies that are incorporated in countries with corporate secrecy laws, in which criminals lend themselves their own laundered proceeds in an apparently legitimate transaction.

- Foreign Bank Complicity – Money laundering using known foreign banks represents a higher order of sophistication and presents a very difficult target for law enforcement. The willing assistance of the foreign banks is frequently protected against law enforcement scrutiny. This is not only through criminals, but also by banking laws and regulations of other sovereign countries.
- False Import/Export Invoices – The use of false invoices by import/export companies has proven to be a very effective way of integrating illicit proceeds back into the economy. This involves the overvaluation of entry documents to justify the funds later deposited in domestic banks and/or the value of funds received from exports.

This three staged definition of money laundering is highly simplistic. The reality is that the so called stages often overlap and in some cases, for example in cases of financial crimes, there is no requirement for the proceeds of crime to be 'placed'.

## 2.0. CYBER CRIME

### 2.1. Introduction

Cybercrime is defined as a crime in which a computer is the object of the crime (hacking, phishing, spamming) or is used as a tool to commit an offense (child pornography, hate crimes). Cybercriminals may use computer technology to access personal information, business trade secrets, or use the Internet for exploitative or malicious purposes. Criminals can also use computers for communication and document or data storage. Criminals who perform these illegal activities are often referred to as hackers. Cybercrime may also be referred to as computer crime.

Cybercrime encompasses a wide range of activities, but these can generally be broken into two categories:

- Crimes that target computer networks or devices. These types of crimes include viruses and denial-of-service (DoS) attacks.
- Crimes that use computer networks to advance other criminal activities. These types of crimes include cyberstalking, phishing and fraud or identity theft.

Cybercrime may be committed by individuals or small groups, as well as by criminal organizations that are often spread around the world and committing crimes on an unprecedented scale. Cybercrime has the unusual characteristic that the victim and the perpetrator may never come into direct contact; in many cases, perpetrators and victims are separated by thousands of miles. To further reduce the chances of detection and prosecution, cybercriminals often choose to operate in countries with weak or nonexistent cybercrime laws.

### 2.2. Types of Cyber Crimes

When any crime is committed over the Internet it is referred to as a cyber crime. There are many types of cyber crimes and the most common ones are explained below:

**1. Hacking:** This is a type of crime wherein a person's computer is broken into so that his personal or sensitive information can be accessed. In the United States, hacking is classified as a felony and punishable as such. This is different from ethical hacking, which many

organizations use to check their Internet security protection. In hacking, the criminal uses a variety of software to enter a person's computer and the person may not be aware that his computer is being accessed from a remote location.

**2. Theft:** This crime occurs when a person violates copyrights and downloads music, movies, games and software. There are even peer sharing websites which encourage software piracy and many of these websites are now being targeted by the FBI. Today, the justice system is addressing this cyber crime and there are laws that prevent people from illegal downloading.

**3. Cyber Stalking:** This is a kind of online harassment wherein the victim is subjected to a barrage of online messages and emails. Typically, these stalkers know their victims and instead of resorting to offline stalking, they use the Internet to stalk. However, if they notice that cyber stalking is not having the desired effect, they begin offline stalking along with cyber stalking to make the victims' lives more miserable.

**4. Identity Theft:** This has become a major problem with people using the Internet for cash transactions and banking services. In this cyber crime, a criminal accesses data about a person's bank account, credit cards, Social Security, debit card and other sensitive information to siphon money or to buy things online in the victim's name. It can result in major financial losses for the victim and even spoil the victim's credit history.

**5. Malicious Software:** These are Internet-based software or programs that are used to disrupt a network. The software is used to gain access to a system to steal sensitive information or data or causing damage to software present in the system.

**6. Child soliciting and Abuse:** This is also a type of cyber crime wherein criminals solicit minors via chat rooms for the purpose of child pornography. The FBI has been spending a lot of time monitoring chat rooms frequented by children with the hopes of reducing and preventing child abuse and soliciting.

**7. Ransomware :**This is one of the detestable malware-based attacks. Ransomware enters your computer network and encrypts your files using public-key encryption, and unlike other malware this encryption key remains on the hacker's server. Attacked users are then asked to pay huge ransoms to receive this private key.

**8. Botnets:** Botnets are networks of compromised computers, controlled by remote attackers in order to perform such illicit tasks as sending spam or attacking other computers. Computer Bots can also be used act like malware and carry out malicious tasks. Then can be used to assemble a network of computers and then compromise them.

**9. Social Engineering:** Social engineering is a method where the cyber criminals make a direct contact with you using emails or phones – mostly the latter. They try to gain your confidence and once they succeed at it, they get the information they need. This information can be about you, your money, your company where you work or anything that can be of interest to the cyber criminals.

**10. Remote Administration Tools:** Remote Administration Tools are used to carry out illegal activities. It can be used to control the computer using shell commands, steal files/data, send location of the computer to a remote controlling device and more.

**11. Exploit Kits:** A vulnerability means some problem in the coding of a software that enables cyber criminals to gain control of your computer. There are ready to use tools (exploit kits) in the Internet market which people can buy and use it against you. These exploit kits are upgraded just like normal software. Only difference is these are illegal. They are available mostly in hacking forums as well as on the Darknet.

**12. Scams:** Notable among Internet scams are, scams which misuse the Microsoft name and other general tech support scams. Scamsters phone computer users randomly and offer to fix their computer for a fee. Every single day, scores of innocent people are trapped by scam artists into Online Tech Support Scams and forced to shell out hundreds of dollars for non-existent computer problems.

### 2.3. Categories of Cyber Crime

Cyber crimes are broadly categorized into three categories, namely crime against

1. Individual
2. Property
3. Government

Each category can use a variety of methods and the methods used vary from one criminal to another.

**1. Individual:** This type of cyber crime can be in the form of cyber stalking, distributing pornography, trafficking and "grooming". Today, law enforcement agencies are taking this category of cyber crime very seriously and are joining forces internationally to reach and arrest the perpetrators.

**2. Property:** Just like in the real world where a criminal can steal and rob, even in the cyber world criminals resort to stealing and robbing. In this case, they can steal a person's bank details and siphon off money; misuse the credit card to make numerous purchases online; run a scam to get naïve people to part with their hard earned money; use malicious software to gain access to an organization's website or disrupt the systems of the organization. The malicious software can also damage software and hardware, just like vandals damage property in the offline world.

**3. Government:** Although not as common as the other two categories, crimes against a government are referred to as cyber terrorism. If successful, this category can wreak havoc and cause panic amongst the civilian population. In this category, criminals hack government websites, military websites or circulate propaganda. The perpetrators can be terrorist outfits or unfriendly governments of other nations.

### 2.4. Causes of Cybercrime

There are many reasons why cyber-criminals commit cyber-crime, chief among them are these three listed below:

#### 1. Passion of youngsters :

Cyber crimes can be committed for the sake of recognition. This is basically committed by youngsters who want to be noticed and feel among the group of the big and tough guys in

the society. They do not mean to hurt anyone in particular; they fall into the category of the Idealists; who just want to be in spotlight.

## 2. Desire of Making quick money :

Another cause of cyber-crime is to make quick money. This group is greed motivated and is career criminals, who tamper with data on the net or system especially, e-commerce, e-banking data information with the sole aim of committing fraud and swindling money off unsuspecting customers.

## 3. Misconception of fighting a Just cause :

Thirdly, cyber-crime can be committed to fight a cause one thinks he believes in; to cause threat and most often damages that affect the recipients adversely. This is the most dangerous of all the causes of cyber-crime. Those involved believe that they are fighting a just cause and so do not mind who or what they destroy in their quest to get their goals achieved. These are the cyber-terrorists.

## 4. Capacity to store data in comparatively small space :

The computer has unique characteristic of storing data in a very small space. This affords to remove or derive information either through physical or virtual medium makes it much easily.

## 5. Confidential Information is online :

Confidential data from security firms, scientific databases, financial institutes and even governmental organizations is stored online and on networks. This allows cyber criminals to initiate unauthorized access and use it for their own needs. Complex technology can be manipulated and firewalls can be bypassed, allowing criminals to gain access to security codes, bank accounts and other information.

## 6. Negligence :

Sometimes simple negligence can give rise to criminal activities, such as saving a password on an official computer, using official data in a public place and even storing data without protecting it. The cyber criminal can take advantage of such negligence and use it to obtain, manipulate and forge information. Negligence is very closely connected with human conduct. It is therefore very probable that while protecting the computer system there might be any negligence, which in turn provides a Cyber Criminal to gain access and control over the computer system.

## 7. Complexity in understanding :

The computers work on operating systems and these operating systems in turn are composed of millions of codes. Human mind is fallible and it is not possible that there might not be a lapse at any stage. The cyber criminals take advantage of these lacunas and penetrate into the computer system.

## 8. Loopholes in system :

Operating systems have complex codes that can be decoded or manipulated to gain access to the system. There are always loopholes in security that a professional cyber criminal

can find and hack into. The traditional bank robber researched the security system and took advantage of it; a cyber thief is not much different, except he can breach security virtually.

### 9. New Form of Crime :

There are so many modes of criminal activity on the Net that the traditional policing methods and the laws that bind criminals at times lose jurisdiction in cyber crime cases. This is why there are so many crimes being committed online.

### 10. Accessibility to Victims :

The amount of people online allow criminals to target their victims without being physically present. Police find it impossible to implicate people when the trail is online. Child pornography, pedophiles who bait their victim's online; rapists who meet their targets through online social networks and hackers who gather information and use it to their own criminal ends without ever being a part of the network are just a handful of criminal examples.

### 11. Inaccessibility to Criminals :

The problem encountered in guarding a computer system from unauthorized access is that there is every possibility of breach not due to human error but due to the complex technology. By secretly implanted logic bomb, key loggers that can steal access codes, advanced voice recorders; retina imagers etc. that can fool biometric systems and even bypass firewalls can also be utilized to get past many a security system. Though technology is improving there is a long way to go before cyber criminals can be policed vigilantly.

### 12. Lack of Evidence :

One cause of increasing cyber crime is the lack of evidence to bind the criminal by law. There are so many ways to hide the trail of a cyber crime and little to actually police the criminal. Consider a pedophile who baits his victim through email or social networks. The police can trace the information to the criminal, but unless solid physical evidence is found, the trail cannot be used in a court of law. Loss of evidence is a very common & obvious problem as all the data are routinely destroyed. Further collection of data outside the territorial extent also paralyses this system of Crime Investigation.

### 13. Drawbacks in judiciary system :

- Large number of vacancies in trial courts,
- Unwillingness of lawyers to become judges,
- Failure of the apex judiciary in filling vacant HC judges posts.
- Judiciary corruption

This delays the decision making and punishment and might also lead to wrong decisions. This encourages other criminals to be casual and fearless.

### 2.5. The Types of Criminals

The cyber criminals comprise of various groups/ category. This division may be warranted on the basis of the aim in their mind. The following are the categories of cyber criminals-

## 1. Children and youngsters between the age group of 6 – 18 years:

The reason for this type of criminal actions in children is seen chiefly because of the curiosity to know and discover the stuff. Other similar reason may be to show themselves to be wonderful in the midst of other kids in their group. Further the reasons may be emotional or psychological too.

## 2. Structured hackers :

These kinds of hackers are mostly structured mutually to execute certain goal. The reason may be to fulfil their fundamentalism, political prejudice, etc. The Pakistanis are believed to be one of the best class hackers on the globe. They chiefly target the Indian government sites with the intention to accomplish their political aims.

## 3. Expert hackers / crackers :

Their labor is provoked by the colour of money. These kinds of hackers are mostly in a job to hack the site of the rivals and get possible, consistent and precious information. Moreover they are even engaged to crack the system of the boss in essence as a measure to make it safer by noticing the dodges.

## 4. Dissatisfied employees :

This group comprise those persons who have been either bagged by their boss or are disappointed with their boss. To punish, they usually hack the system of their employer.

## 2.6. How to Tackle Cyber Crime

To tackle cybercrime effectively, establish multidimensional public-private collaborations between law enforcement agencies, the information technology industry, information security organizations, internet companies and financial institutions.

Cybercrime is not restricted to one single industry. Indeed, cyber attacks through attackers' professional connection to the financial sector may be experienced by every single internet user and result in huge material or/and immaterial damage. More must be done to harness the intelligence of network and information security stakeholders, not only to provide a more accurate and comprehensive assessment of cybercrime, but also to ensure that responses are effective and timely.

To tackle cybercrime efficiently, it is essential to establish active partnerships and cooperation between the private sector, information security organizations, financial institutions and public institutions to investigate cybercrime, to supervise financial market transactions and to enforce laws. Without efficient private-public cooperation, cybercrime will never be tackled effectively. The private sector needs to be assured of a confidential relationship in which information can be exchanged for investigative and intelligence purposes.

It has been seen that most cyber criminals have a loose network wherein they collaborate and cooperate with one another. Unlike the real world, these criminals do not fight one another for supremacy or control. Instead they work together to improve their skills and even help out each other with new opportunities. Hence, the usual methods of fighting

crime cannot be used against cyber criminals. While law enforcement agencies are trying to keep pace with cyber criminals, it is proving to be a Herculean task. This is primarily because the methods used by cyber criminals and technology keeps changing too quickly for law enforcement agencies to be effective. That is why commercial institutions and government organizations need to look at other methods of safeguarding themselves.

The best way to go about is using the solutions provided by Cross-Domain Solutions. When organizations use cross domain cyber security solutions, they can ensure that exchange of information adheres to security protocols. The solution allows organizations to use a unified system comprising of software and hardware that authenticates both manual and automatic transfer and access of information when it takes places between different security classification levels. This allows seamless sharing and access of information within a specific security classification, but cannot be intercepted by or inadvertently revealed to user who is not part of the security classification. This helps to keep the network and the systems using the network safe.

Cross Domain Solution offers a way to keep all information confidential by using safe and secure domains that cannot be tracked or accessed. This security solution can be used by commercial and governmental organization to ensure an impenetrable network while still making sure that users can get access to the required information easily.

Collaboration, particularly with the information technology sector, is needed to identify features of future communications technologies liable to criminal exploitation. Law enforcement agencies must work in partnership with those who will influence the future business and operating environment, so that all concerned can better anticipate changes in criminal behavior and technological misuse.

## **THE ROLE OF NAB, FIA AND ANF**

### **1.0 NATIONAL ACCOUNTABILITY BUREAU (NAB)**

**'Say no to corruption'**

*Allah's Messenger [PBUH] cursed the one who bribes and the one who takes bribe. Hadith*

#### **1.1. Introduction**

The National Accountability Bureau is Pakistan's apex anti-corruption organization. It is charged with the responsibility of elimination of corruption through a holistic approach of awareness, prevention and enforcement. It operates under the National Accountability Ordinance-1999. With its headquarter at Islamabad, it has seven regional offices at Karachi, Lahore, Peshawar, Quetta, Rawalpindi, Multan and Sukkur. It takes cognizance of all offences falling within the National Accountability Ordinance (NAO).

The National Accountability Bureau is an autonomous and constitutionally established federal institution responsible to build efforts against corruption and prepare critical national economic intelligence assessments against economic terrorism to the Government of Pakistan. It has come under criticism for inhumane treatment of its detainees and the sweeping powers bestowed upon it under the National Accountability Ordinance 1999 promulgated by a military junta. Pakistan's parliamentary committee that monitors corruption cases has criticized The National Accountability Bureau for its unwillingness to prosecute former Army officers involved in corruption scandals

For the initial three years, the focus of its functions was directed only at detection, investigation and prosecution of white-collar crime. Those prosecuted include politicians, public service officials and other citizens who were either guilty of gross abuse of powers, or through corruption had deprived the national exchequer of millions or resorted to other corrupt practices. In February 2002, NAB launched the National Anticorruption Strategy (NACS) project. The NACS team conducted broad based surveys, studied external models of international anti-corruption agencies and involved local stakeholder. All pillars of National Integrity System were studied in detail. After identifying the causes of corruption in each pillar, a comprehensive strategy and a detail action plan was recommended. Breaking away from traditional enforcement based routines NACS has recommended a comprehensive process. Relevant amendments have been made in NAO and now NAB is empowered to undertake prevention and awareness in addition to its enforcement functions.

The NAB is empowered to undertake any necessary prevention and awareness, in all means, in addition to enforce its operations against the economic terrorism and financial crimes. It was established on 16 November 1999 and its sphere of operation has been expanded and extended since. The constitution grants to launch investigations, conduct inquiries, and issues warrants against the individuals suspected in the financial

mismanagement, terrorism, corruptions (all in private-sector, state-sector, defence sector, and corporate-sector), and directs cases to accountability courts

## 1.2. Policy Statement of NAB

National Accountability Bureau (NAB) has been established to eradicate corruption from the country, under National Accountability Ordinance 1999, as amended from time to time.

The National Accountability Ordinance 1999 confers extra ordinary powers on the Bureau to eradicate corruption from the society. The immense responsibility so assigned makes it imperative that such powers must be exercised properly, fairly and maintaining very high standards of integrity.

The Bureau has three principal functions:

1. Awareness
2. Prevention
3. Enforcement

This Code of Conduct and Ethics lays down the general provisions of conduct and interaction which must be followed by all employees of NAB, while performing their professional duties at work as well as operating outside their offices.

The purpose of this code is also to create a professional and efficient work environment in NAB; develop mutual cooperation and trust of the employees towards their co-workers; enhance the esteem of NAB staff and make efforts to protect the individual, society and the state from corruption.

As an employee of NAB, you hold a special position of trust and the image of NAB could seriously be damaged if such trust is betrayed in any form.

The Code should not be read as a set of rules, or the words should not be interpreted for their legal meaning. It is intended to simply convey the obligations placed on and the behaviour expected of all the employees of NAB whether permanent, on contract, or engaged by virtue of any other terms and conditions. This Code of Conduct and Ethics will be reviewed periodically and updated to reflect the changes occurring both within and outside NAB.

## 1.3. Core Values of Nab

### 1. Integrity

- To do the right thing the right way and at the right time
- Being honest and responsible
- Focus on what is right for both the organization and the society

### 2. Honor

- Self respect
- Dignity
- High moral and ethical standards

### 3. Dedication

- Commitment to cause
- Sincerity of purpose

### 4. Dependability

- Reliable in performance of duty
- Absolute trustworthiness
- Responsible for the assigned job

### 5. Judgment

- Weighing facts for the right course of action
- Sound decisions, without missing the details

### 6. Tact

- Completion of task without generating hostility
- Courtesy and respect to others
- Discreet to avoid embarrassments or defamation

### 7. Courage

- Ability to do what needs to be done regardless of fear or risk
- Resolute and firm in dispensing one's duty
- Overcome difficulty with dignity

### 8. Proactive

- Ability to foresee the problem
- Initiative to suggest the right action

### 9. Justice

- Being impartial and consistent to apply reward and punishment
- Fair in discharge of duties
- Avoiding favoritism and nepotism

## 1.4. CONFLICT OF INTERESTS, AND HOW TO DEAL WITH IT?

Conflict of interests, or the perception that may have arisen can do great damage to the reputation of both NAB and its employees. It could also interfere with your ability to do your job with detached objectivity. While you have to take responsibility for identifying and managing any conflict of interest, it needs to be done with the knowledge and advice of your superiors. The potential for development of conflict of interests arises when an individual with various interests in a matter has to take decisions concerning that matter. In the case of NAB employee, the situation is of concern when one is a public interest, his or her duty, and another is a private interest.

When the public interest that you must serve, comes into conflict with a private interest that you may have, public interest must come first on all such occasions.

Financial conflict of interests might arise out of association with business interests, ownership of shares or finding out information that could be of financial benefit.

For NAB employees other private interests which might arise include those pertaining to a member of your family, a family member's business associates, a friend, a current or past work mate, a person who dislikes or is disliked by you and many other relationships.

Our social system at times dictates that you or your close relatives are approached to gain favors from your position in NAB. In order to ensure that conflict of interests do not interfere with the work of NAB, and in order to ensure that public has confidence in the impartiality of NAB, such conflict of interests must be declared to NAB on occurrence.

## 1.5. Functions of NAB

NAB was established under NAO 1999. Being Pakistani apex anticorruption organization, it has been mandated with the responsibility of elimination of corruption through a holistic approach of Enforcement, Prosecution, Awareness and Prevention. It has jurisdiction over whole of Pakistan and takes cognizance of all offences falling within the NAO against holders of public office and other persons. NAB aims:-

- To be one of best amongst world's anti-corruption agencies to eliminate corruption through pragmatic and holistic approach.
- To establish a strong anti-corruption institutional & legal framework and to spread awareness regarding ill effects of corruption in the society, through education by creating a robust civil society. This in turn will demand clean government.
- To take cognizance of corruption and corrupt practices for eradication of such practice and accountability of those responsible.
- To take effective measures for detection, investigation, prosecution and speedy disposal of cases of corruption and corrupt practices.
- National Accountability Ordinance, 1999
- Soon after taking over in 1999, General Pervaiz Musharraf announced his seven points agenda which included the resurgence of the economy, reinstatement of law and order, dispensation of speedy justice and swift and across-the-board accountability. Hence the National Accountability Ordinance (NAO) came into existence. The NAO is the most comprehensive piece of legislation to date in Pakistan for controlling corruption but at the same time it gives NAB extraordinary powers. Following are the few powers that NAO gives to the NAB

## 1.6. National Accountability Ordinance, 1999

Soon after taking over in 1999, General Pervaiz Musharraf announced his seven points agenda which included the resurgence of the economy, reinstatement of law and order, dispensation of speedy justice and swift and across-the-board accountability. Hence the National Accountability Ordinance (NAO) came into existence. The NAO is the most comprehensive piece of legislation to date in Pakistan for controlling corruption but at the same time it gives NAB extraordinary powers. Following are the few powers that NAO gives to the NAB.

## 1.7. Powers of Chairman"

Some of the main powers of the Chairman, NAB include:

- order non-bailable arrest of the accused for inquiry and investigation for a maximum of 90 days;
- order freezing of the property of the accused;
- c) call for information from or examination of any person and the production of any document relevant to the proceedings;
- d) request a foreign state for all kinds of assistance necessary for investigation; and
- e) release an accused if he returns to NAB the assets acquired through corruption among others.

NAO gives too many powers to the Chairman NAB and this ordinance can be a powerful instrument of unleashing terror if the Chairman is an irresponsible person. Many critics are of the view that a large number of provisions in this ordinance are the violation of the basic human rights. Following are the major ones:

### 1. Detention without Warrant

The NAO gives the power to the Chairman to detain any person alleged of being corrupt and keep him in custody for 90 days until proven culpable. Initially, some people were arrested without any evidence of their involvement in corruption but after that Supreme Court gave a verdict that NAB can arrest someone only if they have any evidence strong enough to arrest any individual for further interrogation.

### 2. Plea Bargain

NAB will not punish any individual accused of corruption if he/she surrenders all the looted wealth. Plea Bargaining is a subject of severe criticism because such provisions let those criminals go who deserve punishments.

Such provisions also make NAB a money recuperating agency but not one which effectively punishes corrupt people and restrain it by setting up examples. Such provisions also gives an impression that there has been some sort of a deal between the criminals and the NAB authorities and this gives an impression that if you have money in this country, you can get yourself out of trouble.

### 3. Imprisonment

Under the NAO, if someone is caught for the offence of corruption, he is made punishable with 14 years of rigorous imprisonment. This law is applicable to all the individuals living in Pakistan, except serving personnel's of the armed forces of Pakistan and judiciary.

#### Exemption of Armed Forces and Judiciary from NAB

Serving personnel's of the Armed Forces and judiciary are not answerable to NAB under this ordinance. It is worth mentioning here that according to the report of Transparency International, lower judiciary is the second most corrupt government department in Pakistan and unlike Armed Forces of Pakistan, judiciary does have any internal control mechanism to keep a check on their officials.

#### 4. High Profile Politicians not convicted

Till today, not even a single prominent politician has been successfully prosecuted. In July 2000, NAB prepared a case against Nawaz Sharif for his alleged involvement in corruption as charged by General Musharraf, then Chief Executive of Pakistan. He was sentenced to 14 years' imprisonment but due to some political reasons he was pardoned and exiled to Saudi Arabia. In the general elections of 2002, all those elected to the assemblies were the same people linked with corruption in the past and in some cases ministries were given to those who had either their cases pending or were already convicted

#### 5. National Anti-Corruption Strategy

As mentioned earlier, NAB has now also been made responsible for enhancing awareness related to corruption and for its prevention in addition to its enforcement function. An amendment was made in NAO in 2002 and an attempt was made to develop an anti corruption preventive model named "National Anti-Corruption Strategy (NACS)". This model was developed because NAB was of the view that enforcement alone would not be enough to control corruption and hence NACS came into existence. This model focuses on curbing corruption by adopting three pronged approach of awareness, prevention and enforcement.

*'One of the biggest curses from which India is suffering. I do not say that other countries are free from it, but, I think our condition is much worse, is bribery and corruption. That really is a poison. We must put it down with an iron hand,'* Quaid-e-Azam Muhammad Ali Jinnah Address to the First Constituent Assembly 11 August 1947

### 2.0. FEDERAL INVESTIGATION AGENCY (FIA)

#### 2.0. Introduction

The Federal Investigation Agency came into existence in 1975, following the promulgation of the FIA Act, 1974 with the primary role of the eradication of corruption. In 2004, government transferred Anti-Corruption wing of the FIA to the NAB but on 16 August, 2004 this wing of FIA was restored vide notification dated 24 October, 2008.

The FIA carries out the investigations in receipt of reports of corruption, either through the Prime Minister's Accountability and Coordination Cell or directly from the public and after the investigations, the cases are forwarded for trial by the accountability courts. The performance of FIA is very poor owing to many reasons like it is a corrupt agency with a strong element of harassment, it has a status of an attached department that comes under the interior ministry, it has many political appointees and it has multiple mandates.

The FIA is headed by the appointed Director-General who is appointed by the Prime Minister, and confirmed by the President. Appointment for the Director of FIA either comes from the high-ranking officials of police or the civil bureaucracy. The Director General of the FIA is assisted by three Additional Director-Generals and ten Directors for effective monitoring and smooth functioning of the operations spread all over the country.

The FIA is headquartered in Islamabad and also maintains a separate training FIA Academy, also in Islamabad which was opened in 1976. In 2002, FIA formed a specialised

wing for investigating Information and Communication Technology (ICT) related crimes. This wing is commonly known as the National Response Centre for Cyber Crimes (NR3C) and has the credit of arresting 12 hackers, saving millions of dollars for the government exchequer. This wing of the FIA has state-of-the-art Digital Forensic Laboratories managed by highly qualified Forensic Experts and is specialised in Computer and Cell Phone Forensics, cyber/electronic crime investigation, Information System Audits and Research & Development. Officers of the NR3C carry out training for Officers of Police and other Law Enforcement Agencies of Pakistan.

The mission of FIA is to achieve excellence in FIA by promoting culture of merit, providing continuous professional training, ensuring effective internal accountability, encouraging use of technology and having a meaningful feedback mechanism.

## 2.1. FIA's Professional Mandate

- Investigation into specialized and organized crime
- Immigration and Anti Smuggling
- Personal Identification Secure Comparison and Evaluation System(PISCES Computerized Control and Exit)
- Anti Human Smuggling and Trafficking
- Counter Terrorism(Special Investigation Group)
- Money Laundering( Excluding narcotics and anti corruption proceed)
- Automated Finger Print Identification System(AFIS)
- Cyber Crime and Plastic Money Fraud
- Intellectual Property Rights(IPR)
- Interpol (National Central Bureau)
- National Criminal Database(NCDB)
- Forensic and Technical Support
- Training and Capacity Building

## 2.2. Major Functions of FIA

The major functions of FIA is to enforcement of laws relating to Smuggling,

- Narcotics,
- Currency offences,
- Foreigners,
- Immigration & Passports and
- offences having inter-provincial ramification.

## 2.3. WINGS

FIA has the following wings which perform different operation

1. Anti-Corruption Wing

2. Economic Crime Wing
3. Counter Terrorism Wing
4. Immigration Wing
5. Anti-Human Trafficking and Smuggling
6. Technical Wing
7. Interpol
8. Electricity, Gas, Oil Anti-theft Unit
9. IPR Branch
10. Legal Branch

## 1. Anti-corruption Wing

Anti-Corruption and Economic Crime Wing of FIA transferred to National Accountability Bureau (NAB) on 16.08.2004 have been restored vide notification dated 24.10.2008. The Anti-Corruption Wing is an important part of FIA, which deals with organized crimes other than terrorism and human trafficking. This wing is headed by a senior police officer as Additional Director General at the HQ who is responsible for assisting the Director General and coordinating operations of the zonal directors.

### Functions of Anti-Corruption Wing

- a. Anti-Corruption
- b. Spurious Drugs
- c. Counterfeit Currencies
- d. PPC and other Special Laws
- e. Important Cases of ACW

### Spurious Drugs

The illicit trade of production/ supply, distribution, and sale of drugs are posing a serious threat to the lives of the innocent citizens and has serious ramifications such as:

- Loss of Government revenue/ tax evasion
- Undermines Government health agendas and regulatory regimes
- Undermines legitimate trade and commerce
- Defrauds the consumers and health industry
- Erodes corporate investment and productivity
- Encourages organized crime

FIA's crime wing has taken up the challenge to eradicate the illicit trade in drugs and has recovered spurious drugs valuing over Rs.416 million and seized eight illegal manufacturing units. Special drug units have been established in the provincial headquarters. The FIA has registered 67 cases in the years 2005 & 2006.

### Counterfeit Currencies

The increasing instances of counterfeiting of currency in various parts of the country hold serious repercussions for the national economy. FIA crime wing is responsible to deal

with the currency counterfeiting. A task force is working led by the Governor, State Bank of Pakistan and the FIA is a member thereof. The FIA is maintaining a database of all the culprits of counterfeit currency cases across the country. The FIA coordinates with the provincial/ local law enforcement agencies in cases registered in their jurisdictions.

## 2. Economic Crime Wing (ECW)

The Anti-Corruption and Economic Crime Wing of FIA transferred to National Accountability Bureau (NAB) on 16.08.2004 have been restored vide notification dated 24.10.2008. The Anti-Corruption and Economic Crime Wing of FIA transferred to National Accountability Bureau (NAB) on 16.08.2004 have been restored vide notification dated 24.10.2008.

## 3. Counter Terrorism Wing (CTW)

In 2003 Federal Government assigned Counter Terrorism role to FIA. Hence CTW formerly SIG was formally established in May 2003. CTW Officers were provided extensive training and some equipment by US government, Anti Terrorism Assistance Program, in the area of crime scene analysis, computer forensic analysis, cyber terrorism, terrorist financing investigations and post blast explosives analysis etc

### CTW Vision

To identify, arrest and prosecute Most Wanted Terrorists and to become a centre of excellence for specialized counter-terrorist investigations.

### Counter Terrorism Functions of CTW

- Identify and arrest most wanted terrorist.
- Detect & investigate terrorist financing/money laundering cases.
- Crime Scene & Explosive analysis of major terrorist incidents. Detect, seize and prosecute hate material.
- Computer / Cell Phones forensic analysis and Cyber Terrorism Investigations.
- Prepare Terrorist Incident Analysis and Threat Assessment Reports for Federal Govt.
- Build a National Database of terrorist entities.
- Training courses for Police Departments.
- Crime Scene & Explosive analysis of major terrorist incidents.
- Cyber Investigation Unit (CIU) and Computer Forensic Lab.

CIU consist of 05 IT Experts which are highly trained to investigate Cyber Terrorism enquiries/cases and conduct Computer/Cell phone Forensics. Govt. of Pakistan has notified SIG computer forensic lab as first notified lab for the purpose of electronic forensic and the SIG IT experts appear as Forensic Experts in courts. So far SIG forensic experts have conducted over 100 forensic analysis for different police departments. CIU has also developed the following software

- Terrorists Information System (TIS)
- Terrorist Incident Analysis (TIA)
- Case Monitoring System (CMS)
- Personnel Record Database (PERREC)

- Human Trafficker Information System
- Terrorist Financing Investigation Unit (TFIU)

A TFIU has so far successfully conducted 61 enquires on request of Interpol, FMU and International partners. Facilitates Investigation and Prosecution of cases in courts of law. Provides training to Financial Investigators and has developed SOPs for TF Investigations. FIE liaisons with Financial Monitoring Unit (FMU/FIU), State Bank of Pakistan, Commercial Banks, Financial Institutions. Analysis and monitoring of implementation of rules and regulations pertaining to terrorist financing. Represents SIG / FIA on various national and international forums for supporting efforts to combat money laundering & terrorist financing.

#### 4. Immigration Wing (IW)

Combat human trafficking activities and resist illegal immigration in Pakistan

#### 5. Technical Wing (TW)

Tasked to make efforts to protect Pakistan against foreign intelligence operations and espionage as well as using scientific assistance to resolve high-technology crimes.

#### 6. Legal Branch (LB)

Responsible to provide legal guidance in all administrative and operational matters as well as protect civil rights.

#### 7. National Central Bureau (NCB)

To combat transnational/national criminal organizations and enterprises with assistance from Interpol and FBI.

#### 8. Anti-Human Trafficking Unit (ATU)

Tasked to combat major violent crimes, to ensure country-wide coverage of human trafficking, as well as to prevent and protect the victims of trafficking

#### 9. Intellectual Property Rights Branch (IPR)

Modern world is confronted with five wars of globalization

- Illicit market for
- Arms
- Drugs
- Money
- Human beings
- Intellectual Property

"Right to own property is recognized by every socio political and economic system of the world. Ownership of the property is a fundamental right in all systems of justice. Every system provides different types of warranty to ensure peaceful possession of property, tangible and intangible."

"Intellectual Property includes a patent, industrial design, layout design of integrated circuits, copyright and related rights, service mark, trade mark, trade name, undisclosed information or trade secrets, traditional knowledge, geographical indications, technical know-how and ideas for new products and markets, including the commercial information about customer or any combination thereof"

The international trade community adopted number of measures in order to curtail the violations of Intellectual Property Rights across the world. These IP initiatives are led by the World Intellectual Property Organization (WIPO) and also involve the World Trade Organization (WTO) Convention on IP rights. The WTO agreement, covers IP issues i.e. Trade Related Aspects of Intellectual Property Rights (TRIPS). IPR violation is a barrier to foreign direct investment in Pakistan

## 10. IPR Branch

The concerned courts of IPR cases are Special Judge (Central), Senior Civil Judge, Civil Judge, Judicial Magistrate and Allaqa Magistrate of the concerned districts.

### 2.4. Government's Resolve

- Combating IPR crimes for the purpose of developing the local industries is one of the priorities set out by the Government of Pakistan
- As a first step, IPO-Pakistan was created under Intellectual Property Rights Ordinance 2005.
- Copy Right Ordinance 1962 was placed on the Schedule of FIA.
- Enforcement of IPR Laws became essential.

## 3.0. ANTI-NARCOTICS FORCE (ANF)

### 3.1. Introduction

The Anti-Narcotics Force is a Federal Executive bureau of the Government of Pakistan, tasked with combating the narcotics smuggling and use within Pakistan. ANF works under umbrella of Pakistan Army and Ministry of Interior and Narcotics Control. Due to misconception on Section 4 of ANF ACT 1997, the force's head consisted the active-duty general officer of Pakistan Army. Although the law prescribes that any competent person may be appointed as Director General.

The ANF is a civil law enforcement agency and its members are conferred powers of Police officers and thus governed by the Police order 2002, currently in force. Currently, because the administration includes only military personal not acquainted with civil laws or court procedures, the bureau has the highest dropout rates of employees of all the Government departments.

The Eighteenth amendment in the Constitution of Pakistan 1973 also has abolished the dangerous drugs topic from the concurrent list and hence the legal existence of Anti Narcotics Force at the Federal Level is under debate and consideration to be devolved to the Provincial setups.

As the primary drug law enforcement agency, the ANF collects intelligence and is responsible for arrests, investigation and prosecution of offenders. It is also involved in seizures of drug-generated assets and curbing of money-laundering. The ANF is also responsible for demand reduction programs. Powers to carry out counter narcotics operations have been delegated by the ANF to the Pakistan Coast Guard and Pakistan Rangers.

The Anti Narcotics Force (ANF), the primary drug control agency in Pakistan, collects and publishes annual statistics on drug related crime. Several changes in the Pakistan penal

code have had positive implications for the prosecution of drug related cases. ANF's conviction rate has improved over the last few years and stood at 8 percent in 2006.

The existing resources (staffing and finances) available within the ANF are not adequate to interdict the movement of these drugs in a wide geographical expanse. The ANF has a vast area of responsibility. Pakistan has over 2,500 km of porous border with Afghanistan and approximately 900 km with Iran. This is in addition to the 1,062 km long coastal belt and a 1600 km border with India. There are seven official border entry / exit points in addition to eight international airports, three seaports and 11 dry ports. The ANF has a round the clock presence at all the international airports and seaports; however, the dry ports and border entry / exit points are checked by the ANF at random and on the basis of intelligence received. The ANF's border control responsibility is shared with other law enforcement agencies including Frontier Corps Balochistan and NWFP, Punjab and Sindh Rangers, Pakistan Customs and Pakistan Coast Guard. The importance of inter-agency cooperation can therefore not be over-emphasized. At times, Pakistan's narcotics interdiction efforts are impeded due to border forces being heavily committed on counter-terrorist operations.

### 3.2. Salient features of mandate given to ANF are as under:

- To inquire, investigate and prosecute all offences related or connected with intoxicants, narcotics and precursors.
- Trace and freeze the assets.
- Coordinate elimination and destruction of Poppy cultivation.
- Provide assistance to other law enforcement agencies and share information with all national and International agencies on drug related matters.
- Arrange and coordinate training of own staff and members of other law enforcement agencies related to narcotics.
- Maintain liaison with all international narcotics control authorities and represent Pakistan in conferences and seminars.
- Perform any other related functions that may be assigned by the Federal Government.

### 3.3. FUNCTIONS OF ANF

- Conduct of drug law enforcement operations through its field component and subsequently ensuring culmination of law enforcement operational cycle through legal proceedings.
- Investigation, freezing, litigation, legal disposal of assets acquired with drug money.
- Launching of yearly campaigns by relevant Regional Directorate(s) to eliminate/destroy Poppy cultivation.
- Training of own and other law enforcement agencies' students in Anti Narcotics Force Academy.
- Acting as leading drug law enforcement agency, heads the Inter Agency Task Force that comprises all relevant law enforcement agencies.
- Has signed Memorandum of Understanding with numerous countries and works in close coordination with their drug law enforcement agencies.
- All above functions are conducted in coordination with relevant Directorates in Headquarters Directorate General Anti Narcotics Directorate.

Anti Narcotics Force has a strategic role in fight against the drugs. Specific responsibilities have been given by the Federal Government through SRO 787(I)/2004 dated 16 September 2004 to Anti Narcotics Force, Provincial Excise and Police Departments, Customs Department, Frontier Corps (Balochistan), Frontier Corps (Khyber Pakhtunkhwa), Pakistan Rangers (Sindh), Pakistan Rangers (Punjab), Coast Guards and Maritime Security Agency to exercise powers and perform functions under Sections 21, 22, 23, 37(2) and 38 of Control of Narcotic Substances Act, 1997 (XXV of 1997) within the areas of their respective jurisdiction.

### 3.4. ANF Intelligence and Investigation

There are distinct stages for Investigating a case.

#### Stages

Assets of the convicts in narcotics cases are confiscated in favour of Federal Government through following stages usually:-

- **Tracing:** Finding out the true sources, disposition, movement or ownership of assets and includes determining the movement or conversion of assets by any means.
- **Freezing:** Prohibiting by an order made by the Special Court or an officer authorized under CNS Act 1997 the transfer, conversion, disposal or movement of any assets and includes the holding, controlling, assuming custody or managing any assets in pursuance of such order and, in the case of assets which are perishable the disposal thereof
- **Forfeiture:** Forfeiting of asset /property in favour of Federal Government.
- **Realization:** On finalization of forfeiture of assets and execution petition, the assets are realized in favor of Federal Government.

### 3.5. LAWS OF ANF

Assets Investigation is conducted under relevant sections / provisions provided by the following laws:-

- Control of Narcotics Substance Act, 1997
- Anti Narcotics Force Act, 1997
- Criminal Procedure Court 1898
- Anti Money Laundering Act, 2010
- Prevention of Smuggling Act, 1977

### 3.6. ANF's Role in Fighting the Menace of Drugs

All over the world, millions of people are drug addicts due to various reasons like, depression, injustice, bad company, poverty and lust of becoming rich through shortcuts. Some of the people involve themselves in drug trafficking and do not even care about the strictness of the respective country's laws.

Such people ultimately proceed to heaven as a result of extensive usages of drugs or courts' awards. According to UN Office on Drugs and Crime (UNODC) nearly 200 million people are using illicit drugs such as cocaine, cannabis, hallucinogens, opiates and sedative hypnotics worldwide. UNODC with help of local forces has, over the years, been actively involved in launching campaigns to mobilize support for drug control.

In this regards, the joint action teams comprises of the local agencies and UN representatives encourages people in society to actively take part in these campaigns. It is pertinent to mention that 40% of total narcotics and drugs produced in Afghanistan are trafficked through Southern Route (Pakistan) while 25% are trafficked through Northern Route i.e. Central Asian Republics (CARs). The earned money is also being used in fomenting regional terrorism. Many TTP leaders and brother of Hamid Karzai, Afghan president were also allegedly involved in drugs trafficking. The world community In December 1987 through UN General Assembly has decided to observe June 26 as the International Day against Drug Abuse and Illicit Trafficking. In this regard, objective has been set for the member's countries to make efforts to create an international society free of drug abuse. This resolution recommended further action with regard to the report and conclusions of the 1987 International Conference on Drug Abuse and Illicit Trafficking. The general assembly has also decided that to address drug issue politically since criminals of many countries involved in drug business.

Due to the regional dynamic, Pakistan remained very prostrate to drugs mafia since its inception and as result of poor security environment due to Afghan crises. Therefore, being a responsible nation, our government has raised Anti Narcotics Force (ANF) in 1995 by combining Anti Narcotics Task Force (ANTF) and Pakistan Narcotics Control Board (PNCB).

Notably, Pakistan Narcotics Board (PNB) was set up in 1957, in the Revenue Division in order to fulfill Pakistan's obligations under the International Opium Convention of 1925. Pakistan Narcotics Board (PNB) comprised representatives from the Provincial Governments and some Federal Ministries and Divisions. Pakistan ratified the Single Convention on Narcotics Drugs, 1961 on 15th August, 1965. With a view to meet its obligations under the said Convention, the Government of Pakistan, through a declaration of 8 March, 1973, reorganized the PNB as Pakistan Narcotics Control Board (PNCB). The Anti Narcotics Task Force (ANTF) was established in December 1991. In February 1995 ex PNCB and ANTF were amalgamated to constitute the Anti Narcotics Force. The operational strength of ANF is just 1,974. On average, one person seized over 126 kgs contrabands in 2013.

The ANF draws strength from local laws, UN Conventions against illicit Trafficking in Narcotic Drugs – 1961, UN Conventions against illicit Trafficking in Narcotic Drugs and Psychotropic Substances – 1971 and 1988 and Memorandum of Understanding (MoUs) – Pakistan has signed MoUs with 30 Countries for fighting the menace of drugs.

These contributions of ANF really produced excellent results through effective monitoring and evaluation mechanism. In this regard institutions like National Anti-Narcotics Council (NANC), National Narcotics Control Committee (NNCC), and Senate Standing Committee on Interior & Narcotics Control, National Assembly Standing Committee on Interior & Narcotics Control, Inter Agency Task Force (IATF), Planning and Monitoring Unit (PMU) closely watch and ensure the implementation of National ANF Policy

ANF being the lead agency to control and eradicate drugs from the country has three fold strategies, which includes supply reduction, demand reduction and co-ordination at national and international levels. The Supply Reduction Strategy Includes dismantling of drug trafficking networks, limiting the smuggling, trafficking and distribution of Narcotics in the country and strict control on movements of Precursor Chemicals through an elaborated precursor control regime.

The Demand Reduction Strategy includes reducing the demand of illicit drugs through awareness programmes, preventive education, treatment and rehabilitation programmes.

International Cooperation Strategy includes enhancing international cooperation in fight against drugs by maintaining liaison with all national and international narcotics control authorities such as UNODC, International Narcotics Control Board (INCB), Interpol, Drug Enforcement Agency (US), Serious Organized Crime Agency (UK) etc. ANF also represents Pakistan in international conferences, seminars & workshops as lead Anti Narcotics Agency.

To implement the strategies in true letter and spirit, ANF has prepared "Drug Abuse Control Master Plan 2010-14". In this regard, the force achieved tremendous results with regards to seizing, arresting smugglers and assisting drugs addicted in their rehabilitation phases.

During seizing operation ANF arrested 45 foreigners who were involved in drugs trafficking. In year 2013 the force employees displayed greater sense of responsibility while making significant dent in major drug trafficking organizations by apprehending important members of these networks. The number of drug cases registered remained almost the same (693 in 2012 and 692 in 2013) however number of drug traffickers arrested was 10.2% higher than 2012. The total numbers of persons arrested in 2013 were 796 as compared to 722 in 2012.

On timely and real-time information sharing by ANF in 2013, six countries of the world have seized 362 kgs of heroin, 15 kgs of cocaine, 15 kgs Crystal and 5100 Diazepam tablets as compared to only 139.926 Heroin and 9.3 kg Hashish in 2012.

International Controlled Delivery (ICD) Operations initiated by ANF resulted into seizure of 50 kg heroin, 3000 Kg hashish and 1000 kg Cocaine in different parts of the world in the year in question, far greater than the 2012 statistics of ICD operations when the seizure of heroin was 30.84 kgs. Number of foreigners arrested inside Pakistan also rose from 42 in 2012 to 47 in 2013. ANF also assisted 26 other international drug law enforcement agencies of the world in 2,040 various international enquiries in 2013 as compared to 914 enquiries in 2012 – a marvelous 123% increase from the cooperation in 2012.

During year 2013 the ANF destroyed Hashish 83456.49 Kgs , Opium 26452.96 Kgs, Heroin 10911.79 Kgs , Morphine 4958.52 Kgs, Ephedrine 24.90 Kgs, Cocaine 0.098 Kgs, Morphine Injections 16204 Nos, and Acetic Anhydride 479.95 litres.

The major operation has been launched poppy cultivation zones of Pakistan where worth millions of rupees poppy crops have been destroyed. Whereas, in Afghanistan the production of poppy and drug trafficking have been remained very high. According to current research of "The Afghanistan Research and Evaluation Unit's (AREU)" 36 percent reported increase in 2012-13 follows the 18 percent increase between 2010-11 and 2011-12, and has produced what the United Nations Office on Drugs and Crime (UNODC) calls a "sobering" record high level.

In short, Anti Narcotics Force of Pakistan is a multi-faceted force, recognized internationally for being professional, and has shown excellence in every mandated task in the last year. Led by professionals and owned by its dedicated members, Anti Narcotics Force, no doubt, stands prominent amongst world's leading drug law enforcement agencies. The credit goes to each and every member of the force working in whatever capacity, fighting the menace of drugs wholeheartedly throughout the year and making year 2013 a huge success. At the end the country benefited, the world benefited, the mankind benefited!



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