

DATE: 1/9/2024

Criminology

Question (CSS-2022)

Discuss the role of FIA in controlling organized crimes in Pakistan.

Outline

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2. What are organized crimes?
3. Historical Prospective of FIA
4. Significance of FIA
5. Investigative Powers of the FIA
6. FIA's approach to controlling organized crime
7. How FIA is playing its effective role in controlling these organized crimes in Pakistan
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 - 7.2 Smuggling of migrants
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 - 7.6 Some aspects of cyber crimes
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1. Introduction

Crime is a complex matter which changes its dynamics in different cultures, and times. People think, deal with, and treat crimes in different ways. This is where the concept of crime control and prevention agencies arises. In preventive criminology, **prevention** is the first line defense against crimes. In Pakistan, various high frequency organized crimes are being reported in the last decade. To curb this dilemma, the crime-controlling organization, Federal Investigation Agency (**FIA**), came into existence, which is playing its role effectively to control these crimes on priority basis. FIA has brilliantly played its role in promoting the culture of merit in different governmental institutions by eliminating corruption and discouraging the formation of groups that would involve in heinous crimes later on. Thus, its role in controlling organized crimes is phenomenal.

2. What are organized crimes?

Organized crimes are the complex of highly organized enterprises set up to engage in illegal activities. Such organizations engage in offenses such as theft, fraud, robbery, kidnapping for ransom, and demanding of "**protection**" payments.

Under the United Nation (UN) convention against Transnational Organized crimes,

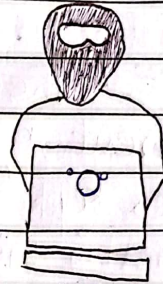
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an "organized criminal group" defining using four criteria;

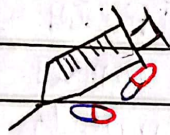
1. A structured group of three or more person that were not randomly formed.
2. The group exists for sometime.
3. It acts in concert with the aim of committing at least one serious crime.
4. To obtain, directly or indirectly, a financial or another material benefit



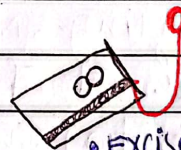
Currency counterfeiting



- cyber crime
- payment fraud card



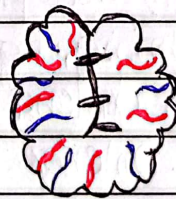
Drug production trafficking and Distribution



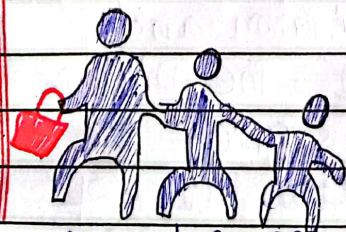
- Excise fraud
- Investment fraud
- Mass marketing fraud



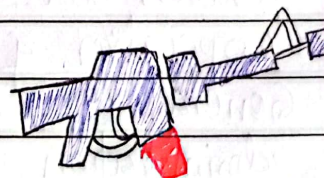
Illicit waste trafficking



Intellectual Property crime



migrant smuggling



trafficking of goods

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3. Historical Perspective of Federal Investigation Agency

A federally controlled Police Establishment first came into existence in 1942 during the second world war to take up investigation of corruption, rampant in the Supplies and Procurement Department of Government of India. It was named a **Special Police Establishment**. After its independence in 1947, it was named as **Pakistan Special Police Establishment (PSPE)**. The requirements of Federal Government regarding investigation of criminal offenses kept on increasing and Mr. G.

Ahmad in his report on "Police Reforms" submitted to the Cabinet on 07-04-1972, recommended the establishment of Federal police organisation to deal with smuggling, narcotics, currency offenses, enforcement of laws relating to foreigners immigration and Passports and offenses having an inter provincial ramification.

Consequently, the **FIA Act, 1974 (Act-VIII of 1975)** was promulgated on January 13, 1975, bringing Federal Investigation Agency into existence. It works under the Minister of Interior. It also takes international operation with close coordination and cooperation of "INTERPOL". The Director General (DG) of FIA is given the administration under **section 4(2)** of

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of the constitution.

4. Significance of Federal Investigation Agency (FIA):

FIA is a border control, criminal investigation, counter-intelligence, and security agency under the control of interior secretary of Pakistan, tasked with investigation jurisdiction on undertaking operations against terrorism, espionage, federal crimes, smuggling as well as infringement and other specific crimes.

5- Investigative Power of FIA:

FIA has the legal authority to investigate federal crimes as well as other transborder crime. It has the power to search and seize evidence. If this department has found any suspicious evidence, then it has the legal authority wiretap phone and monitor electronic communication. Apart from this it works in cooperation with international law enforcement agencies such as "INTERPOL"

5. FIA's approach to controlling organized crime

The techniques used by the FIA while controlling organized crimes are as follow:

1. Intelligence gathering
2. Surveillance and monitoring

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3. Underscore operators
4. Raids and arrests
5. Prosecution and conviction of criminals

7. How FIA is playing its effective role in controlling these Organized Crimes in Pakistan?

1. Drug Trafficking

on control of drug trafficking, FIA is holistically playing its role. For this purpose, FIA is working in close collaboration with other governmental agencies such as the Anti-narcotic force United Nations Office on Drugs and Crime (UNODC) to combat drug trafficking and related crimes. The Drug Act 1976, provides the basis of enact such situations. In addition to its enforcement efforts, the FIA also raises awareness about the dangers of the drug abuse and addiction through public education campaigns. These campaigns aim to educate the public about the negative effects of drug abuse and the importance of staying away from drug.

2. Smuggling of Migrants

Human trafficking is one of the burning issues at national and international levels. It is, therefore, being focused

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on the government accordingly. A steering committee has been established in the **Minister of Interior** to monitor and review, combating against human trafficking. The Joint secretary of the Minister of Interior has been declared as a focal point for the coordination and exchange of information. FIA being the lead Agency has established Special unit to be called as **Anti trafficking Unit (ATU)** at FIA headquarter to deal with all the matter relating to human trafficking more effectively. FIA performs its interaction actions as per **the prevention of smuggling of migrants, Act 2018**. It is reported that around 13,602 off-loaders and 41,309 deporters were recorded in Inter Border management System of FIA in 2021.

3. Money Laundering

To curb money laundering in Pakistan, FIA is working in collaboration with the state Bank of Pakistan, the financial monitoring unit, and the Securities and Exchange Commission of Pakistan. To make its performance more effectively, FIA has established an **Anti-money laundering (AML)** cell which is responsible for investigation and gathering information regarding money laundering cases. In addition to this, FIA also works in collaboration

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With international agencies such as Financial action task force (FATF) to prevent money laundering. The Anti-money laundering Act of 2010 deals with such cases.

4. Trafficking in Firearms

As Pakistan, Terrorism has affected the country for a few decades. Trafficking in firearms has played major role in instability of the country's peace. To address this issue, FIA is actively involved in investigation cases of firearms trafficking and working to prevent the illegal import, export, and possession of fire arms in Pakistan. The agency has specialized **Anti-Terrorism Wing (ATW)** that is responsible for investigation cases related to terrorism, including those involving illegal firearms. To make it more doable, FIA is working closely with other law enforcement agencies, such as Police, Customs, and Intelligence agencies to identify and punish the involved authorities. The **Pakistan Arms Ordinance, 1965** has given restriction to FIA.

5. Some aspects of Cybercrime

Cyber Crime Wing, formerly known as **National Response Centre for**

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Cyber Crime (NR3E), has been added to FIA's mandate to deal with growing complaints received from individuals, the corporate sector, and the government department relating to cyber-crime. It also safeguards cyberspace against any misuse or abuse. Cyber Crime has taken many initiatives to educate the nation about the seriousness of cybercrimes. It issues advisory Notes and alert messages against cyber threats through social media.

Cyber Rescue 1991 is also providing 24/7 services to help the victims of cyber crime.

Corruption

Since its inception, Pakistan has been facing Corruption in all spheres. Therefore, it is necessary to curb this as early as possible. FIA is playing a major role in controlling corruption, fraud, and embezzlement-related cases. The FIA plays a vital role in controlling corruption in Pakistan through various measures, including:

a. Investigation and prosecution:

The FIA investigates and prosecutes corruption cases involving public officials, politicians, and private individuals. The agency

has authority to investigate money laundering, bribery, embezzlement, and other financial crimes.

(b) Prevention and Awareness

The FATI raises awareness about corruption and its negative impact on society through campaigns and educational programs. It also works to prevent

corruption by conducting audits and monitoring financial transactions to ensure compliance with anti-corruption laws.

(c) International Cooperation

The FATI collaborates with international agencies, such as the United Nations Office on Drugs and Crime (UNODC) to exchange information and expertise in combating corruption.

d. Asset Recovery

The FATI is also responsible for recovering assets obtained through corrupt means, including funds held in offshore accounts and properties purchased with illicit funds.

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Challenges faced by the FIA in controlling organized crimes in Pakistan

Various challenges act as a barrier to the performance of the FIA. Some of them are:

1. Corruption within the agency
2. Lack of resources and funding
3. Inadequate training and technology
4. Political interference

9. Conclusion

On a nutshell, the overall performance that has been shown by FIA is tremendous.

Besides all the barriers, FIA is expanding with each passing day. The role of FIA in controlling organized crimes cannot be denied. It is the outcome of the tireless efforts of FIA that the rate of organized crimes in Pakistan reduced drastically. After witnessing the performance of FIA, the people of Pakistan are putting their trust in FIA for resolving many issues. Now there is a dire need to address the challenge that compromise the efficiency of FIA on priority basis so that it can work in the best possible way in future.

