

# Counter Human Trafficking District Task Force Needs Assessment Report

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## I. EXECUTIVE SUMMARY

Pakistan is a source, transit and destination country for men, women, and child trafficking. Poverty and gender discrimination are two major factors that contribute towards it. In 2002, The Prevention and Control of Human Trafficking Ordinance was passed, establishing trafficking in human beings (THB) as a criminal offence in Pakistan.

The District Task Forces to Counter Human Trafficking was created in 2004, a project aimed to strengthen the capacity of multiple stakeholders. In the first phase of the project seven DTF were created in vulnerable districts of Pakistan. The seven DTF are led by a civil society organization, the Implementing Partner (IP), and include representation from FIA, local police, the DCO, the Ministry of Women Development, the civil society and NGOs, local media and local judiciary. Under this project, besides creating DTF in seven districts, training and capacity building of district level stakeholders, other activities to combat human trafficking include Victim assistance handbooks for each district, Case Conferences, Theatre plays / drama, Provision of assistance to up to twenty victims of trafficking on a case by case basis, and to enhance interaction with DTF and strengthening the focus on monitoring and evaluation for the implementation of the project.

IOM engaged the services of Ms. Shaheen Khan, a consultant, for a month for this research study. A needs assessment of the project “Creation of Counter Human Trafficking District Task Forces” members and stakeholders was undertaken in the seven districts of the project. The purpose of the assessment is to establish and document gaps in terms of capacity and training needs, as well as team dynamics and effective management of activities and referral.

She initiated the research with a desk review, designed research tools, including a questionnaire and guideline topics for focus group discussions, and administered the research tools by undertaking travel to all the seven districts.

The primary stakeholders are victims, DTF members, FIA and police and other law enforcement agencies. The secondary level stakeholders are; District Level Government officers, Judiciary, NGOs and civil society, Ministry of Women Development, Ministry of Labour, Social Services, Media and Human Traffickers, Human Smugglers and promoters of Human Smuggling. Lastly, the tertiary stakeholders are the general public, poor people and vulnerable groups, like females and children.

On her trip to the seven districts, the problems found were:

- Poverty is a very big cause of HT.
- There is an urgent need for awareness among the public.

**Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003, The UN definitions of a transnational organized crime group, trafficking in persons and smuggling of migrants. The UN Convention and its three Protocols dealing with HT, HS and organized crime are subsequently called Palermo.**

- Except Karachi and Sukkur, the gender balance in the rest of the DTFs is very poor.
- A big impediment in bringing down HT is corruption- and the fact that many politicians are involved in Human Trafficking.
- HT is growing as a business for organized criminals as it seems to be near impossible to get convicted (according to statistics taking by UNODC)
- FIA was of the opinion that NADRA and a few other organizations were actually involved in increasing HT.
- The families of victims don't cooperate many times, which makes work very difficult.
- A big problem is the fact that it is culture in some families to receive money when getting their daughter married.
- The FIA's training is not up to par and their cooperation is on a purely personal level.
- The local police are unaware and not sensitized to deal with VOTs.
- Lastly, the police have no jurisdiction in the airports and so will be helpless if a trafficker escapes to the airport.

The suggestions made by Ms. Shaheen are:

- A mass awareness campaign should be launched, with the use of the media and internet networking communities. Leaflets should be distributed in local languages, with more focus on small towns and villages rather than big cities. And FIA was of the opinion that IOM should launch a radio station that builds awareness of Human Trafficking. Platform/religious leaders should be approached to spread awareness, and furthermore, Lady Health Workers, played a big role in spreading awareness about polio and family planning in Pakistan- they should now be used to spread awareness of HT.
- A system of complaints without harassment should be created for the people who have vital information about VOTs etc but cannot come forward due to fear of being harassed.
- Since so many agencies are working towards stopping HT, it would be prudent to create an Inter-Agency Task Force.
- Focus should be given to local NGOs as they play a very big role against HT, and they should be made implementing partners in their districts.
- A helpline should be created catering to VOTs or people who might have information about VOTs. In the same way, a resource center should be created at District levels to give guidance to VOTs, potential VOTs etc.
- Panah Darulaman in Karachi and in Bahawalpur should be taken as an example and such shelters should be created all over Pakistan. This is extremely important for VOTs-

**(P&CHTO) 2002**

**“Human trafficking means obtaining, securing, selling, purchasing, recruiting, detaining, harbouring or receiving a person, notwithstanding his implicit or explicit consent, by the use of coercion, kidnapping, abduction, or by giving or receiving any payment or benefit, or sharing or receiving a share for such person's subsequent transportation out of or into Pakistan by any means whatsoever for any of the purposes laid down by law.”**

especially concerning their safety. Also, to make the reintegration of victims possible, income generation schemes are very important, which IOM can do by setting up vocational training institutes. Awareness building is important, so that their families actually take them back.

- There should be a separate section of the police and the FIA that deal with HT.
- There is a great need for an in-depth research into the true state of HT in Pakistan.
- IOM should work with the government to make sure children are registered when born.
- IOM should have a project of Counter Human Trafficking for Rescue of VOTs.
- IOM should monitor the Districts more carefully.
- All deportees should be checked for Hepatitis and HIV after returning to Pakistan.

From the field work and the consultation meetings, it is concluded that IOM took a very good initiative to create the DTF for countering Human Trafficking. IOM should start similar projects in KPK and Baluchistan. Considering that Government of Pakistan and FIA attach so much importance to IOM in countering HT, IOM HQs should take a note of it and assist the office in Pakistan. Countering Human Trafficking should be included in the core program of IOM and not just a project of two years with a budget of only \$450,000.

## II. INTRODUCTION

Human trafficking represents a severe form of exploitation of another human being. Traffickers rob victims of their human rights and subject them to physical, mental, emotional, and/or psychological abuse. Fraud is always involved in human trafficking. Once a person falls victim to human traffickers, they

are encircled in a vicious cycle of violence along with their families. In the recent years it has increased throughout the world because of globalization and involvement of organized crime groups. According to the International Organization for Migration (IOM) global trafficking generates up to eight billion US dollars every year, making it the third largest International Organization Crime after arms and drugs trafficking<sup>1</sup>.

**According to the IOM, global trafficking generates up to 8 billion US dollars every year, making it the third largest International Organization Crime after arms and drugs**

The exploitative treatment of victims amounts to new forms of slavery. But efforts to combat human trafficking are growing all over the world. In Pakistan however, though the name of the problem is new, the issue has been present since long, because of certain cultural norms, like; Swara, Wana, Walwar etc. All of which represent selling or giving away of a female by close relatives, to settle disputes. Bride price and the like are also customary practices where females are sold off in marriage, where some get further sold and end up in brothels.

1. <http://www.supremecourt.gov.pk/jc/Articles/14/1.pdf>. TRAFFICKING IN PERSONS: AN OVERVIEW OF THE SITUATION. Mrs. Amna Imran Khan, Deputy Secretary, Ministry of Interior.

Pakistan is a source, transit and destination country for men, women, and child trafficking. Poverty and gender discrimination are two major factors that contribute towards human trafficking in Pakistan. In addition, there are other contributing factors such as illiteracy, lack of knowledge/information and increasing population pressures. The Prevention and Control of Human Trafficking Ordinance was passed in 2002 establishing trafficking in human beings (THB) as a criminal offence in Pakistan<sup>1</sup>.

In order to ensure successful prevention, detection, prosecution and punishment of trafficking and related crimes, it is essential to build the capacity of all relevant law enforcement agencies, judiciary, and general masses. To avoid people falling victim to this heinous crime, it is necessary to do advocacy and build awareness of the general public. According to US State Department and UNODC, an effective response to human trafficking must include four key elements:

1. Prevention—decrease the number of people trafficked.
2. Protection—increase protection, support to victims and survivors.
3. Prosecution—investigate and prosecute traffickers, strengthen laws and legal responses.
4. Partnerships—bring together diverse experiences, amplify messages, and leverage resources of law enforcement, service providers, community members, and survivors.

The United States Government monitors Human Trafficking globally and issues an annual Trafficking in Persons Report. In 2004, Pakistan was placed on the Tier 2 Watch List of the report<sup>2</sup>. The creation of The District Task Forces to Counter Human Trafficking (DTF) was a direct result of this report. The project aims to strengthen the capacity of multiple stakeholders, which should result in the creation of a common platform in the most vulnerable districts in Pakistan commonly known as source, transit and destination locations for victims of trafficking (VOT).

Bonded labour, which is a major problem in Pakistan, is a main cause for Human Trafficking. Other causes are now adding up, e.g. sexual and domestic servitude, begging and organ removal. Bonded labour is mostly concentrated in the feudal, patriarchal societies of Sindh and Punjab in agriculture and brick making. It also exists in Baluchistan mining sector.

### *Child Sex Trafficking*

*According to UNICEF, as many as two million children are subjected to prostitution in the global commercial sex trade. International covenants and protocols obligate criminalization of the commercial sexual exploitation of children.*

1 & 2. <http://www.supremecourt.gov.pk/jjc/Articles/14/1.pdf>. TRAFFICKING IN PERSONS: AN OVERVIEW OF THE SITUATION. Mrs. Amna Imran Khan, Deputy Secretary, Ministry of Interior.

The geo-strategic position of Pakistan, having borders with Afghanistan, India, Iran and China, favours Human Trafficking, Human Smuggling and Illegal immigrations. The Federal Investigation Agency (FIA) of the Government of Pakistan deals with these issues. The District Task Force was created on the request of FIA to create partnership of governmental and non-governmental stakeholders to combat human trafficking. In the first phase of the project seven DTF were created in vulnerable districts of Pakistan. The selected districts are Karachi, Sukkur, Larkana, Gujrat, Gujrawala, Bahawalpur, and Rahim Yar Khan. Karachi, Sukkur and Larkana were chosen because they have the problem of bonded labour, and in recent years, girls trafficked on the false pretext of marriage. Bahawalpur and Rahimyar Khan were chosen because children were trafficked to become camel jockeys in the UAE. Gujranwala and Gujrat suffers from illegal immigration and human smuggling. It should be noted that all the culprits of Human Smuggling arrested and convicted in Pakistan belong to Gujrat district.

The seven DTF are led by a civil society organization, the Implementing Partner (IP), and include representation from FIA, local police, the DCO, the Ministry of Women Development, the civil society and NGOs, local media and local judiciary. It was planned that DTF would serve as a monitoring body at the district level and act as an intermediary between VOTs, the police, the FIA Anti-Trafficking Units (ATUs), the support services and the communities. The DTF were scheduled to meet once a month to discuss the situation in their district relating to the issue, spreading awareness about HT, coming up with mechanisms to identify victims, and trying to build a network for the relevant stakeholders to collectively combat HT. IOM emphasized training and capacity building activities for the IPs, who in turn transferred the knowledge to the DTF members and other stakeholders in their districts. In the second phase of the project IOM emphasized on efforts to identify victims of trafficking, rescuing them and rehabilitating them if possible.

Under this project, besides creating DTF in seven districts, training and capacity building of district level stakeholders, other activities to combat human trafficking include:

- Victim assistance handbooks for each district
- Case Conferences
- Theatre plays / drama
- Provide assistance to up to 20 victims of trafficking on a case by case basis
- Enhance interaction with DTF and strengthening the focus on monitoring and evaluation for the implementation of the project

The project will be completed in March 2012.

### **III PURPOSE OF THE DOCUMENT**

A needs assessment of the project “Creation of Counter Human Trafficking District Task Forces” members and stakeholders was undertaken in the seven districts of the project. The purpose of



the assessment is to establish and document gaps in terms of capacity and training needs, as well as team dynamics and effective management of activities and referral.

Specific tasks included:

- Analysis and mapping of stakeholder within the selected districts.
- Identifying capacity gaps and weaknesses in knowledge, skills, attitudes and aptitudes of the DTF members in terms of the structural relationships and operations (support to victims of trafficking, collaborative and referral structure, budget allocation, program areas.)
- Assess available resources, or lack thereof, within the task forces (human, financial, equipment, technical knowledge)
- Determine measures required to bridge identified gaps and generate findings and recommendations for the capacity-building and collaborative development of each task force

The following report identifies gaps in the district task force collaborative structure and technical support, with accompanying solutions and recommended measures. For this purpose, travel to all the seven districts was undertaken. DTF group meetings were attended, individual interviews with key informants of stakeholders were done, social services institutions were visited and communities met.

## **IV METHODOLOGY**

IOM engaged the services of Ms. Shaheen Khan, a consultant, for a month for this research study. She has expertise in HT and experiential background of assignments over 25 years (both regular and consultancy undertakings) with donor and UN agencies. She initiated the research with a desk review, designed research tools, including a questionnaire and guideline topics for focus group discussions, and administered the research tools by undertaking travel to all the seven districts. She convened DTF group meetings, where she arranged focus group discussions and consultations, conducted individual interviews with key informants, conducted site visits to social services institutions and met communities.

## **V ANALYSIS**

### **a. ANALYSIS - MAPPING OF STAKEHOLDERS**

#### **Primary:**

#### **1. Victims:**

Majority of VOTs (victims of Trafficking) in these districts come from poor households. They are usually females and children. Most of them are illiterate and trafficked by close

relatives or people well known to them. Every district has its unique threats and issues relating to HT.

In Karachi, children and females are trafficked from other provinces or other districts in Sindh for begging, or domestic or sexual servitude, or bonded labour in industries of fisheries, ship-breaking, etc.

Young girls from Punjab are trafficked to Sukkur and Larkana, on the false pretext of marriage. The Darulaman of Sukkur presently has 62 females; most of them are either 'Karo Kari' cases or were trafficked from Punjab with the false promise that they be married into good families. According to them, many are detained by the feudal lords on their lands and no one ever learns about them. All these females in Darulaman, had escaped their detainers.

Children were trafficked for years to UAE to be used as camel jockeys in camel racing from Rahimyar Khan and Bahawalpur. The problem was controlled when the government joined hands with the UN agencies, specially UNICEF, and the civil societies to eradicate it. UAE was influenced to change their law and now boys can become jockeys only after attaining the age of fifteen years. Previously, children as young as five years were also used. Though the problem is controlled but it is not totally cured. Boys are still being trafficked to the Middle East. Many believe the venues of the racing have changed to other states in the Middle East.

Gujrat and Gujranwala have been prey to human smuggling and illegal immigration since long. As time goes by, more boys are wishing and trying to be smuggled. In fact, nowadays there are promoters in these districts, who promote human smuggling and try to incite the youth to join them. Once the boys are convinced, they stop at nothing convincing their parents to send them. The push and pull factor in most of these cases are poverty and monetary benefits, and usually having a relative abroad. Before boys were the only ones smuggled abroad, but now, even girls want to and try to be smuggled. The difference is that females are usually trafficked because they travel on correct documents, which do not show their genuine information, e.g. their correct age, and correct address or relationship to the person they are travelling with. Girls are trafficked to the Middle East as musical artists, but they are usually kept in bungalows and used as prostitutes. The parents are told that they will be working as artists with cultural groups or will be working in beauty salons putting henna on hands. They are kept there for 3 months because visit visas are maximum 3 months. After which they are brought home. Once home, due to fear of dishonor, they do not disclose that they have been used for sex work, and as a result suffer psychological traumas. Although it should be noted that some go willingly, with all knowledge of what is to be expected of them.

## **2. DTF Members:**

“Counter Human Trafficking District Task Forces Project” has DTF in seven districts with a membership between fifteen to twenty-five persons. The seven DTF are led by a civil society organization and include representation from government and the civil society. The DTF serve as a monitoring body at the district level and meet once a month to discuss the situation in their respective district relating to the issue of HT and try to build a network of the relevant stakeholders to collectively combat HT.

### 3. FIA:

Federal Investigation Agency, which was first known as Federal Police Organization, came into being with FIA Act 1974. FIA has been dedicated the leading agency in anti-human smuggling and investigating cases of counterfeit currency. Its mandate includes investigating specialized and organized crimes, Immigration and trafficking, counter-



terrorism, cyber crime and plastic money frauds, money laundering, intellectual property rights, and control on entry and exit.

FIA is also responsible for PISCES, Personal Identification Secure Comparison & Evaluation System, which is the computerized control on entry into and from Pakistan. PISCES is installed in Immigration at all exit and entry points in Pakistan. There are fourteen centers altogether. PISCES was established in 2002 and made centralized in 2004. It has two parts on the computer screen. One part shows local and the other shows national data. If a person is using different routes, e.g. entering Pakistan through Islamabad airport but leaving the country through Chaman Land exit or Waga border train exit, and the Immigration person checks the “National” part of PISCES, it will show the details of that person entering through Islamabad airport.

Along with the above, FIA is responsible for Automated Finger Prints Identification (AFIS), National Criminal Database (NCDB), Interpol-National Central Bureau, Forensic and Technical Support.



FIA is counterpart with IOM and other donor agencies working to combat trafficking. In the DTFs, FIA has membership. But according to the IPs, FIA attends meetings only on a personal basis. Or the IPs have to maneuver their attendance. Also, FIA is not present in all districts. In Rahimyar Khan, FIA is not present but there are two international flights from

Rahimyar Khan, for which FIA has to come from Multan. The IP schedule DTF meeting on the day FIA has to come for the flight. That way, they attend the meeting also. FIA staff also shared that they are trained in their academy in Islamabad for combating HT, so they don't need to attend DTF trainings unless they are hired to be resource persons or trainers. Because they have to deal with so many districts, they do not have the time to attend DTF meetings, nor the incentive. They have to travel long distances to the meetings on their own fuel.

#### 4. Police and other Government Law Enforcement agencies:

Police is very important for combating HT at district level because at this level they are the ones that deal with the trafficked cases and not the FIA. All HT cases are reported as abduction cases or kidnapping cases, which are under the jurisdiction of the local police. Unlike FIA, they are present at every level, e.g. a police station is present at the Tehsil level and also at the Union Council level. The District level police are members of the DTF and exposed well to HT and all its forms. They are trained by the IPs and attend every DTF meeting. But the Tehsil and Union Council level police do not have a clue about Human Trafficking.

### Secondary:

#### 1. District level Government Offices:

DTF was created to form linkages and networks at district level to combat HT. Also DTF can be sustainable if ownership goes to the government. Besides the FIA and Police, other relevant government departments have membership in DTF. In Karachi District there are forums or offices which are not present in the other districts. For example, the CCO, Children Complaint Office, situated in Ombudsman Karachi is a helpline which is not replicated in the other districts. Same is the CPLC, Citizen Police Liaison Committee, which is unique to Karachi district only. Both are members of DTF. In Rahimyar Khan, District Vigilance Committee Officer is member of the DTF. These are offices which can support combating HT, including assistance to the VOT.

## 2. Judiciary:

The Magistrates or District court judges do not have any knowledge about Human Trafficking or PACHTO. In fact it is most important to spread awareness in the district level judiciary. Most of the lawyers and judges do not have any information about HT or related stuff. One of the IPs identified a VOT and pursued the case to the courts. The judge was totally unaware of PACHTO and though knew human smuggling, had no idea of HT. The IP gave him the hard copies of relevant material. The judge refrained from taking action and said that he would Google PACHTO and research the matter before he could give a verdict, and postponed the matter to the next day. Hence there is a dire need to have the judiciary sensitized and informed as to what HT is and that Pakistan has a law dealing with it.

## 3. NGOs and civil society:

All DTFs have NGOs registered as members and this is the best network created. Whatever training or advocacy has been imparted to the DTF members, the NGOs have carried it further and imparted the knowledge in their respective societies and communities. Because HT happens more in low-income communities, the people became aware and cases were recited where HT was stopped or efforts were being made to stop it since now they knew what HT was.



## 4. Ministry of Women Development:

The ministry is responsible for all the over-night shelters and children protection units. These are the Darulamans and Women Crisis Centers for females, and Nigehbaan and CPUs for children. Both are the only social services which can be used for VOT. Departments of Social Welfare, Women Development and Baitul Maal work together. The females in Women Crisis Centers or Darulamans are supported from the Baitul Maal. Also if extended medical services or surgeries are required for these females, the money is provided from the Baitul Maal. The same forum can be used for free legal and medical aid, required by VOTs, if the government decides so.

## 5. Ministry of Labour:

District Officers, Labour Welfare Department, are members of the DTF. They are also District Vigilance Committee members. These are the committees which were formed by ILO in an effort to eradicate bonded labour. They have been recognized by the government through the assembly and hence are sustainable and working in the districts.

## 6. Social Services:

These are the shelters for females and children at the district level. In Punjab they are available in all the districts, but in other provinces they are found only in the main cities. In Sindh they are created in Karachi, Hyderabad, Sukkur, and Larkana. In Baluchistan only one Darulaman is situated in Quetta. In KPK, Kohat,



Peshawar, Abbotabad, and Swat have a Darulaman. In Punjab every district has a CPU and Nigehbaan for children. In Sindh they are only in Karachi, Sukkur, and Hyderabad and all are dormant. None of them are operational because of bad management and corruption. Every Police station is supposed to have a child protection unit, but in reality none work. Probably the only helpline in Pakistan belongs to Madadgaar, which is funded by UNICEF and other donors. Karachi has other help lines operated by Initiator NGO, the CCO etc.

## 7. Media:

The Media is a very strong forum for any issue or problem these days. From doing advocacy about HT, it can advertize support for VOT and spread awareness to mass. In all DTF at least one local media employee is a member.

## 8. Civil Society.

In all societies certain civilians are the driving force for a certain movement. The DTF have members of the society who are so motivated to work for Counter HT, that if they stay like that, DTF will go a long way. Also there are other forums that are in the network and are working together with the DTF. For example, in Sukkur, an employee of the Aurat Foundation is a member. Aurat Foundation is working for the rights and well being of women since a very long time. Also in Sukkur and Larkana, DTF have members from '50 Woman Group' which is a 3-year project of Aurat Foundation, funded by Oxfam, to do advocacy and raise awareness about female rights and the harassment bill. The women in this group are also councilors or ex-councilors, or members of Darulaman, or Women Complaint Cell, and have daily access to tens of females and community members. All of them are further imparting the training or awareness given by DTF to them.

## 9. Human Traffickers, Human Smugglers and Promoters of Human Smuggling:

A new trend has started in the vulnerable districts of Punjab. There are certain members of the communities who work as promoters for human smugglers. Their job is to attract and incite the youth of the villages and promise incentives about human smuggling, which they call 'jobs abroad'. It should be noted by the government and the FIA and should be stopped. These are the people who are instrumental for HT in their area. One father came to the FIA and wanted information because he wanted to send his 16 year old daughter to the Middle East. When asked why he was trusting strangers and sending his daughter alone, he said that they are offering her a job to put henna on the hands in beauty salons in UAE and were offering a big salary.

### Tertiary:

#### 1. General Public:

The general public can contribute to combating HT if they are informed about the implication of this social evil. It is believed that presently not even 10% of the general public knows what HT is. Some have a general idea of human smuggling because they see many trying to go abroad in a clandestine manner but have no idea of Human Trafficking.

#### 2. Poor people:

These are the people who fall prey to HT, either by hoping for a better life for their children, or because they cannot keep them due to extreme poverty. Most of the time, the parents do not know and their children are trafficked by close relatives or other people close to them. These people should be educated through mass media and made aware of the repercussions of HT.

#### 3. Vulnerable groups:

Children, Females, the disabled, the illiterate, all belong to this group. Traffickers are always focused on them as they are the easiest to deceive. The beggar boys of Karachi are street children who have run away from homes or who are trafficked. The organized crime gangs there get them addicted to sniffing glue and control them like that. The disabled youth are trafficked to Iran as tailors and made to beg there. Some are taken on genuine documents to Saudi Arabia in time of Hajj to beg there.



## **b. ANALYSIS OF SITUATION – GENERAL**

### **1. Human Trafficking in Pakistan:**

According to US Department of State Office To Monitor And Combat Trafficking In Persons Report 2011, Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, concentrated in the Sindh and Punjab provinces in agriculture and brick making, and to a lesser extent in the mining, carpet-making, glass bangles, and fishing industries. Bonded labor also exists in the fisheries, mining, and agricultural sectors of Balochistan.

False job offers and high fees charged by illegal labor agents increase Pakistani laborers' vulnerabilities to involuntary servitude or debt bondage. Employers abroad exploit laborers with restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. Traffickers especially use violence, psychological coercion, and isolation, often seizing travel and identification documents as a means to coerce Pakistani women and girls into prostitution in the Middle East. There are also reports of child sex trafficking between Iran and Pakistan. Pakistan is a destination for men, women, and children from Afghanistan, Iran, and, to a lesser extent, Bangladesh, who are subjected to forced labor and prostitution.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of human trafficking, but is making significant efforts to do so. The government continues its programs to prevent and combat bonded labor, but did not criminally convict any bonded labor offenders or officials who facilitated trafficking in persons. Furthermore the government continues to lack adequate procedures to identify trafficking victims among vulnerable populations and to provide adequate protection for these victims. This is the reason why Pakistan is placed in Tier 2 of the Trafficking in Persons Report 2011.

### **2. 'Old trade new name' - New Form of Slavery**

The Asian Development Bank estimates that 1.8 million people – one percent of the population of Pakistan – are bonded laborers. Boys and girls are also bought, sold, rented, or kidnapped to work in organized, forced begging rings, domestic servitude, and prostitution. NGOs and police reported markets in Pakistan where girls and women are bought and sold for sex and labor. Non-state militant groups kidnap children or coerce parents with fraudulent promises into giving away children as young as twelve to spy, fight, or die as suicide bombers in Pakistan and Afghanistan. The militants often sexually and physically abuse the children and use psychological coercion to convince the children that the acts they commit are justified <sup>1</sup>.

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1. US State Department 2009 Trafficking in Persons Report



### 3. Poverty and Ignorance causes of HT

Poverty and ignorance are the main causes of HT. The inflation rate in Pakistan was last reported at 10.1 percent in January of 2012. From 2003 until 2010, the average inflation rate in Pakistan was 10.15 percent reaching an historical high of 25.33 percent in August of 2008 and a record low of 1.41 percent in July of 2003<sup>1</sup>. Inflation rate refers to a general rise in prices measured against a standard level of purchasing power. With inflation so high and fluctuating at this rate, parents are resorting to selling children or agreeing to them being trafficked in the hope that they will earn good money.

With the recent survey of the seven districts, it was learnt that even the DTF members had not heard the local or Urdu term for HT, which is “Burda Furoshi”. This means that if HT is written about in the local media, or if there are bill boards highlighting how to combat HT, the general public will not understand. DTF members belong to government, local NGOs, the academia, and generally educated and exposed people. If their level of knowledge of HT is this, it shows how ignorant the general public really is in relation to this matter. “Burda Furoshi” is a tough Urdu Textual word. A local Punjabi or colloquial term should be applied.

People now have added a new cause for HT which is the need to increase wealth and improve their social status. In some of the districts, it was learnt that people who have been smuggled, have steadily improved the social status of their families here in Pakistan. The inhabitants of those villages witness the improved status and easily fall prey to HT when approached by Traffickers.

### 4. Victims Mostly Vulnerable groups, Children and Females

VOT are usually females, children and vulnerable groups. “Illegal labor agents charge high fees from parents with false promises of decent work for their children, who are later exploited and subject to forced labor in domestic servitude, unskilled labor, small shops, and other sectors. Disabled children and adults are forced to beg in Iran. Girls and women are also sold into forced marriages.”<sup>1</sup>

### 5. Non-awareness of Public about HT

As mentioned, the general public is not aware of HT. In the districts where Human Smuggling is rampant, public are aware as to what happens, but they do not know the terms used for it or as such have any proper knowledge of HT. In all the group meetings and interviews held for the assessment, it was learnt that the DTF members had no awareness about HT before the IPs arranged their training. The only segment of members who were aware about HT was the FIA. One of the NGO workers, who has

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<sup>1</sup>“Brides for Sale”. Noor Education Trust, Peshawar

worked with sex workers since years, confessed that the first training on HT she attended, she was of the opinion that it was about the vehicles trafficked. Another senior staff of an NGO working with street children said that all the information he had about Trafficking was only after the IP arranged workshops on it. In all the group meetings with the communities, none were aware about HT or “Burda Faroshi”.

**c. ANALYSIS OF SITUATION – DTF MEMBERS AND IPS**

**d. DTF doing well in all districts**

District Task Forces are doing well in all seven districts. The effort is to have at least 20 members in each meeting belonging to the relevant government and the civilian organizations. All the members are well trained about Human Trafficking and have received TOT trainings to further spread knowledge of HT. The level of cooperation among the members was good to observe. In some districts the DTF have set up their own referral mechanism and collaborate with each other on issues. But the DTF are still an informal forum, which if not supported, will disintegrate. In the last two years of the project, substantial work has been done. Good linkages are formed. Most of the members help each other whenever faced with issues.

**Anwar is barber by profession. He was Mr. Bhutto’s family barber and many a times shaved for Bhutto. In Larkana, he is the only one who rescues children. Because he would shave beards, the Maulana of the Mosque where he would go for prayers told him that he is doing something which is not allowed in Islam. So he should do some good deeds to counter the wrong he was doing by shaving beards. Anwar started rescuing children. He would take them in a Cycle Rickshaw at the end of his work and roam around the city, talking in his megaphone if anyone knew the children sitting with him in the rickshaw. Now he is an icon of Larkana. Even the police hands him the children until their parents can be located. Besides Anwar, there are no Shelter Homes for Children in Larkana. Anwar has been awarded Tamgha e Imtiaz by the Government of Pakistan, and many more awards and recognitions by civil society.**

Advocacy and awareness building has been undertaken at the district level and at different forums. Further work is required to carry on whatever achievement has been acquired. It was felt by many DTF members that IOM has been very slow in implementing the project. When IOM started working on the project, people were very enthusiastic about working with DTF, but the next activity took so long that people lost interest and had to be sensitized all over again. This should be avoided.

**e. DTF have raised considerably awareness of all its members and other participants of meetings.**

Understanding of HT in district is nearly zero, especially in the remote areas. DTF members try to raise some awareness but people don't know that unwittingly they will be part of global trade. The IPs have tried to hold the monthly meeting in each district at a different venue each time. Members were of the opinion that a monthly meeting can be boring and there should be other activities. They were also of the opinion that DTF meetings were only arranged in the bigger cities. Many proposed that Mass Meetings should be arranged at Union Counsel level. It is recommended that mass meetings be arranged at grass-root level.

LHRLA have tried to hold monthly meetings at places which are relevant and useful for countering HT. For example they have held meetings at the Children Complaint Cell in Ombudsman, or at the CPLC (Citizen Police Liaison Committee) where they would first introduce the members to the organization's work.

In Larkana, Javed Shah, is from Media. He informed that as a DTF member, he has been trained and has been spreading awareness about HT through his journalism. He said that that is why people contact us sometime to inform us about HT cases.

## GENDER

### f. Gender Balance in DTF

In Karachi district, as expected, the gender balance was 50-50. In all the other districts gender balance was very poor, except Sukkur. In Sukkur, five females are members of the Task Force, but many others, who belong to the 50 Women Group, the local bodies and some other civil organization attend the meetings. As majority of trafficked people in Pakistan are either females or children, it would be more beneficial to have more female members on DTF. Because in some districts, female members were one or two, they were not as vocal as in Karachi or Sukkur districts to talk about DTF performance or challenges in the last one or two years.

In Larkana, Zahiran, from Police was DTF member. She said that in Larkana District most HT cases were of females trafficked from other

**Zahiran, Women Police, Larkana said that not only Pakistani women are trafficked into Larkana but females from other countries also. She said that recently they rescued a Spanish girl from a Hotel and gave her to the embassy. When girls are brought from other provinces and cross the border, no one asks about them. Zahiran said that one Farzana was rescued and sent to her home in Quetta. Another Rashida Shiekh was bought for Rs.70,000 from Baluch Border, whom they rescued and sent back. Two girls were brought to brothel from Lahore, were rescued by ASP and kept in female police station. The brothel owner is a big gangster, named Umarani. He had made fake documents of Nikah Nama and took out a procession in front of the Police Station and sent us threats but the police did not hand him the girls. Zahiran complained that they have insecurity from gangsters and the feudal lords.**

provinces with false pretext of marriage into good families. Zahiran said that rescuing a woman from somebody's house was very difficult but they had to do it because it was their duty.

## VI. FINDINGS

### g. **Why are we not achieving the target (poverty ignorance culture)**

Besides the prevailing issues of poverty and ignorance in the masses, we cannot achieve the target for other reasons also. Corruption is one of the biggest issues. Karachi FIA said that bribe and "shafarus" is now a culture in Pakistan, just like crime is. Violators of law are either not arrested due to their social status or political links, or they are released after they bribe the police. Changing culture takes time, but it can happen. We should try to change the culture of crime.

Human Trafficking has become such a lucrative business that organized crime groups are changing their commodities from illicit drugs and firearms to human being. It is not only lucrative but much safer because according to the UNODC, every five countries surveyed for Human Smuggling and Human Trafficking, three countries did not have a single conviction of a HS or HT violators. In most of the third world countries, which are usually source countries, some of the politicians have a hand in the HT or HS. FIA is of the opinion that in Pakistan also, certain politicians have their vested interest in HT. That is one reason combating HT is not a priority for the government.

FIA was also of the opinion that Information, Culture and Youth department, NADRA, the Department of Overseas Pakistani or sub-agents of licensed Pakistani overseas employment promoters all were involved in increasing HT. The Culture Department issues NOCs to the under-aged girls to go as artists to the Middle East. NADRA issues ID cards to these girls without verifying their real age. Many youth have been lured to overseas jobs by false promises of the sub-agents of overseas employment promoters. These agents or promoters increase Pakistani laborers' vulnerabilities and some laborers abroad find themselves in involuntary servitude or debt bondage.

Victims' families do not cooperate. When the case of container with people being smuggled in it, who had died, happened in Turkey in 2009, the FIA went to the father of a boy who had died in the container. The FIA offered to the father that they would try the trafficker if he cooperated with them and gave all the details of the agent and the case. The father did not help the FIA instead took an offer from the agent that his other son will be smuggled free of cost. Same was the case when a dead body was brought back through Rahimyar Khan International Airport. When the IP found out that it was of a boy who was smuggled, he approached the father and offered assistance against the

agent. The father refused his offer and told him that they had been warned by the agent that the journey could be fatal sometimes. The father also said that their money was not lost, because the deal was that one person will be smuggled to the destination no matter how many attempts had to be done.

Culture is a major impediment to countering HT. If an under-aged girl is accompanied by her father when she is trafficked, the police will not consider it violation of law. If a mother reports against a father about a trafficking case in the police station, the police personnel will send her away that the father knows best and mother is trying to make trouble, as she is a female, and hence, looked down upon by the police. In some districts, it is culture to take money for the marriage of a daughter, and some FIA and Police staff do not want to change their culture.

Considering that many HT cases happen, not many are publicized on the media. That is because HT cases are dealt with as kidnapping cases and in today's times, kidnapping is not a big deal, which is why the media is not interested in highlighting such cases.

#### **h. A drop in the ocean**

IOM Pakistan has contributed to the combat of HT since 2004<sup>1</sup>. Likewise UNODC, UNICEF, UNHCR, ILO, UNIFEM and other INGOs and donor agencies have all contributed to this fight. But their efforts in comparison to the rise of HT and HS in Pakistan have fallen short. Most of these efforts are still at the exploratory stage and most of the funds are spent on research, advocacy and training. Only a few projects were funded in which social services were set up and/or actually assistance was given to victims.

#### **i. Role of FIA and the Police**

FIA mandate includes counter Human Trafficking. By now most of the FIA staff should have been trained about HT. The Inspector level and higher are trained but the lower staff are still not trained in the FIA academy in Islamabad. The training about HT that they have received was the one given by the IP. FIA personnel can be posted anywhere, but all the FIA staff who are members of the DTF, belong to those districts also. They are extremely cooperative but that is purely on the personal efforts of the IPs.

FIA is only for international trafficking. Local HT is dealt by local police as abduction cases. If VOT go on genuine documents, FIA cannot detect if they are trafficked cases. They can only intervene if someone complains about a victim.

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1. Bafare Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan.  
<http://www.befare.org/Baseline%20Survey.pdf>

FIA do not rescue children, and will only deal with cases of HT according to PACHTO. There is only one case of which the FIA DTF member knew, which was tried according to PACHTO. It was of a young girl who was taken to Muscat by an aunt. The girl ran to the security on the airport and told them that her aunt was going to sell her. Because the father was involved too, both of them were tried and are in jail for ten years now. Under aged girls are sent to Dubai for sexual servitude portraying as artists. They are trafficked because they are never paid what they are promised. FIA intercepted some cases but could not try them because the travel documents were correct.

The FIA should have internal HT law or otherwise they cannot prosecute criminals involved in it. The local police try HT cases as abduction cases and there is no punishment for the trafficker if the girl says she was not kidnapped. There is dire need to discuss the law for internal trafficking.

The local police understanding of HT is zero. They are not sensitized about it and treat victims like culprits. SHARP NGO had conducted seminars for Police in some of the districts but more are required.

Corruption in the Police in Pakistan is well-known. They will not register a complaint concerning a genuine issue if they are not paid bribe. And they will take enormous bribes to register a false case. According to FIA, if Mafia is involved, for example; as they control the begging and beggars in Karachi, and local police try to stop the beggars from begging, they are transferred from that area, because big hands are involved.

In the FIA's opinion, not much coordination exists between the DTF members. More coordination on organizational level is required. The junior officers in FIA cannot attend meetings on their own initiative. Only if they are told by the senior officers will they attend even if no funds are available for their conveyance. The senior officers should be contacted to ensure attendance of meetings of DTF. Until now it's only monthly meetings of DTF. If more practical activities are involved, members will be more interested to attend.

*According to Arif Khan, Inspector Police, In-charge PPO Complain Cell, Karachi, one police station gets average of 24000 complaints annually. The same police station deals with criminal and civil cases. Arif Khan has complained many times that stations should be separate and staff trained accordingly. If this happens, HT cases might be dealt with correctly.*

FIA faces many challenges in their work and are always at risk. Those who have money have guns and when they have guns they have power. FIA has many boundaries and criminals have none.

FIA do not have resources. Not much sensitization is done and nor are the personnel aware of HT. Because of this no one helps. FIA believes that Pakistan has a law against HT but no follow-up or implementation is there.

The Director level officers' biggest problem is the politician. The Directors believe that the politicians, the minister, hold them down like a man holding a child by pressing on his head, and will not let them do their duty. FIA also believes that the law for HT is made by the politician and they have the biggest hand in HT in Pakistan. Even when FIA wants to work, the politician of that area might be involved in the human trafficking and will try to impede their work.

Another big problem FIA has in combating HT is NADRA. NADRA is selling the nation. For less than Rs.20,000 they are giving ID cards to ineligible people. They do not cooperate with FIA and hide information from them when approached. NADRA do not cooperate with any law enforcement agency. Enquiry officer in a case is competent to get information from any department. FIA has to complete a case in 3 months. If NADRA do not give the relevant information FIA cannot complete a case. This would delay cases. Now focal points have been appointed in NADRA so that FIA can take information from them. NADRA treats FIA badly and the police worse, completely refusing to cooperate.

**In one case, Arifa of Madadgaar, Karachi, received a call from UNICEF about a girl being taken by her step mother and a stranger, by Air Blue from Karachi to Islamabad, to be forced into marriage. With the help of the media, the girl was rescued and not allowed on the plane. But law enforcement agencies are not sensitized about the issue. Even if the woman police had intervened and taken the girl, as there are no overnight shelters, they could not keep her. In Darulaman, a girl can be submitted only by a writ of court. So the girl was handed back to the family. When Madadgar wanted to meet her, they were not allowed. So they never found out what happened to her. This might not have happened if the police were trained to handle trafficking cases or if there were overnight shelters which would have taken her immediately. So even if girls make a complaint, they might not get help.**

Police do not have jurisdiction over airports because airport security is there. If a trafficker is inside the airport lounge, the police cannot go inside to arrest him/her. Laws should be amended to cover this. One DTF member recited the case of a couple from Maldives who would take children by the dozens for adoption to Maldives. His NGO had

intercepted the couple with the help of local media. They were stopped but since there was not much permanent effect, the member was of the opinion that they must have found other ways of taking children for adoption.

#### **j. Role of Social Networks and communities**

Social networks exist in every society, but they are believed to play a more prominent role in Asian Societies than in Western states, particularly Western states with mature capitalist economies and liberal democratic political systems with robust civil societies. In Pakistan also, Social networks or NGOs are very effective and have played a positive role in the development or relief activities since partition. The CHTDTF project is implemented through three civil organizations, the Lawyers for Human Rights and Legal Aid (LHRLA), Pakistan Rural Workers Social Welfare Organization (PWRSWO) and the organization for Participatory Development (OPD). LHRLA is implementing the project in Karachi, Sukkur and Larkana districts, the PWRSWO, in Rahimyar Khan and Bahawalpur and OPD in Gujranwala and Gujrat. All the DTF's in all the districts have good NGOs and civil organizations on their membership. In every district it was observed that the civil

*It is interesting to note that in PACHTO Rules, besides NGOs, the NAS (US department) the only UN agency mentioned and with whom activities were planned, is IOM.*

organizations, the members, have made their own linkage and partnership. In many of the districts, the members complained that other activities should be introduced because a monthly meeting has happened many times and that it was becoming boring and tedious. But when the meetings were concluded and once the refreshments were served, all the members chatted and talked and discussed their problems or achievements. In some of the districts, especially Sukkur, the members had created their

own referral system, mostly because of the highly cooperative Women Police member, and the focal point. In most of the districts, turn-out for the meetings were more than expected or invited, but in Sukkur it was double. That was because of the civil organizations, Aurat Foundation, the Oxfam funded 50 Women Group and a PPP civil organization called Madina Welfare Association.

#### **k. Do or Die attitude will only help**

According to FIA Karachi, we cannot succeed in our mission unless we raise the level of awareness in the civil society, unless we have the political will to help the down-trodden members of the country, and unless we are mentally prepared to prosecute the offenders, whosoever they are. Anything less than genuine commitment is bound to fail. The government has to make it a priority, and the donor agencies have to make a concentrated effort, and not sporadic activities, and only then will the problem of HT be controlled.



In 2004, when Pakistan was placed on Tier 2 Watch List of the US Department Trafficking in Persons Report, the FIA immediately tried to rectify the problem. It added the Rules 2004 to the PACHTO, in which certain activities were highlighted to correct the problem. FIA also drew up the National Action Plan for Combating Human Trafficking. In the Action Plan, it gave details of advocacy and awareness building, and support to the VOTs. It is interesting to note that in PACHTO Rules, besides NGOs, the NAS (US department), the only donor or UN agency which is mentioned and with whom activities were planned is IOM. UNODC, UNICEF, UNHCR, ILO, UNIFEM and other INGOs and donor agencies have substantially contributed to the fight against Human Trafficking, while the CHTDTF project is the only project IOM had in the last two years, even though HT is a very important area of program for IOM. The project is of \$450,000. Unless more importance is given to HT by IOM and other agencies, it will never be eradicated.

## VII. RECOMMENDATIONS

### 1. **Advocacy and awareness building.**

Advocacy and awareness building are the first tools to combat any social ill or problem. It is the same with HT. During the assessing as to what percentage of population might be knowing HT and its implications, the general answer from the group participants was zero. In Larkana meeting, a member said that according to the 1998 census of Pakistan, Larkana had a population of 1,927,066. Twelve meetings and six trainings were held at different venue. So if members further trained twenty participants in their respective areas, the percentage which is familiar with HT should be 0.0036. This is the level of awareness in the general public. It is strongly recommended that

mass awareness campaign for general public, especially poor population, parents and

**On January 17, 2001, during the impeachment trial of Philippine President Joseph Estrada, loyalists in the Philippine Congress voted to set aside key evidence against him. Less than two hours after the decision was announced, thousands of Filipinos, angry that their corrupt president might be let off the hook, converged on Epifanio de los Santos Avenue, a major crossroads in Manila, due to a text message sent, saying "Go2 EDSA. Wear blk" arranging a protest that caused over a million people to arrive. The public's ability to coordinate such a massive and rapid response—close to seven million text messages were sent that week - so alarmed the country's legislators that they reversed course and allowed the evidence to be presented. Estrada's fate was sealed; by January 20, he was gone. The event marked the first time that social media had helped force out a national leader. Estrada himself blamed "the text-messaging generation" for his downfall.**

children should be carried out. Social media has played a pivotal role in shaping the world as we know it today. The same method, as done in Philippines, should be employed for mass awareness of HT. Mobile text messages in Urdu and English should be disseminated to large segments of the population. FIA should be consulted and care should be taken that cyber laws are not violated in doing so.

- Peer-to-Peer (P2P) networks have emerged as a significant social phenomenon for the distribution of information goods and may become an important alternative to traditional network for knowledge sharing. Pakistan listed its name in 2005 in Facebook and Twitter, and already has over 6 million Facebook users now. The internet access rate per person in Pakistan is still between 11-15 percent of the total population of 170 million people. Even then if we check the record with the least number, Pakistan still has almost 20 million users actively taking part online- which can be equivalent to the population of a country. These networks should be used for advocacy and awareness building.
- In the National Action Plan for Combating Human Trafficking, FIA planned to broadcast/ telecast Issue-based radio and television programs, based on social, psychological and legal aspects of human trafficking, and in particular, on the negative impacts of trafficking of women and children. In the DTF meetings, it was discussed that IOM can launch a FM radio station and dedicate it to spreading awareness. This was suggested because poor populace, who are more prone to become victims of HT, radio is a popular mean of reaching them as they listen to radio and do not have TV ownership. With the new mobile technology, and mobile phones with radios in them, even more people are tuned in. Broadcasting radio programs would be a high impact methodology of sensitization/ awareness building for poor segments of the population.
- Many members suggested that programs should focus on children, so they know their rights and do not get trafficked in the name of love or family. IOM should join hands with UNICEF and work on child protection program. Some programs, for building awareness in children about their rights, or about Child Trafficking, should be made. If children know their rights and are aware about trafficking, maybe they will not allow their parents to easily agree to their trafficking. If somebody else is trying to traffic them, and the child knows about trafficking, s/he might be able to refuse, because usually children are trafficked by people whom they trust, who belong to their family or who are close to them.
- The project activities included distribution of leaflets about HT, or setting up of bill boards, but in case the activity is still not materialized, leaflets or banners should be written in local languages and distributed.

- The academia is involved in the DTF membership. If possible, with their help, IOM should make the Ministry of Education aim to include messages in text books of primary and secondary schools.

## 2. Awareness building and training of Police and Judiciary.

- National Action Plan for Combating Human Trafficking in Pakistan included awareness building of the FIA, Police and the Judiciary. The FIA academy in Islamabad includes training on HT- and training is imparted to FIA staff, from Inspector level to senior officers. However Police or the judiciary academies do not include training of HT and thus staff lacks awareness on the subject. The internal HT is dealt with by the Police as abduction or kidnapping cases and not the FIA. FIA is usually dealing with corruption cases at district level. It is strongly advised that Police and judiciary should be trained and sensitized at District level and Tehsil level.

*One victim, Amin, a Bengali from Bangladesh, was trafficked through India. He was identified by the IP and reported to the police. When his case was taken to the judge by the IP, the Judge was not aware of PACHTO or law in Pakistan about HT. The judge told the IP that he would do his own research and pass the sentence tomorrow, which he did. If this is the level of awareness in the custodians of law, how dismal must be the over-all situation concerning HT.*

- Out of the seven districts, FIA of only two districts, Karachi and Multan (who attended Bahawalpur meetings) were trained in Pakistan and overseas, while the rest of the FIA staff had not received any training from FIA academy. The only training or awareness building they had received were the ones arranged by DTF or other donor agencies. Likewise, the police or judiciary had not received any training at the district level or Tehsil level.

The DTF project is implemented in seven districts. A district is divided into Tehsils and further into Union Councils. These seven districts have a total of 20 Tehsils, with Karachi having 18 towns. Some of the IPs have held meetings and trainings in some Tehsil level towns but usually the focus is on the main cities in the district. This holds true not only for IOM but most of the donor agencies. It is strongly advised to focus more on the smaller towns and remote areas rather than the big cities. The police and the judiciary, besides the general public, do not have any information about HT. When the police deal with kidnapping or abduction cases, these have been reported. But they will not take action on their own initiative and rescue trafficking victims.

When victims come to them, they are not sensitized to treat them accordingly and treat them as culprits.

### 3. Creating better environment for people who rescue VOTs or want to report VOTs.

In the districts or Tehsils government should create an environment of trust and confidentiality for people who want to report or help rescue VOTs. In most of the rural areas of Pakistan, the culture is tribal. Often, there is one influential person, usually the feudal lord, or a big politician, belonging to that area, who controls or heads the poor people of the area. If someone wants to report a VOT, they might not do it for simple reason of fear. Also, whenever a case is reported, the police include the person reporting and he is equally harassed by police, as they would the culprits. Because of these reasons, people keep away from anything which would implicate them in a case. A system should be created in which a person can report genuine cases of VOTs and not suffer for doing it.

### 4. Review and Revision of PACHTO

Prevention and Control of Human Trafficking Ordinance 2002 is a comprehensive law and gives a detailed description of VOT and Trafficking. But it is only used by FIA for international trafficking cases. The internal trafficking inside Pakistan is not dealt with, by this law.



The ordinance should be revised to include internal trafficking also. It is believed that only the addition of a paragraph will make it eligible to be used for internal trafficking.

The FIA in the field was of the opinion that the local police, who deal with the kidnapping and abduction cases, would not want to report to FIA or coordinate with FIA on these cases. They feel that FIA has a lot of 'Dehshut', dread, and Police would not want to have FIA working alongside with them in the Tehsil or Union Councils, for fear of losing their authority or their impression with the local population. That is why it is suggested that along with revising PACHTO, clear jurisdiction should be marked for FIA and other law enforcement agencies in the field, so as not to confuse work.

### 5. Cooperation with other Donor Agencies.

UNODC, UNICEF, UNHCR, ILO, UNDP, UNIFEM and other INGOs and donor agencies have program for combating HT. These agencies meet to coordinate and cooperate concerning activities in HT. As it the beginning of a budget year, most of them will be starting new projects. IOM should approach these agencies and start projects together, for example, UNHCR has shelter houses for the refugees which have to be settled in another country. UNODC was funding drop-in centre and overnight shelters for drug addicts and children. UNICEF is supporting child-protection units and help-lines for children. IOM should explore and check the possibility if the same social services can be used for VOTs.

During this assessment, not much cooperation was observed in the field between different UN agencies. Some years back, an Inter-Agency Task Force was created and many UN agencies and INGOs were cooperating or coordinating for countering HT. Some joint projects had been started also, e.g. UNICEF and UNODC were co-funding drop-in centers and overnight shelters for children in Karachi and Lahore. On enquiry, those projects were finished and not much cooperation was observed.

*One member in the DTF meetings pointed out that it was a well known fact in their area that fourteen females were trafficked from KPK and Punjab, and were being kept in a house (brothel) for sexual servitude. According to them one of the girls had attracted a lot of attention screaming, but no one could think of going into somebody's house to rescue someone. People of that area would like to inform someone about the girls but did not want to do it for fear of implicating themselves or attracting the attention of the gangster to themselves.*

It is recommended that the Inter-agencies Task Force is activated and meetings are arranged frequently. It is specially recommended that all the relevant agencies should work with the government on issues, like review and revision of PACHTO .

## 6. District Vigilance Committees.

The Ministry of Labour has set up District Vigilance Committees (DVC) in districts for abolishment of Bonded Labour. The DVC were first created by ILO on the same pattern as the DTF in districts by IOM. It was an ILO project. ILO worked on the sustainability and made the government take its ownership. When passing laws for combating Bonded Labour, the creation of DVC was included in the National Action Plan of Pakistan against Bonded labour. These committees are working in the districts now. A specific budget is allotted for them each year through the country budget.

## **7. Government Ownership and Sustainability**

IOM should work with the government to set up DTF in the districts for countering HT. In case that would seem like duplicating efforts, IOM should work with the government to include Counter Trafficking in Persons in the mandate of the DVC. The DVC membership can be increased by a member or two, who would have experience in Countering TIP. This will give the DTF sustainability and get the government more involved in solving the problem.

## **8. Capacity Building of Local NGOs.**

In these last two years, IOM has improved the capacity of the Implementing Partners, FIA and other members of DTF. In the districts, there are many civil organizations which are already involved in IOM's work and are very effective in their endeavors. IOM should focus on the local NGOs and make them implementing partners in the district, instead of having 3 IPs who manage the other districts from their districts. Sukkur, Larkana, Rahimyar Khan and Gujrat have their own local NGOs, who would work very well with a little help in capacity building from IOM. It is so much more sensible and feasible that every district should have its own NGO working in it instead of another IP, travelling 100s of kilometers to implement the project in another district. All three IPs have to depend on the local NGOs to arrange activities in these districts. It is recommended that the local NGOs directly implement the project. Besides capacity building of local NGOs, more of the population will be reached if expertise of local NGOs is utilized.

## **9. CBOs and Community Participation**

Except for Karachi district, all districts have a few Tehsils, numbering 3 to 5. These Tehsils are further divided into Union Councils for administration. Most of the DTF members suggested that instead of focusing on the district and the capital of the district, attention should be given to the Tehsils and the Union Councils. IOM should create CBOs (community based organizations) and focus on community participation. In the DTF meetings, it was observed that the participants were very enthusiastic about participating and more participants had joined than the ones invited and expected to attend. Such enthusiasm can be utilized to counter HT. Usually in the rural areas, there are a few such forums, which the educated people can attend. The rural life is not as busy as the city life, and turnout at CBOs and other community functions have always been more than expected. IOM can create CBOs through IPs in the district and implement its project.

## **10. Complaint Cells and Free Help lines.**

Pakistan suffers from not having many social services like shelter homes, help lines, complaint cells etc. Except for a few Help Lines which are usually operated by NGOs or civil organizations, and funded by donor agencies, not many are run by government. The situation is so dismal that in Sindh, Madadgar approached the Sindh government and wanted to hand over their help line, along with an one year budget, but the Ministry of Women Development refused to take the ownership explaining that there would be no funds to operate it in the future. IOM can set up Complaint cells and help-lines and make them accessible to all the stakeholders, especially the victims. Their existence should be widely circulated via the media. This can contribute towards identification of VOTs.

#### UNODC's Indicators of Trafficking in Persons

If a person.....

- Has his or her passport or identity documents held by someone else.
- Seems incapable or reluctant to speak for themselves.
- Is living in very poor living conditions.
- Has injuries indicative of an assault.
- Has limited apparent freedom of association.
- Lacks access to earnings.
- Is having his or her movements controlled or restricted...

.....he or she might be a victim of trafficking

### 11. Shelter Homes and Mechanism of Security and Well Being of VOT.

The Darulamans, shelter homes for destitute females, and Benazir Women Crisis Centers are the few shelter homes which are used by the Trafficked females. Entering or leaving a Darulaman is by a writ of the court. The Darulamans have strict policies of not allowing anyone to visit the inmates, unless the courts allow it, or the inmate herself agrees to it. Generally the reputation of the Darulamans is not good except for in a few cities.

Besides these, there are only some shelter homes run by NGOs. For example, the Noor Education Trust shelter home in Peshawar-that was created with the help of GTZ. It can take females without the court decisions, and for that reason, when a female is rescued in the night, she is handed over to the Trust. Panah NGO shelter home was doing very well, whereas the government Darulaman was doing not so well in Karachi. A few years back, the Governor Sindh, handed the Darulaman to Panah and now it is doing well. If the Government join hands with the NGO sector, the result usually is better. In the National Action Plan to combat HT, FIA has mentioned NGOs in a number of clauses, to take help from or to include in the activities but until date no such thing has happened. IOM should approach the government and with the help of some NGOs, seriously considering improving the Darulamans or setting up some shelter homes.

The Darulaman of Bahawalpur or Panah Darulaman of Karachi should be taken as Role Model, and the rest of Darulamans all over Pakistan, should be improved . There are presently 72 residents in Bahawalpur Darulaman, when the capacity all is only fifty. This was explained that they have a policy that no Victim will be turned away. Also, they are following a law, which is to take in the victim and try to have a settlement in the next seven-two hours outside the courts. If a settlement is reached, the case is solved otherwise the court is approached and proper court proceedings are initiated. This not only makes it easier for the victim to get shelter quickly but also gets their problem solved.

It is recommended that shelter homes all over Pakistan have a uniform policy and not different in different districts.

## **12. Identification of VOTs**

UNODC has given a list of indicators with which a VOT can be identified. Some indicators say that if a person seems incapable to speak for themselves, is living in very poor conditions, lack access to earnings, and have his or her movements controlled or restricted, s/he might be a victim of Trafficking. It is interesting to note that in Pakistani culture, a young boy or girl belonging to the lower income bracket will behave identically, even though s/he is not trafficked but living a normal life. In Pakistan a young boy's or girl's movement is restricted for cultural, security etc. reasons. If they are working, they will not have access to their earnings but it will be given to their parents instead. They might be living in extremely poor conditions because of their poverty. And usually children are shy and incapable to speak for themselves, in fact speak at all in front of out-siders. Unless it is a trained and sensitized person, identifying a VOT will not be easy.

## **13. Rescue, Rehabilitation and Reintegration of the Victims**

PACHTO is very comprehensive and deals with all situations of HT. But it is not comprehensive enough to give details of how VOT will be rescued, rehabilitated or reintegrated. Compensation to the victims is mentioned but mechanism for securing compensation if not included.

When discussing the issue at district level many problems were highlighted. If a victim was rescued, police was not sensitized to deal with the case in the best interest of the victim. They would not lodge a complaint or make a FIR. At times they did not book the case under proper sections of Law.

It is recommended that Police Station should have separate sections dealing with HT cases.



There were not enough Forensic departments. Also, when victim is sent to Medico-legal for collection of evidence, there is not enough medico-legal staff. There is no gender balance in medico-legal staff. The IPs dealing with victims and medico-legal department, complained that no female doctor was recruited in medico-legal department.

There were not enough shelter homes. The ones present are for women in crisis. There are none for VOTs. One point that was discussed in all meetings was that there are no shelters for men. In Sindh, many couples are blamed for 'Karo Kari' and their lives are threatened. When a Karo Kari couple is rescued, the female can be sent to a shelter home but the male has nowhere to go. It is the same for VOTs.

IOM should work with the Government and other relevant agencies and start shelter homes for men.

#### **14. Income Generation Program for VOT**

If a victim is rescued and rehabilitated, though with great difficulties, when it comes to reintegrating victims, it is nearly impossible. The victim is either not willing to go back to family or the family is not willing to take her or him. A lot of work is required to make victims' integration possible. Awareness is the first step so that families are willing to help. Family counseling for victim and the family is required. Income generation schemes are very important for the reintegration of victim, or s/he can easily fall prey to Traffickers again.

IOM should try to set up vocational training institutes with the help of the government and other humanitarian agencies.

#### **15. Protection of VOTs**

Protection of VOTs is very important because usually they are still vulnerable to the traffickers. It has been observed that victims are usually chased by traffickers even when they are rescued. In Pakistan there is no concept of Police protection for the victim. IOM should work with the government and sensitize the law enforcement agencies to protect VOTs.

#### **16. IOM monitoring**

Throughout the assessment it was observed that substantial monitoring was not done by IOM of the project or the impact. IOM should create an M & E post, and monitor its work in the field on a regular basis. IOM should try to join the monthly meeting of the DTF in the districts. This is possible and cost effective if meetings are scheduled on such days that IOM staff starts from one end of Pakistan and travel throughout, attending meetings in the district, the same way the consultant did for the assessment. One trip

during the whole year is not enough to assess the work going on. This will not only help solve IPs issues quickly but funds can be spent on proper project activities. This is in relation to the members pointing out that only monthly meetings can get boring. It is also based on the fact that all three IPs complained that IOM was slow in releasing funds for activities in the second phase of the project because of which the ongoing work had to be stopped and started only when funds were received.

### **17. Survey – Quantitative and Qualitative to Find out Exact Situation of HT in Pakistan**

Till date, exact figures relating to HT and HS are not available not only in Pakistan but all over the world. Besides being a relatively new term, it is also clandestine. It would really help the cause of a quantitative and qualitative in-depth survey is undertaken all over Pakistan to find out the exact situation of the issue in Pakistan. If such a survey cannot be done at one time, for lack of funds etc., it should be done in one province first and then the rest as and when funds become available.

IOM should join hands with the Government, and the other UN agencies for the survey. Until the survey can take place, data should be collected on a regular basis about HT and HS. One way of doing it is to ask the IG Police to write to all the police stations to send the data they collect of all the cases registered. The FIA in one of the districts had done it and except one police station, none had responded. He suggested that if the IG writes, they will have to submit the data. The police should be asked to send the data pertaining to kidnapped or abduction cases only. That would be the start of a database as all trafficked cases inside Pakistan are treated as kidnapped or abduction cases.

There are 22 exits points in Pakistan. FIA's software PICSES is working in the immigration section, at each exit point. IOM should be cooperating with the government and the FIA. IOM should collect this data from Immigrations on daily basis.

## **VIII FUTURE STRATEGIES:**

The Needs Assessment Report and the Consultation Meeting were used to generate ideas and specific plans for future interventions in Human Trafficking program. It was decided to focus on the main topics or theme of Human Trafficking for each idea, for example Awareness and Advocacy for Prevention, Rescue, Rehabilitation and Reintegration.

- I. A massive awareness building and advocacy program should be started, not only for seven districts but nationally. The actions included should be:**
  - a. Educational and awareness material, in local languages, should be developed and distributed.

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- b. Mass awareness tool/ media, TV, news papers, radio, leaflets, interactive theaters/ puppet shows, Cable 'patty' strip.
  - c. Religious platforms/leaders can help in mass awareness.
  - d. Telecommunication agencies can help in mass awareness, the same way they help in collecting funds for floods or earthquakes. Just by forwarding a simple text message, millions of people can be educated. They can help generate funds by asking clientele to send one text message and donate ten paisa to IOM or an NGO for HT.
  - e. Awareness building should be done in:
    - i. Educational institutions
    - ii. Union –Bhata colonies –local community.
    - iii. Working communities.
    - iv. Police/FIA law enforcement agencies, judiciary.
    - v. Task force members
    - vi. Hospitals –paramedic staff
  - f. Focusing on prone area, because in all districts where HT or HS is an issue, some areas, or Mohallas (streets), or Union Councils, etc are very prone. If focus is made on those areas, 70 percent of affected area is covered.
  - g. NGO's , Organizations working on other issues, because all humanitarian issues are usually linked or cross-cutting, for example NGOs working on Health issues or Sex Workers' issue, should be educated in HT also, because probably many of the sex workers are trafficked.
  - h. Desk for information/ resource centers. Usually people would like to inform the relevant agencies or forums about trafficked cases, or the VOTs would like to ask help but usually they do not know to whom they should approach. If every district has Information centre or resource centre, who can help and guide VOTs or informers where to go and what to do.
  - i. Helpline / toll free numbers. This is a most important feature for countering HT. VOTs or potential VOTs or informers can be helped if helpline and toll free numbers are available.
  - j. Lady Health Worker played a vital role in awareness spreading for the population of Pakistan. They also helped in advocacy for Polio drops. These LHW's should be hired to spread awareness about HT.

- II. In meetings with DTF members in the field, and in the Consultation Meeting, it surfaced that first 'Identifying' a Victim was difficult, but more difficult was 'Rescuing' a VOT. Agencies involved with HT, and the IPs who are in the legal field and dealing with VOTs, shared their experiences of the hurdles and problems they faced.

IOM should have a project of Counter Human Trafficking for Rescue of VOTs. The project should have two parts or objectives:

1. IOM should work with the Government of Pakistan and have a proper legal framework and National Action Plan in place. PACHTO and all rules related to HT should be reviewed, revised and improved. Following actions should be included in this intervention:
  - 1.a. PACHTO was formulated in 2002, and is a very comprehensive law with Human Trafficking. In 2004 'Rule' were added to the law, making it even better but it lacks some details. IOM should create a Task Force of all agencies working with HT, and work with government to revise the Law.
  - 1.b. PACHTO deals with external trafficking only. It should be revised to make it applicable for internal trafficking also.
  - 1.c. PACHTO 'Rule' explains how issues of rescuing or rehabilitation should be done, but lacks details of practical work or action. For example it says that with the help of NGOs the VOT should be rehabilitated, but does not give details of where the funds will come, like CPUs have a budget, or Darulamans have budgets or assistance from Baitul Maal.
  - 1.d. Proper guidelines booklet should be developed and kept in all police stations, immigration points, and Magistrate's office etc. so that law enforcement personnel would know what to do and which law or rule applies for the crime. In every police station they have a booklet showing which section applies for which offense. The same should be done for Human Trafficking, or simply, PACHTO should be revised and entered in the same booklet. Presently, it's a major problem because Police do not know under which law to book culprits and the common law being used is the one for kidnapping, abduction, assault or fraud.
  - 1.e. Development of guidelines booklet with reference to Victim Identification. Presently, unless someone complains or a Victim complains his/her self, there is no mechanism for identifying a Victim.

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- 1.f. Exemplary punishment should be made for Human Trafficking. Presently the punishment for Human Smuggling is twelve years but for Human Trafficking it is only seven years.
  - 1.g. Pakistan has Cyber laws, and with new technology becoming common, cyber laws are violated also, but no awareness about the laws have been done. If a kidnapped girl complains of porn videos, cyber laws are not integrated. Many trafficked cases happen because of the webcam or the mobile phone. If awareness building is done about it and law enforcement agencies make it part of the laws they deal with, HT can be decreased.
  - 1.h. Every government has their immigration rules under which it is tried to keep their country disease free. Pakistan has rules about travelers coming from regions with Yellow Fever. But for Human Trafficking and Human Smuggling, Pakistan is not having any government to government links with other countries to find out if the person deported is HIV Positive. Pakistan should make it mandatory to know if the person being deported is HIV Positive or has any type of hepatitis. In fact all deportees should be tested for all Viral Markers.
  - 1.i. Referral mechanism is mentioned in the PACHTO rules, but not mapped how it will be done. IOM should work with the government, especially FIA, to do a mapping exercise and chalk out referral mechanism. The same way it is done for beggar or street children in the Child Protection Bureau.
  - 1.j. UNICEF is trying very hard to make the government make it mandatory to properly register with NADRA, the birth of a baby at the time of birth. IOM should work with the government and UNICEF to add to it, and make it mandatory to take Biometric information and record it at the time of birth registration. This will help keep a record of children born. Nowadays if parents traffick children for begging, or camel jockeys, there is no way to find out if a child was trafficked or sold or killed.
  - 1.k. FIA personnel are trained in the FIA academy in Islamabad. The training is usually for Inspector level and above personnel. Because of which the lower staff stationed in the districts might not be trained. FIA should have a mandatory diploma concerning Human Trafficking for its staff. The same way, Police should have a course about HT in their academy and a mandatory or compulsory course should be included in the Civil Services academy at Lahore.

## 2. IOM should make a better environment for persons or agencies involved with Rescuing VOTs.

### Actions for this intervention would be the following:

- 2.a. Train and sensitize all departments and agencies concerned with HT. For example Police, FIA, Judiciary (lawyers and judges), Hospital and paramedical staff, Medico-legal staff, shelter homes staff, social welfare department staff, CAA and airport staff, Immigration staff and Railway personnel.
- 2.b. Disparity in medico-legal staff; gender balance is not correct. More female doctors should be hired. Every hospital should have medico-legal section and staff. Only a few government hospitals have medico-legal staff, and important evidence is lost, when victims are taken all over looking for medico-legal in different hospitals.
- 2.c. Darulaman rules and procedures to be revised. There is too much red-tapism and bureaucracy for enter and leaving Darulamans. Also, for the common man there is too much bureaucracy entering the Darulamans, because of which the lawyers or NGO's staff cannot enter to give assistance to the victim. Darulaman Bahawalpur has revised some rules, because of which it has become easier for the victim and her assistants. Shelter Homes all over Pakistan should have identical rules and standards. In Larkana, the Darulaman is huge but only eight residents are enrolled. But in Sukkur, it's a tiny building with 2 or 3 rooms and 66 residents, with children, are present. Such disparities should be removed and all government shelters or other social services be brought to the same standard and status.
- 2.d. A resource centre should be made at district level, which can give guidance to anyone who needs guidance or help concerning HT. Informers or VOTs should be able to take help from it. It should act like a clearing house and help civil society dealing with HT for spreading awareness.
  - A toll-free number and a helpline should operate under the resource centre.
  - This centre should also have the mandate to develop a database of HT cases. Until now there is no genuine or correct data of trafficked cases. The centre should take data from the CPU officer. It should collect data of children from Juvenile detention centers, from Bostels, from the Circuses, from Madras's, and from labourers in mines or brick kilns, because parents traffick children in their debt bondage.

- The centre should develop a proper guidelines handbook, with reference to correct victim identification, referral procedure, and the applicable laws for the offense.
- The center should coordinate the trustees, e.g. FIA, Judiciary, lawyers, NGOs and other partner agencies.

2.e. FIA has been given the mandate for Human Trafficking. Presently FIA is in-charge of counter HT, cyber laws, Illegal Immigrations etc. IOM should work with the government to make a department exclusively for HT. If FIA has to do it, then one section of FIA should deal with HT exclusively. The same should happen in Police Station. One exclusive section should deal with HT. Presently, one police station and the same police staff deals with HT, civil law, and criminal law.

2.f. An informer, 'Mukbir', should be hired in all vulnerable societies, or the local police station, on the same pattern the Police stations have mukbirs. They should be the ones to search for culprits and victims. Police stations have mukbirs, who are the wise or knowledgeable person of the society and when a crime happens, mukbir can advise about the criminals, give their whereabouts, their habits, the routes they use etc.

**III. IOM created DTF. ILO had created DVC, District Vigilance Committees, on the same pattern to counter and monitor cases of bonded labour. IOM should work with FIA and the government and give ownership of DTF to the government for countering HT. If Government does not want to replicate the same type of parallel forum for Anti-HT, they should increase the strength of DVC and the new members should be experts of Human Trafficking.**

**III. IOM should have a project to rescue, rehabilitate, and reintegrate VOTs. The following actions should be done for this intervention:**

1. It should arrange for registration, case studies and documentation of every case.
2. It should have arrangements for family counseling – these should be done on the same pattern as Sahel does the abused children cases. Confidentiality is an important core of the counseling.
3. It should have Vocational and technical studies arrangement to help VOTs start income generation for their livelihood.
4. Keeping track of and persuasion of court cases against Perpetrators/culprits.

5. When VOT is rescued to provide the emergent needs of VOT's (medical, food, clothing, shelter, legal aid, etc.)
6. To help VOT reintegrate into their own society, for which family counseling should be arranged so that family accepts them. If VOT does not want to go back to family, it should have arrangements, linkages to help VOT relocate etc.

## IX CONCLUSION

From the field work and the consultation meetings, it is concluded that IOM took a very good initiative to create the District Task Force for countering Human Trafficking. The fact that it was implemented in seven districts of Punjab and Sindh only, and also that two whole provinces, Baluchistan and KPK were ignored should have been avoided. Countering HT will be more successful if initiatives are started all over Pakistan, than in only two provinces.

IOM should implement the project locally with local IPs and not IPs from another district. This is only logical because the local NGOs manage all the activities for the IPs. The local NGOs should have more contacts and knowledge to be able to do a better job. Local NGOs have a problem that they are not good at writing reports. IOM should solve this problem by capacity building and training local IPs (NGOs) in report writing and recording data. Whatever initiative IOM has to start, it should be at grass-root level.

Considering that the Government of Pakistan attaches so much importance to IOM for tackling this issue, and in the Rules of PACHTO and National Action Plan, states future activities only with IOM, HQs should take a note of it. HQs IOM should budget for Human Trafficking issue in the core budget from the IOM HQs, and not have the office here dependent on sporadic funding from other donor agencies. If allocating a budget from HQs is not possible, IOM HQs and in Pakistan should keep Human Trafficking as part of their core program. IOM should be the coordinator of Inter-Agency Task Force of Human Trafficking and always keep it operational. Massive net-working and fund raising should be done at all times with donor agencies.

## X WEBSITES VISITED

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## **X GLOSSARY OF ACRONYMS**

AFIS	Automated Finger Prints Identification
ATU	Anti-Trafficking Unit
BEFARe	Basic Education for Afghan Refugees
BLLF	Bonded Labour Liberation Front
CBO	Community-Based Organization
CCB	Citizen Community Board
CCO	Children Complaint Office
CHIP	Civil Society Human and Institutional Development Programme
CHTDTF	Counter Human Trafficking District Task Force
CIDA	Canadian International Development Agency
CNIC	Computerized National Identity Card
COs	Community Organizations
CPLC	Citizen Police Liaison Committee
CPU	Child Protection Unit
CPWB	Child Protection and Welfare Bureau
CRC	Convention on the Rights of the Child
CRC	Child Registration Certificate
CRSD	Centre for Research and Social Development
CSEC	Commercial Sexual Exploitation of Children
CSO	Civil Society Organization
CSSR	Collective for Social Science Research
Darulaman	Shelter Homes for Destitute Women and their Children
DO	District Officer
DPO	District Police Officer
DTF	District Task Force
DVC	District Vigilance Committee
EC	European Commission
ECA	Employment of Children Act (1991)
EU	European Union
FATA	Federally Administered Tribal Areas – Pakistan

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FCS	Fishermen’s Cooperative Society
FIA	Federal Investigation Agency
FIR	First Information Report
GIS	Geographical Information System
GNP	Gross National Product
GO	Government Organization – Pakistan
GOP	Government of Pakistan
HAJ	Pilgrimage to Mecca, Saudi Arabia, of Muslims
HRCPP	Human Rights Commission of Pakistan
HS	Human Smuggling
HT	Human Trafficking
HTI	Internal Human Trafficking
HTT	External Human Trafficking
ICCPR	International Covenant on Civil and Political Rights
IDPs	Internally Displaced Persons
IGO	Government Organization - International
ILO	International Labor Organization
ILRF	International Labor Rights Forum
IMG	Illegal Migration, Human Smuggling and Trafficking
IMHS	Illegal Migration through Human Smuggling
IMHST	Illegal Migration, Human Smuggling and Trafficking
IMO	Illegal Migration through means other than Human Smuggling & External Trafficking
INGO	Non-Government Organization - International
IOM	International Organization for Migration
IP	Implementing Partner
IPEC	International Programme on the Elimination of Child Labour
Karo Kari	When a couple is blamed of adultery
KPK	Khyber Pukhtoon Khwa Province
LEA	Law Enforcement Agency
LHRLA	Lawyers for Human Rights and Legal Aid
M&E	Monitoring & Evaluation

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MAULANA	The Religious Leader
MLMOP	The Ministry of Labour, Manpower & Overseas Pakistanis
NA	Not Applicable
NADRA	National Database Registration Authority
NARA	National Alien Registration Authority
NCDB	National Criminal Database
NCRCL	National Centre for the Rehabilitation of Child Labour
NET	Noor Education Trust
NFE	Non-Formal Education
NGO	Non-Governmental Organization - National
NIC	National Identity Card
NIGEHBAAN	Shelter Homes for Young Boys
NOC	No Objection Certificate
NPPA	National Policy and Plan of Action
NRSP	National Rural Support Program
OEC	Overseas Employment Corporation
OHS	Occupational Safety and Health (Act)
OOEPs	Overseas Employment Promoters
OPD	Organization for Participatory Development
OPF	Overseas Pakistani's Foundation
OVI	Objectively Verifiable Indicators
P&CHTO	Prevention & Control of Human Trafficking Ordinance - 2002
PACHTO	Prevention & Control of Human Trafficking Ordinance - 2002
PBC	Pakistan Broadcasting Corporation
PBM	Pakistan Bait-ul-Mal
PISCES	Personal Identification Secure Comparison & Evaluation System
PKR	Pakistani Rupees
PPP	Pakistan People's Party
PRWSWO	Pakistan Rural Workers Social Welfare Organization
PTV	Pakistan Television
PVT	Private

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SAARC	South Asian Association for Regional Cooperation
SAFRON	Ministry of States and Frontier Regions
SDG	SAARC Development Goals
SDPI	Sustainable Development Policy Institute
SHAFARUS	Nepotism, Bribe
SITE	Sindh Industrial and Trading Estate
SMART	Specific, Measurable, Accessible, Realistic, Time-bound
SPARC	Society for the Protection of the Rights of the Child
SWOT	Strengths, Weaknesses, Opportunities, Threats
TFM	Task Force Member
THB	Trafficking in Human Beings
TIP	Trafficking in Persons
TNA	Training Needs Assessment
TOT	Training of Trainers
TVPA	Trafficking Victims Protection Act's
UAE	United Arab Emirates
UN	United Nations
UNDP	United Nations Development Program
UNHCR	UN High Commission for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNO	United Nations Organization
UNODC	United Nations Office of Drugs and Crime
VOT	Victims of Trafficking
WGCSA&E	Working Group Against Child Sexual Abuse & Exploitation
WHO	World Health Organization

## XI ANNEXES

1. Table of Major IMHST relevant policy and laws in Pakistan
2. PACHTO copy
3. Attendance Sheets of Meetings in the Districts
4. Questionnaire Used to Collect Data, in English and Urdu

Table of Major IMHST relevant policy and laws in Pakistan

No.	Title of Law
1	Citizenship Act (with final amendments through PCA Ord.2000)
2	Draft National Child Protection Policy
3	Draft National Migration Policy
4	Draft Protection of Child Act
5	Emigration Ordinance 1979 and Rules
6	Federal Investigation Agency Act 1974 and Rules
7	Federal Investigation Agency Rules
8	Foreigners (Amendment) Ordinance
9	Foreigners Act 1946
10	Hudood Ordinance 1979
11	National Database and Registration Authority Ordinance, 2000
12	National Registration Act, 1973
13	Naturalization Act, 1926
14	Pakistan Action Plan for Combating Human Trafficking
15	Pakistan Penal Code
16	Passport Act (and Rules), 1974
17	Prevention and Control of Human Trafficking Ordinance 2002 and Rules
18	Protection of Women Act 2006

## Prevention and Control of Human Trafficking Ordinance, 2002

### An ORDINANCE to prevent and control Human Trafficking

WHEREAS the offences relating to traffic in human beings are incompatible with the dignity and worth of human being and endanger the welfare of the individual, the family and the community.

AND WHEREAS it is expedient and necessary to provide effective measures to prevent offences related to human trafficking and to protect and assist victims of such trafficking

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance: -

#### 1. Short title, extent and commencement.

- (1) This Ordinance may be called the Prevention and Control of Human Trafficking Ordinance, 2002.
- (2) It extends to the whole of Pakistan
- (3) It shall come into force at once

#### 2. Definition. In this Ordinance, unless there is anything repugnant in the subject or context

- (a) "benefit" includes monetary profit, proceeds or payment in cash or in kind
- (b) "child" means any person who has not attained the age of eighteen years
- (c) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898)
- (d) "coercion" means the use of force, violence, physical restraint, deception, fraud or acts or circumstances not necessarily including physical force but calculated to have the same effect, such as the credible threat of force or of infliction of serious harm
- (e) "document" related to human trafficking includes a passport, a travel documents and any identification document used by law enforcement authorities
- (f) "exploitative entertainment" means all activities in connection with human sports or sexual practices or sex and related abusive practices
- (g) "Government" means the Federal Government

- (h) "human trafficking" means obtaining, securing, selling, purchasing, recruiting, detaining, harbouring or receiving a person, notwithstanding his implicit or explicit consent, by the use of coercion, kidnapping, abduction, or by giving or receiving any payment or benefit, or sharing or receiving a share for such person's subsequent transportation out of or into Pakistan by any means whatsoever for any of the purposes mentioned in section 3
- (i) "inhuman sports" include all sports involving, as a matter of normal course, infliction of physical or mental injury on a person against his will, intention or reasonable expectation
- (j) "organized criminal group" means a structured group of two or more persons, existing for a period of time and acting in concert with the aim of committing any offence under this Ordinance, in order to obtain, directly or indirectly, any financial or other material benefit and includes a person knowingly receiving or disbursing benefits accruing from the commission of any offence in relation to human trafficking by an organized criminal group; and
- (k) "victim" means the person who is the subject of or against whom any offence under this Ordinance has been committed.

### 3. Punishment for human trafficking. The human trafficking shall be punishable as under.

- (i) Whoever knowingly plans or executes any such plan for human trafficking into or out of Pakistan for the purpose of attaining any benefit, or for the purpose of exploitative entertainment, slavery or forced labour or adoption in or out of Pakistan shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine:  
Provided that in case of an accused who, in addition to committing an offence as aforesaid has also been guilty of kidnapping or abducting or any attempt thereto in connection with such offence, the imprisonment may extend to ten years with fine: Provided further that whoever plans to commit an offence under this clause but has not as yet executed the same shall be punishable with a term of imprisonment, which may extend to five years and shall also be liable to fine.
- (ii) Whoever knowingly provides, obtains or employs the labour or services of a person by coercion, scheme, plan or method intended to make such person believe that in the event of non-performance of such labour or service, he or any other person may suffer from serious harm or physical restraint or legal proceedings, shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine:

## **Prevention and Control of Human Trafficking Ordinance, 2002**

Provided that if the commission of the offences under this clause involves kidnapping or abduction or any attempt thereto, the term of imprisonment may extend to ten years with fine:

Provided further that payment of any remuneration in lieu of services or labour of the victim shall not be treated as mitigating circumstance while awarding the punishment.



- (iii) Whoever knowingly purchases, sells, harbours, transports, provides, detains or obtains a child or a woman through coercion, kidnapping or abduction, or by giving or receiving any benefit for trafficking him or her into or out of Pakistan or with intention thereof, for the purpose of exploitative entertainment by any person and has received or expects to receive some benefit in lieu thereof shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine: Provided that if the commission of the offence under this clause involves kidnapping or abduction or any attempt thereto of the victim, the term of imprisonment may extend to fourteen years with fine:  
Provided further that plea, if any, taken by the biological parents of the child shall not prejudice the commission of offence under this clause.
- (iv) Whoever knowingly takes, confiscates, possesses, conceals, removes or destroys any document related to human trafficking in furtherance of any offence committed under this Ordinance or to prevent or restrict or attempt to prevent or restrict, without lawful authority, a person's liberty to move or travel shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine.

4. Offences committed by organized criminal groups. ---Where an organized criminal group is guilty of any offence under clauses (i),(ii),(iii) or (iv) of section 3, the term of imprisonment or each member of such group involved in the commission of such offence shall not be less than ten years imprisonment and may extend to fourteen years where the purpose of trafficking of a victim is exploitative entertainment and shall also be liable to fine.

5. Repetition of commission of offences. --Whoever repeats the commission of an offence under this Ordinance, the term of imprisonment may extend to fourteen years and the offender shall also be liable to fine.

6. Compensation to the victim. The court trying an offence under this Ordinance may where appropriate direct:

- (i) The competent authorities of the Government, at any stage of the trial to allow or extend the stay of the victim in Pakistan till such time, as the court deems necessary.
- (ii) Payment of compensation and expenses to the victim in accordance with section 545 of the Code.

## **Prevention and Control of Human Trafficking Ordinance, 2002**

- (iii) Government to make arrangements for the shelter, food and medical treatment of victim being an unaccompanied child or a destitute woman.

7. Proceedings under the Ordinance to be in addition to and not in derogation of any other law. The proceedings under the Ordinance shall be in addition to and not in derogation of any other proceedings initiated under any other law for the time being in force.

8. Offences to be cognizable etc. All offences under the Ordinance shall be cognizable, non

bail able, and non-compoundable as construed by the Code.

9. Investigation. Notwithstanding anything contained in the Code or any other law for the time being in force, the investigation of the offences under the Ordinance shall be carried out by only such persons or agencies as are specially empowered by the Government in that behalf.

9. Investigation. Notwithstanding anything contained in the Code or any other law for the time being in force, the investigation of the offences under the Ordinance shall be carried out by only such persons or agencies as are specially empowered by the Government in that behalf.

10. Cognizance of offences etc. No court inferior to that of a Magistrate of the First Class shall try an offence punishable under this Ordinance. Notwithstanding anything contained in section 32 of the Code, it shall be lawful for a Magistrate of the First Class to pass any sentence authorized by this Ordinance.

11. Indemnity. No suit, prosecution or any other legal proceedings shall lie against the Government or any other person exercising any power or performing any function under this Ordinance or the rules made there under for anything done in good faith.

12. Power to make rules. The Government may, by a notification in official gazette, make rules to carry out the purposes of this Ordinance.

GENERAL  
PERVEZ MUSHARRAF  
President.

Mr. JUSTICE  
MANSOOR AHMED  
Secretary

## **PREVENTION AND CONTROL OF HUMAN TRAFFICKING RULES, 2004**

**Islamabad, 29 November 2004**

S.R.O.970 (1)/2004\_ In exercise of powers conferred by section 12 of the Prevention and Control of Human Trafficking Ordinance, 2002, (LIX of 2002), the Federal Government is pleased to make the following rules, namely:

### **1. Short title and commencement**

- (1) These rules may be called the Prevention and Control of Human Trafficking Rules, 2004
- (2) They shall come into force at once.

**2. Definitions.-** In these Rules, unless there is anything repugnant in the subject or context.

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- (a) “court” means the court having jurisdiction to try the offences under the Ordinance
  - (b) “Government” means the Federal Government
  - (c) “Non-Governmental Organizations” means the Non-Governmental Organizations notified by the Government under these rules from time to time
  - (d) “Ordinance” means the Prevent and Control of Human Trafficking Ordinance 2002 (LIX of 2002); and
  - (e) “victim” shall have the same meaning as defined in the Ordinance
  - (2) Words and expression used but not defined in these rules shall have the same meaning as in the Ordinance.

### 3. Recording statement and custody of the victim.

- (1) A victim of an offence under the Ordinance, shall be produced before the court for recording his statement under section 164 of the Code of Criminal Procedure, 1998 (V of 1998), except where the victim is unable, or otherwise not feasible for any reason to be recorded in writing, to get his statement recorded
- (2) In case the victim is an un-accompanied child or a destitute women, the court before whom such victim is produced may pass an order to keep him in a shelter home established by the Government or by the Non-Government Organizations for accommodation, food and medical treatment

Provided that where the victim is not satisfied with the Non-Governmental Organization to which his custody was given by the court, he may apply to the court for alternate shelter.

- (3) The court may, for the welfare of the victim, hand over the custody to any of his blood relation after requiring a bond from the custodian for safe custody of the victim and his production before the court at the time and place mentioned in the bond and shall continue to produce until otherwise directed.

### 4. Establishment of shelter homes and security arrangements. – The Government shall establish shelter homes for safe custody of the victims and shall also make necessary security arrangement for the protection of the victims in the shelter homes whether established by the Government or the Non-Governmental Organizations.

### 5. Responsibilities of Non-Governmental Organizations.

- (1) The Non-Governmental Organizations to which the victims are handed over, shall be responsible for proper shelter, food and medical treatment at a notified place which shall be open to inspection by an inspecting officer notified by the Government.
- (2) In case any Non-Governmental Organization is found involved in maltreatment with the victim or fails to fulfill its responsibilities of providing proper shelter, food and medical treatment, its notification may be cancelled, after giving an opportunity of being heard

### 6. Legal assistance to the victim.

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- (1) The Government shall and the Non-Governmental Organizations may provide necessary legal assistance to the victim during trial of the case and other legal proceedings under the Ordinance.
  - (2) The Government shall allocate appropriate funds for providing legal assistance to the victims.

#### 7. Recording evidence and repatriation of the victim

- (1) Where a victim is not a citizen of Pakistan, the court shall record the evidence of the victim at the earliest. If the victim is no more required for the trial, the court may direct the Government to facilitate such victim for this repatriation.

Provided that the victim whose presence is considered necessary by the court for the trial of the case or his immediate repatriation is not possible, shall be entitled to apply to the National Alien Registration Authority for his temporary registration as alien or for work permit.

- (2) If the repatriation of the victim is decided, the Government shall in consultation with the concerned Embassy or, as the case may be, the High Commission of the country to which the victim belongs, make necessary arrangements for its safe return.
- (3) The Non-Governmental Organizations may provide assistance to the Government in the process of repatriation of the victim.
- (4) The Government shall establish special funds for repatriation of the victim
- (5) The Government shall establish special funds for preparation of the victim [Ministry of Interior No.13/54/2002-FIA (PO)]

MRS. AMNA IMRAN KHAN  
Deputy Secretary (FIA)