

ADVANCEMENTS IN COUNTERING HUMAN TRAFFICKING: COMPARATIVE ANALYSIS IN THE CONTEXT OF PAKISTAN

*Atiq-Ur-Rehman**

I. ABSTRACT

This paper examines the legal framework and challenges surrounding the issue of human trafficking in Pakistan, drawing insights from relevant laws, regulations, different work done by researchers and international conventions. The paper examines the measures adopted by the Pakistani government to address human trafficking within its jurisdiction. Through a comprehensive analysis, the paper explores the multifaceted nature of human trafficking, including its forms, underlying causes, and the socio-legal challenges in prevention, prosecution and victim protection. Through an examination of governmental initiatives, law enforcement endeavours and civil society involvement, the paper underscores the strides achieved in boosting awareness, fortifying victim safeguards and augmenting law enforcement capabilities.

This paper will further shed light on the challenges hindering the effective combat against human trafficking in Pakistan, encompassing issues ranging from institutional coordination and resource allocation to socio-economic vulnerabilities and legal complexities. Through an exhaustive examination of the intricate challenges faced, the paper aims to shed light on the critical areas requiring attention and reform to strengthen the nation's response to human trafficking. Despite commendable progress in various aspects, persistent hurdles such as inadequate coordination mechanisms, societal stigmas and institutional deficiencies continue to impede efforts to eradicate human trafficking and safeguard the rights of vulnerable individuals.

II. METHODOLOGY

The following methodology was adopted for formulating this research paper.

1. Literature Review
Drawing insights from relevant laws, regulations, different work done by the researcher and international conventions.
2. Consultative meetings with stakeholders
Consultative meetings were conducted with justice sector stakeholders in Khyber Pakhtunkhwa province to present findings of literature review for discussion and recommendation.
3. Recommendations and conclusion
Based on literature review and consultative meetings with stakeholders, this paper has been drafted to contextualize governing justice sector institutions.

III. INTRODUCTION

Human trafficking is generally defined as modern slavery. It is not only a violation of human rights but also an illegal act around the world. Human trafficking is a social as well as an economic problem that has recently attracted attention, but research conducted on this topic is very rare. Pakistan is well known for

* Director Monitoring, Directorate of Prosecution, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Pakistan.

trafficking children and women as a destination, transit and source country. The identification remained an issue due to unreliable data sources which makes it difficult to extract the exact situation of human trafficking in Pakistan.

IV. LEGAL FRAMEWORK

Pakistan has enacted several laws and regulations to address human trafficking, including the Prevention of Trafficking in Persons Act (PTPA), 2018, the Prevention of Trafficking in Persons Rules, 2020 and Trafficking Victim's Protection Act, 2000. These legal instruments criminalize various forms of trafficking, including sexual exploitation, forced labour, and organ trafficking, and prescribe penalties for offenders. Additionally, Pakistan is a signatory to international conventions and protocols, such as the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol), which provide a framework for cooperation and coordination in combating trafficking.

V. DOMESTIC LEGAL AND POLICY FRAMEWORK ON HUMAN TRAFFICKING

A. Special Anti-Trafficking and Anti-Smuggling Laws

Pakistan is party to the United Nations Convention against Transnational Organized Crime (hereinafter "UNTOC") and its supplementary protocol, that is, the Palermo Protocol. Owing to its obligations under the said international legal instruments, Pakistan ought to have a domestic legislative framework on the matter. Until 2018, the Prevention and Control of Human Trafficking Ordinance 2002 was the only specialized legal instrument being used to fight human trafficking. The said law, however, had some crucial loopholes as it did not make distinction between trafficking and smuggling, did not protect victims against criminal liability and failed to address the issue of internal trafficking. However, in 2018, Pakistan made another specialized law on the issue, that is, the PTPA, thus repealing the older law on the subject. For the effective implementation of the PTPA, Prevention of Trafficking in Persons Rules (hereinafter the "PPTA Rules") were notified in 2020. Since the discussion here is focused on the issue of child trafficking, the PTPA will be discussed in detail in latter sections of the brief. Moreover, the Federal Investigation Agency (hereinafter "FIA") in collaboration with United Nations Office on Drugs and Crime (UNODC) had also developed the National Action Plan (2021-2025) against Human Trafficking and Migrant Smuggling, which is an important step to further solidify the efforts to curb human trafficking. The 4P's framework, that is, 1) Protection, 2) Prevention, 3) Prosecution and 4) Partnership, has formed the basis of the said five-year plan with the aim to strengthen key institutions through capacity-building, awareness raising, coordination and international cooperation.

Migrant, smuggling although distinct from human trafficking, may sometimes lead to it. People going into and out of Pakistan are illegally migrated and, thereafter, become the victims of human trafficking. Migrant smuggling is mostly looked at from the lens of human trafficking, so it is important to mention the law on the subject. Pakistan has enacted the Prevention of Smuggling of Migrants Act 2018, which provides punishments for different migration offences. The offences are made cognizable, non-bailable and non-compoundable and shall be tried by the Magistrate of the First Class. Of further relevance in this regard is the Emigration Ordinance 1979, which regulates the emigration of Pakistanis for employment abroad. It criminalizes illegal emigration either through forging of documents or through intoxication, coercion or fraud. This law is enacted to save the interests of Pakistani nationals abroad as such people often become the victims of human trafficking. The Foreigners Act 1946 is also to be mentioned here as it concerns the entry, stay and employment of foreign nationals in Pakistan as they too can become victims of trafficking.

B. Constitutional Provisions Relating to Trafficking and Forced Labour

There are also some other general laws that contain provisions relevant to child trafficking labour which merit discussion. The Constitution enshrines the rights of all people in the country and puts unequivocal obligations on the government to value, protect and fulfil these rights. Most of the rights provided therein are relevant for the trafficking victims as well. For instance, Article 3 (Elimination of Exploitation); Article 11 (Slavery, Forced Labour, etc., Prohibited); Article 25 (Equality of Citizens); Article 25A (Right to Education); Article 35 (Protection of Family, etc.); and Article 37 (Promotion of Social Justice and Eradication of Social

Evils).

C. Provisions in the Pakistan Penal Code (hereinafter the “PPC”) Relating to Trafficking

The PPC holds particular importance in combating human trafficking. Various relevant provisions are embodied in it for combating human trafficking, prostitution, forced labour and other similar acts. Chapter XVI-A of the PPC is relevant in this regard. The provisions of this chapter are either directly applicable to the practice of human trafficking or to many acts that form part of the entire phenomenon. These provisions include section 364A-Kidnapping or Abducting under Age of 14; section 365-B Kidnapping, Abducting or inducing Women to Compel for Marriage etc; section 366A-Procuration of a Minor Girl; section 366 B-Importation of Girl from Foreign Country; section 367-Kidnapping or Abducting in order to Subject Person to Grievous Hurt, Slavery, etc; section 367A-Kidnapping or Abducting in order to Subject Person to Unnatural Lust; section 369- Kidnapping or Abducting Child under Ten Years with Intent to Steal from its Persons; section 369A- Trafficking of Human Beings; section 370-Buying or Disposing of any Person as a Slave; section 371- Habitual Dealing in Slaves; section 371A-Selling Person for Purpose of Prostitution, etc; section 371B-Buying Person for Purpose of Prostitution, etc; and section 374-Unlawful Compulsory Labour.

D. Child Protection Laws

There are numerous laws enacted about child protection with the aim to safeguard children from any exploitative practice or situation. These laws include Sindh Children Act 1995; Sindh Child Protection Authority Act 2011; The Punjab Destitute and Neglected Children Act 2004; The Khyber Pakhtunkhwa Child Protection and Welfare Act 2010, The Baluchistan Child Protection Act 2016; and The Islamabad Capital Territory Child Protection Act 2018. These Acts provide measures for the care and protection of destitute and neglected children and ensure the safety of the rights of the children in need of special protection. They further include provisions laying out the measures for prevention of any child related offence and prosecution of offenders once the offences created therein are committed.

E. Child Marriage Laws

Since trafficking in children also results in forced or underage marriages, so it is relevant to mention here the Child Marriages Restraint Act 1929, which criminalizes child marriages with imprisonment and fine. Punjab and Sindh have their own laws on the matter, whereas Islamabad, Baluchistan and Khyber Pakhtunkhwa are still in the process of drafting a law on the matter to replace the colonial-era Child Marriages Restraint Act 1929. However, the problem with these laws, except the Sindh Child Marriage Restraint Act 2013, is that they define different ages for a male and female child, which in case of female children is below sixteen years and for male children is below eighteen years. This reflects a bigger problem in our legislation be it our child protection laws, labour laws or any other child specific law and that is the non-uniformity of how a child is defined under these laws in terms of age. This leads to conflicting application of these laws and creates a problem where some of the laws overlap, or more than one law applies to a specific situation leading to anomalous results. This concern will be addressed in detail later in the legislative reforms section.

F. Overview and Gap Analysis of the PTPA

The PTPA stands to be the landmark legislation regarding human trafficking crimes. It aims to provide for effective measures to prevent and combat TIP, especially of women and children; to promote and facilitate national and international cooperation in the matter, and to protect the trafficking victims. A brief overview of the PTPA will be given for ease of understanding of its substance which will also prove useful in its critical evaluation. Section 3 of the PTPA criminalizes labour and sexual trafficking and provides punishments for the same which may extend to seven years of imprisonment or a fine up to one million rupees or both. However, if the offence of trafficking is committed against a child or a woman, the person who commits the offence shall be punished with imprisonment which may extend to ten years, and which shall not be less than two years or with fine which may extend to one million rupees or with both. The PTPA enhances the punishments up to fourteen years of imprisonment which shall not be less than three years and a fine up to two million rupees for the offence of trafficking if it involves (a) serious injury, life threatening illness or death of the victim or another person; (b) activity of an organized criminal group; (c) confiscation or destruction of any travel document of the victim, or (d) repetition of the offence by the same offender. The said law has also introduced provisions regarding abetment in trafficking and criminal conspiracy to commit trafficking and has provided punishments for the same to create stronger deterrence. The PTPA makes it clear that investigations for internal trafficking and external trafficking shall be carried out by the local police

and the FIA, respectively. It goes a step further and provides for the protection of trafficking victims and witnesses so that fair trial can be ensured, and the offenders can be brought to justice. Furthermore, the PTPA underscores the importance of raising awareness regarding trafficking crimes and emphasizes national and international cooperation in the matter to curb the menace of trafficking. It further discusses the significance of data collection on the matter to identify not only the factors that lead to trafficking but also the offenders and the victims.

Despite having a comprehensive set of laws to combat human trafficking, the situation of trafficking within Pakistan has not improved much. In the following paragraphs, the brief will highlight and discuss the legislative gaps which may be responsible for diluting the effect of this legislation. A much stronger and integrated approach to combat human trafficking is still required based on prevention, prosecution of traffickers and protection for victims.

Section 3 of the PTPA defines “trafficking in persons” as “any person who recruits, harbours, transports, provides or obtains another person, or attempts to do so, for compelled labour or commercial sex acts through the use of force, fraud or coercion, commits an offence of trafficking in persons.” “Compelled labor” is further defined later in the same section as including “involuntary servitude, slavery or practices similar to slavery, or debt bondage and forced labour. This demonstrates that many internationally recognized forms of child trafficking in the country like domestic servitude, forced marriages, beggary, pornography, organ trafficking and usage of children in drug trafficking remain outside the ambit of trafficking in persons as defined under the PTPA. This definition restricts the ambit of human trafficking to forced labour and commercial sex, thus narrowing its scope and adversely affecting its potential to effectively deal with all forms of human trafficking.

Furthermore, there is multiplicity of laws on the same offences as covered under the PTPA. For instance, certain sections of the PPC about kidnapping, abduction, slavery and forced labour (see various sections between 354 to 374) contain some specific offences that explicitly or implicitly overlap with the offence of trafficking in persons as contained in the PTPA. Since these laws provide different punishments for the same offences, this creates unnecessary complication in sentencing and provides the defendant with increased defences and loopholes in those laws to get lenient punishments. Not only that, but it also gives law enforcement agencies (hereinafter “LEAs”) wide ranged power to choose the law under which to register cases of human trafficking and, consequently, the forum at which the case is to be tried as they differ under the PPC and the PTPA. The same goes for different labour laws overlapping with the definition of “compelled labor” as provided under the PTPA but prescribing different punishments from the ones under the PTPA. As a result of the said overlap, LEAs continue to use sections of the PPC or labour laws rather than that of the PTPA, which criminalizes some forms of human trafficking and forced labour, respectively.

Adding to the above complication is the fact that there is no non-obstante clause, or a clause that gives the PTPA an overriding effect over all other laws, that either overlap with it or are contradictory to it. The presence of such a clause can help in reconciling the overlapping effect of the multiple laws. It is important to note that a special law like the PTPA provides special protection measures for the safety of victims and witnesses in the cases of human trafficking. Moreover, the concept of aggravating circumstances as given in section 4 of the PTPA (also discussed earlier) is important for enhancement of punishments if the offender is a habitual criminal or if the offence falls under the category of organized crime. This framework is only available when the PTPA is invoked and not under the general provisions of the PPC or any other overlapping law.

Section 4(b) of the PTPA addresses the enhancement of punishment wherein an organized criminal group is involved in committing the offence of human trafficking. The explanation given in the same section defines organized criminal group as “a structured group of two or more persons”. However, no further definition is provided as to what qualifies as a structured group, which is an important element to establish the involvement of an organized criminal group.

Section 13 of the PTPA deals with the compensation to be provided to the victim of trafficking. However, the said provision of compensation is made contingent upon the conviction of the offender. This goes against the very definition of victim as provided under section 2(g) of the law wherein victim “means a person against whom an offence under this Act is committed regardless of whether the perpetrator is identified,

apprehended, prosecuted or convicted”, meaning that no condition of conviction whatsoever is attached to the said definition.

The PTPA, while criminalizing sex and labour trafficking, prescribes penalties of up to seven years of imprisonment, a fine of up to 1 million rupees, or both, for trafficking crimes involving adult male victims and penalties of up to ten years' imprisonment or a fine of up to 1 million or with both for those involving adult female or child victims. By allowing for a fine in lieu of imprisonment, these penalties are made less stringent, and they do not correspond to the gravity and heinous nature of trafficking crimes.

In human trafficking crimes, apprehending the offender is not the only object; instead the nature of this offence is such that it requires immunity of the victim from the criminal liability as well. As provided by the Office of the High Commissioner for Human Rights (hereinafter “OHCHR”) in its Recommended Principles on Human Rights and Human Trafficking, the non-punishment principle sets out that “trafficked persons shall not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as a trafficked person” (Principle no. 7). Section 6 of the PTPA contains a provision in this regard, which prohibits the liability of the victim under this offence. While the PTPA recognizes victims of human trafficking and eliminates criminal culpability for offences thereunder, it does not absolve victims of human trafficking from criminal liability for offences prescribed under other laws. For instance, an individual who was trafficked to transport drugs could technically still be prosecuted and convicted under the Control of Narcotics Substances Act 1997 for offences that may carry the death penalty.

The above critical evaluation of the PTPA brings to the surface certain cracks and gaps in the law that may help the offenders slip through. It will be later discussed in detail as to how the said gaps can be filled to ensure that the law achieves the effect it is enacted for. Despite notable achievements, Pakistan faces several challenges in combating human trafficking. These include inadequate coordination among stakeholders, insufficient allocation of funds, region-specific human rights violations, poverty, lack of education, demand for cheap labour, cultural norms, conflict and instability, and a lack of awareness among citizens. Additionally, issues such as political instability, exploitation of vulnerable populations like Afghan refugees, and difficulties in identifying and rehabilitating victims further compound the challenge of eradicating human trafficking in the country.

VI. CHALLENGES

A. Fragmented Coordination among Stakeholders

Efforts to combat trafficking in persons are hampered by inadequate coordination and communication among relevant stakeholders, including law enforcement agencies (LEAs), prosecutors, and victim service providers. The lack of a cohesive approach undermines the prevention, prosecution and protection efforts against human trafficking.

B. Ineffectiveness of the National Referral Mechanism (NRM)

Although a National Referral Mechanism (NRM) exists, comprising national, provincial and district-level anti-trafficking committees, its operational structure is inefficient and inadequately represented. The loose coordination within the NRM inhibits the seamless referral of trafficking cases and hampers victim assistance and protection efforts.

C. Resource Allocation and Funding Constraints

A dearth of appropriate funds and resources allocated to combat human trafficking poses a significant challenge in addressing this organized crime effectively. Limited financial resources hinder the implementation of comprehensive anti-trafficking strategies and impede efforts to strengthen institutional capacities.

D. Impact of Political Instability

Political instability in the country diverts the attention of law enforcement agencies from combating trafficking in persons to addressing internal political affairs. The resultant diversion of resources and focus compromises efforts to prevent and prosecute human trafficking cases effectively.

E. Exploitation of Socio-economic Vulnerabilities

Traffickers exploit various region-specific human rights violations, including early child marriages, child labour, domestic violence, and bonded labour traditions prevalent in Pakistan. These vulnerabilities exacerbate the risk of trafficking and perpetuate the cycle of exploitation within marginalized communities.

F. Lack of Public Awareness

A pervasive lack of awareness among the general populace about the prevalence of human trafficking, signs of victimization and reporting mechanisms contributes to the perpetuation of this crime. Insufficient public awareness initiatives impede efforts to identify and report trafficking incidents promptly.

G. Vulnerability of Afghan Refugees

Afghan refugees residing in Pakistan are particularly vulnerable to trafficking due to their lack of proper legal identification documents and residential status. This vulnerability exposes them to exploitation by traffickers and complicates efforts to provide adequate protection and assistance.

H. Inadequate Victim Referral and Support

Due to inadequate coordination among stakeholders, trafficking victims often do not receive proper referrals for essential support services, including shelter, medical assistance and psychological care. The absence of a robust victim support system exacerbates the challenges faced by trafficking survivors.

I. Economic Pressures and Hyperinflation

Economic pressures, exacerbated by hyperinflation, drive individuals to seek alternative means of livelihood, increasing their susceptibility to trafficking. Rising unemployment rates and economic hardships compel individuals to migrate in search of better opportunities, exposing them to exploitation by traffickers.

J. Identification Challenges and Misclassification

The inability of relevant stakeholders, especially law enforcement agencies, to differentiate between trafficking victims and other forms of exploitation, such as bonded labour and violence against women and children, complicates efforts to identify and assist victims effectively.

VII. ACHIEVEMENTS

Pakistan has made significant progress in combating human trafficking following the enactment of the Prevention of Trafficking in Persons Act 2018 (PTPA-2018). Through coordinated efforts between government agencies and civil society organizations, awareness campaigns have been intensified, victim services have improved, and there has been an increase in the prosecution of trafficking cases. Despite retaining Tier 2 status, Pakistan's acknowledgment of the severity of human trafficking and its proactive measures represent a notable advancement in addressing this global issue.

A. Awareness Campaigns and Collaborative Ventures

Governmental bodies and non-governmental organizations have launched campaigns to raise awareness about trafficking in persons (TIP) since the implementation of the Prevention of Trafficking in Persons Act 2018 (PTPA-2018). Collaborative ventures between law enforcement, labour and social welfare departments, alongside various stakeholders, have been pivotal in disseminating awareness about the gravity of the issue.

B. Strides Towards Adhering to International Standards

While Pakistan remains categorized under Tier 2 according to the Trafficking Victims Protection Act (TVPA), substantial endeavours have been made to tackle human trafficking within the nation. The acknowledgment of the issue and ongoing endeavours to counter trafficking demonstrate a commitment to aligning with international standards.

C. Registration and Prosecution of TIP Cases

Law enforcement agencies across all provinces have intensified efforts to register and prosecute TIP cases, resulting in the registration of hundreds of cases both domestically and internationally over the past

three years. This reflects a proactive approach in addressing the issue at both national and global levels.

D. Establishment of the National Referral Mechanism (NRM)

Pakistan has instituted a national referral mechanism to aid and shield trafficking victims. The NRM, comprising national, provincial and district-level anti-trafficking committees, bolsters victim protection and assistance efforts nationwide.

E. Bilateral Agreements and Collaboration

Pakistan has entered into bilateral agreements with other nations to combat trafficking in persons, facilitating information exchange, joint investigations and the repatriation of victims. These agreements underscore the importance of international collaboration in addressing transnational crimes like human trafficking.

F. Focus on Internal Trafficking

With the implementation of PTPA-2018, there has been a shift in focus from transboundary trafficking to internal trafficking. This underscores a recognition of the growing issue of internal trafficking within the nation and highlights the need for targeted interventions.

G. Capacity-Building and Training

Government institutions, in collaboration with non-governmental organizations, have prioritized training and capacity-building initiatives as part of their achievements in combating human trafficking. Law enforcement authorities, labour departments, prosecution departments and social welfare departments have conducted awareness-raising campaigns at various levels, targeting police officers, prosecutors, government officials and community leaders. Furthermore, initiatives led by civil society organizations and NGOs have complemented these efforts, conducting awareness campaigns at grassroots levels and advocating for the rights and protection of trafficking victims. Overall, these training and capacity-building endeavours have contributed to a more informed and responsive approach towards addressing human trafficking in Pakistan.

H. Continued Awareness-Raising Efforts

The Social Welfare Department and civil society organizations continue to raise awareness about TIP, especially with a child-focused and gender-sensitive approach. This ongoing awareness-raising effort is crucial in sensitizing the masses and preventing trafficking.

I. Correlation between Trafficking and Terrorism

Law enforcement agencies have begun recognizing the correlation between human trafficking and terrorism, particularly concerning child-soldier recruitment and financing for terrorist activities. This understanding underscores the need for a comprehensive approach to addressing trafficking-related security threats.

J. National Citizen Portal for Reporting

While Pakistan lacks a dedicated National Hotline for reporting TIP cases, the establishment of a National Citizen Portal provides a platform for reporting crimes and issues, including trafficking. This digital initiative enhances accessibility and facilitates the reporting of trafficking incidents.

VIII. RECOMMENDATIONS

- a. Conduct a comprehensive mass awareness campaign at the state level to educate the general populace about human trafficking, targeting root causes such as poverty, lack of education and discrimination.
- b. Engage academia in leading research efforts and integrating special subjects on human trafficking into curricula and courses to increase understanding and awareness.
- c. Provide robust support and protection mechanisms for victims through collaborative efforts between government agencies and civil society organizations.

- d. Develop innovative and engaging educational videos in local languages to inform potential migrants about the risks of human trafficking, utilizing formats like dramas for effective communication.
- e. Implement the National Action Plan against Trafficking in Persons and Smuggling of Migrants (2021-2025) developed by the Federal Investigation Agency (FIA) to combat human trafficking effectively.
- f. Provide extensive training to law enforcement officers at all levels, focusing on victim-centred approaches, victim identification, outreach and service referral strategies.
- g. Integrate criminal records of human traffickers with the National Database & Registration Authority (NADRA) to identify and track their criminal history.
- h. Improve focus on both cross-border and internal trafficking cases within the country, enhancing data collection and sharing mechanisms between agencies and districts.
- i. Encourage educational institutions to include human trafficking in their curricula and utilize social media platforms for awareness campaigns.
- j. Recruit and train more specialized officers for law enforcement agencies to effectively combat human trafficking.
- k. Allocate adequate resources for law enforcement agencies to enhance their capacity in investigating and prosecuting human trafficking cases, including the establishment and training of specialized units.
- l. Provide budgetary support to the public and private sectors for victim services, including medical care, psychological counselling, income support and legal assistance, along with establishing specialized shelters.
- m. Launch public awareness campaigns to educate communities about the risks of human trafficking, emphasizing identification and reporting mechanisms through targeted programmes in schools and communities.
- n. Foster constructive partnerships with national and international actors to exchange knowledge, adopt best practices, and coordinate efforts in investigating and prosecuting human trafficking cases.
- o. Ensure regular oversight of efforts to combat human trafficking, evaluate the effectiveness of legal and policy frameworks, and issue periodic reports aligning with the Sustainable Development Goals (SDGs) Task Forces.
- p. Consider language barriers while drafting legislation and policies to ensure accessibility and understanding among all segments of the population.
- q. Mandate labour sectors to provide employment benefits, legal documentation facilities and a safe work environment to all workers, ensuring their protection against exploitation and trafficking.
- r. Encourage political parties to include commitments against modern slavery in their manifestos and pledge to refrain from endorsing candidates involved in labour rights violations.
- s. Consolidate various legal provisions related to combating human trafficking and bonded labour in Pakistan under a single comprehensive law, blending provisions from existing laws such as the Pakistan Penal Code, provincial Bonded Labor Abolition Acts, Prevention of Trafficking in Persons Act 2018 and Prevention of Smuggling of Migrants Act 2018.
- t. Establish separate courts or benches dedicated to implementing the Prevention of Trafficking in Persons Act 2018, ensuring specialized attention and expeditious adjudication of human trafficking cases.
- u. Incorporate orientation programmes on the new legal framework on trafficking in persons into the curriculum of judicial academies, targeting prosecutors, legal professionals and judicial officers to enhance

their understanding and effective application of the law.

- v. Ensure that the investigation and prosecution system remains free from political influence and pressure, safeguarding the integrity and impartiality of legal processes in human trafficking cases.
- w. Facilitate better coordination between Investigation Officers (IOs) and Prosecutors to strengthen the preparation of robust case files (*challans*) for trial and conviction in court, enhancing the likelihood of successful prosecution.
- x. Hold police accountable for prosecution-related responsibilities to improve investigation standards and witness management, thereby contributing to an increase in the conviction rate for human trafficking offences.

IX. CONCLUSION

Given the magnitude of human trafficking in Pakistan, there is a dire need to address the dilemma of human trafficking. The government should start by conducting comprehensive surveys to decipher the magnitude of trafficking in all its forms. Without a realization of its scale, it is not possible to devise an actionable plan. The provincial governments, in conjunction with the national government, should set up vocational and educational schemes to empower the poor families by imparting vocational skills to them. Simultaneously, rehabilitation programmes should be set up for the victims of human trafficking as well as a national fund should be maintained to provide an alternative source of income for these poor families who are forced to sell their children and women for money.

The necessary amendments in legislation such as the Prevention of Trafficking in Persons Act 2018 and the Prevention of Smuggling of Migrants Act 2018 shall be made to enable stakeholders to counter this menace with a stronger hand. Moreover, training and capacity-building initiatives play a crucial role in equipping stakeholders with the knowledge and skills needed to combat human trafficking effectively. Moving forward, sustained efforts, enhanced collaboration, and a multidimensional approach are essential to further progress in the fight against human trafficking in Pakistan.