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The Legal and Institutional Framework against Women Trafficking in Pakistan

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ABSTRACT

Pakistan has signed key international instruments on trafficking and children's rights, and over the last decade it has adopted dedicated laws on trafficking in persons, migrant smuggling and the recovery of missing children. Yet trafficking of women and children continues at both the domestic and the international level. This article examines why the existing legal and institutional framework has not produced the expected results. Using a qualitative doctrinal method combined with in-depth interviews of fifty purposively selected respondents, including law enforcement officers, lawyers, academics, media professionals and civil society workers, the article analyses Pakistan's international and regional obligations, its constitutional and statutory provisions, and the role of the Federal Investigation Agency and its anti-trafficking units. It then compares Pakistan's approach with that of England and Wales under the Modern Slavery Act 2015, focusing on victim identification, specialist training, the statutory defence for victims, prevention orders and asset confiscation. The analysis shows that the main weakness in Pakistan lies less in the text of the law than in its implementation: coordination between federal and provincial bodies is weak, victims and witnesses are poorly protected, compensation is rarely ordered, and international cooperation is limited. The article argues that Pakistan should adopt a victim-centred model that guarantees non-liability of victims, witness protection and compensation, establishes district-level complaint mechanisms linked to provincial and federal bodies, and strengthens bilateral and regional cooperation, drawing on relevant features of the framework in England and Wales.

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1. Introduction

Trafficking in persons, often described as modern-day slavery, involves the use of force, fraud or coercion to obtain labour or commercial sex from a person against his or her will (Lee & Lewis, 2003). Traffickers use violence, false promises of well-paid jobs or romantic relationships, and manipulation of victims and their families in order to move victims away from the protection of their families to places where they are exploited. Global estimates have repeatedly shown the scale of the problem. The Global Slavery Index 2016 estimated that 45.8 million people were in some form of modern slavery (Walk Free Foundation, 2016), and the most recent estimates put the figure at 49.6 million, including 22 million people in forced marriage (International Labour Organization [ILO] et al., 2022). Exact figures cannot be known, because many cases are never reported.

Trafficking is a transnational crime, and no country can defeat it alone. For this reason, an extensive body of international law has developed, including the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, both adopted in 2000 (Gallagher, 2001). Pakistan has also taken important legislative steps, most notably the Prevention of Trafficking in Persons Act 2018 and the Prevention of Smuggling of Migrants Act 2018.

Despite these measures, respondents in this study, and international assessments, agree that the problem of women trafficking has been eliminated neither at the national nor at the international level (U.S. Department of State, 2025). The central problem addressed in this article is therefore the gap between law and practice: effective legislation and international cooperation for the implementation of anti-trafficking laws have not yet been achieved. The article asks:

1. What international, regional and domestic legal obligations govern women trafficking in Pakistan?
2. How are these obligations implemented by Pakistan's institutions, particularly the Federal Investigation Agency?
3. What lessons can Pakistan draw from the framework adopted in England and Wales?
4. What legal and institutional reforms are needed to protect victims and improve cooperation?

The article is based on research undertaken for an LL.M thesis at The Islamia University of Bahawalpur (Hayat, 2023). Separate papers from the same project address the forms and drivers of women trafficking and the performance of the criminal justice system.

2. Literature Review

The legal literature on trafficking has developed rapidly since 2000. Gallagher (2001, 2010) provides an authoritative account of the international law of trafficking, showing how the Palermo Protocol combined a criminal justice approach with human rights obligations towards victims. Brolan (2002) examined the companion Smuggling Protocol and argued that it gives insufficient protection to refugees and asylum seekers who rely on smugglers to escape persecution. Lee and Lewis (2003) traced the history of anti-trafficking law from a legal advocate's perspective and highlighted the gap between formal legal recognition and real protection for victims.

Comparative studies show that the adoption of anti-trafficking laws does not automatically lead to more prosecutions. In the United States, Farrell et al. (2014) found that, despite new laws, police and prosecutors brought few trafficking cases because of difficulties in identifying victims, securing their cooperation and proving coercion. Studies on Nigeria have similarly described the gap between a comprehensive legal framework and its effective implementation (Kigbu & Hassan, 2015). In England and Wales, scholars have examined the Modern Slavery Act 2015 and, in particular, the statutory defence for victims compelled to commit crimes (Muraszkiewicz, 2019).

In Pakistan, research has focused on the links between trafficking, smuggling and irregular migration (Azam, 2009), on the socio-economic determinants of trafficking and forced labour (Joiya & Quddus, 2022), and on qualitative accounts of the problem (Khan et al., 2022). Commentators have noted that, while the 2018 legislation brought Pakistan's definitions closer to international standards, overlaps with the Pakistan Penal Code and provincial labour laws create room for forum shopping, and the overall response remains largely reactive and based on detection rather than prevention (Adil, 2023). Less attention has been paid to how Pakistan's framework compares with that of a jurisdiction that has adopted a more victim-centred model. This article aims to fill that gap.

2.1 Analytical Framework: The "3P" Paradigm

The analysis in this article is organised around the widely used "3P" paradigm of prevention, protection and prosecution, which reflects the structure of the Palermo Protocol itself (Gallagher, 2010). Prevention refers to measures that reduce the vulnerability of potential victims and discourage demand, such as awareness campaigns, regulation of recruitment and action against poverty. Protection refers to the identification, assistance, rehabilitation and, where appropriate, repatriation of victims, together with their protection as witnesses. Prosecution refers to the criminalisation of trafficking and the effective investigation, prosecution and punishment of offenders. A fourth "P", partnership, is often added to emphasise cooperation between states and between government and civil society.

The value of this framework is that it shows that a law which is strong on prosecution but weak on protection is unlikely to succeed, because victims who are not protected will not testify. Equally, prosecution without prevention leaves untouched the conditions that produce new victims. The following sections therefore assess Pakistan's framework not only by the penalties it prescribes, but also by the extent to which it prevents trafficking, protects victims and builds partnerships at home and abroad.

3. Research Methodology

This study used a qualitative doctrinal method. Primary legal sources, including the Constitution of Pakistan, relevant statutes, international treaties and the Modern Slavery Act 2015 of the United Kingdom, were analysed alongside secondary sources such as books, journal articles, official and non-governmental reports, and press coverage. The doctrinal analysis was complemented by empirical data from in-depth interviews and group discussions with about 50 respondents selected purposively for their knowledge of the subject. Respondents included serving and retired officers of law enforcement agencies, criminal lawyers, professors of criminology, serving and retired civil servants, journalists, members of non-governmental organisations and informed members of communities in high-risk areas. The interview data were analysed thematically and triangulated with documentary sources (Patten & Newhart, 2017; Saunders et al., 2019). Respondents' identities were kept confidential, and questions were framed to avoid distress or harm.

4. International and Regional Obligations

4.1 United Nations Instruments

The Palermo Protocol requires states to criminalise trafficking, to protect and assist victims, and to cooperate with other states in prevention and prosecution (United Nations, 2000a). Its companion protocol requires states to criminalise the smuggling of migrants while protecting the rights of smuggled persons (United Nations, 2000b). Pakistan acceded to the Trafficking Protocol in November 2022 (United Nations Treaty Collection, n.d.), which formally binds it to the Protocol's standards on criminalisation, victim protection and international cooperation. Accession is significant because it gives Pakistan's domestic courts and agencies a clear international benchmark against which the 2018 legislation and its implementation can be measured. Together, these instruments draw a clear legal distinction between

smuggling, which is a crime against the state's border regime, and trafficking, which is a crime against the person (Gallagher, 2001).

Modern-day trafficking is strictly prohibited under international law. Debt bondage, in which a person's labour is pledged as security for a debt that can never realistically be repaid, is contrary to international standards, as is forced labour exacted under the menace of a penalty (ILO, 1930). Trafficked persons may not be discriminated against on the ground that they are not nationals of the state in which they are found.

Pakistan ratified the United Nations Convention on the Rights of the Child on 12 November 1990 (United Nations, 1989). The Convention obliges states to protect children from economic exploitation, sexual exploitation, abduction, sale and trafficking. Nevertheless, children under 18 in Pakistan remain at serious risk of abduction, kidnapping and exploitation for forced labour and sexual purposes.

4.2 Regional Commitments under SAARC

At the regional level, Pakistan is a party to the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, adopted in 2002. In the same year, SAARC member states also adopted the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia (SAARC, 2002a, 2002b). These conventions commit member states to cooperate in preventing trafficking, in repatriating victims and in prosecuting offenders. Respondents, however, observed that regional cooperation in practice has been limited, and that the SAARC framework is narrow because it focuses on trafficking for prostitution rather than on all forms of exploitation.

4.3 International Policing Cooperation

Because trafficking crosses borders, cooperation between police agencies is essential. Respondents spoke highly of the role of INTERPOL, which issues red notices to help locate and arrest trafficking suspects internationally. They argued that gaps in cooperation within or between countries make enforcement efforts futile, because offenders simply move across jurisdictions. Respondents also emphasised that Pakistan cannot fight trafficking alone and needs bilateral and multilateral agreements, particularly with European countries and the Gulf states, which are major destinations for Pakistani migrants.

5. The Domestic Legal Framework

5.1 Constitutional Provisions

Article 11 of the Constitution of the Islamic Republic of Pakistan declares that slavery is non-existent and forbidden, and that all forms of forced labour and traffic in human beings are prohibited. The fundamental rights guaranteed by the Constitution, including the rights to life, liberty, dignity and equality, are themselves grounded in basic principles of justice, and the superior courts act as guardians of these rights. Following the Eighteenth Amendment in 2010, many matters relating to labour and social welfare became provincial subjects, so the provinces can now legislate according to their own needs for the protection of women and children.

5.2 Penal and Labour Laws

The Pakistan Penal Code 1860 contains several offences related to trafficking, including buying or disposing of any person as a slave (section 370), habitual dealing in slaves (section 371), selling and buying persons for purposes of prostitution (sections 371A and 371B), and unlawful compulsory labour (section 374). The Bonded Labour System (Abolition) Act 1992 abolished the bonded labour system, extinguished bonded debts and made the enforcement of bonded labour a criminal offence. The Punjab Prohibition of Child Labour at Brick Kilns Act 2016 prohibits the employment of children under 14 years of age at brick kilns.

The Bonded Labour System (Abolition) Act 1992 also provides for district vigilance committees, which bring together elected representatives, officials, lawyers and civil society to help implement the law, identify bonded labourers and assist in their rehabilitation. Respondents reported, however, that these committees are often inactive or ineffective, and that cases of bonded labour are frequently treated as labour disputes rather than as crimes. As a result, the criminal provisions of the Act are rarely used, and influential employers are seldom prosecuted. International assessments have likewise found that prosecutions for bonded labour remain low relative to the scale of the problem, and have urged Pakistan to increase them and to ensure that labour inspectors have the resources to identify victims (U.S. Department of State, 2025).

The overlap between these laws creates its own difficulties. The same conduct may fall under the Penal Code, the PTPA, the Bonded Labour Act or provincial labour laws, each with different penalties and procedures. Respondents noted that offenders and, at times, officials take advantage of this overlap by registering cases under the provisions that carry the lightest consequences, a form of forum shopping also identified by Adil (2023).

5.3 The 2018 Trafficking and Smuggling Laws

In 2018 Pakistan enacted the Prevention of Trafficking in Persons Act (PTPA) and the Prevention of Smuggling of Migrants Act (PSMA). The PTPA criminalises the recruitment, harbouring, transport, provision or obtaining of a person for compelled labour or commercial sex acts through force, fraud or coercion. Penalties are higher where the victim is a woman or child, and higher still in aggravated circumstances, such as where the offender is part of an organised group, with imprisonment of up to 14 years and a fine of up to two million rupees (Prevention of Trafficking in Persons Act, 2018; Adil, 2023). The Prevention of Trafficking in Persons Rules 2020 set out victim-centred procedures, including protection for victims and witnesses, testimony by video link, in-camera proceedings for women and children, and restrictions on publishing victims' identities (Adil, 2023).

One weakness repeatedly noted, both by respondents and by international observers, was that the PTPA allowed courts to impose a fine instead of imprisonment for sex trafficking offences, which undermined deterrence. Respondents recommended that this option be removed. According to the U.S. Department of State (2025), amendments adopted in 2025 have now removed the option of a fine in lieu of imprisonment for sex trafficking.

The PSMA defines the smuggling of migrants as procuring, for financial or other material benefit, the illegal entry of a person into a country of which that person is not a national or permanent resident. Under the scheme of the 2018 laws, trafficking within a province is investigated by the provincial police, while the FIA deals with inter-provincial and transnational cases (Adil, 2023).

5.4 The Zainab Alert, Response and Recovery Act 2020

The abduction, rape and murder of six-year-old Zainab Ansari in Kasur in 2018 provoked national outrage and raised serious questions about the state's response to missing children. Parliament responded with the Zainab Alert, Response and Recovery Act 2020, which applies to children under 18 years of age. The Act establishes the Zainab Alert, Response and Recovery Agency (ZARRA) to raise alerts, coordinate search efforts and support the recovery of missing children, and it provides for a national database of missing and recovered children. A helpline (1099) has been established to report missing children. ZARRA is expected to manage databases, monitor and plan responses, prepare reports and coordinate with all relevant officers.

The underlying principle is that any information about a missing or abducted child must trigger an immediate response, using all available media. Respondents emphasised that recovered children must also receive psychological support so that they can reintegrate into society.

5.5 Registration of First Information Reports

When the police receive information that a child is missing, the officer in charge of the police station must record it in writing in the station register under section 154 of the Code of Criminal Procedure 1898 and depute an officer to investigate. The investigating officer must make every effort to recover the child, including using social media and modern investigative tools. In cases of missing children, the investigating officer has the same powers as in the investigation of a cognizable offence. Trafficking offences under the PTPA are likewise cognizable, so the police may register a case and investigate without a warrant, and the Rules treat failure to register such a case as misconduct (Adil, 2023). Under the ZARRA framework, an officer who fails to comply with these duties is liable to punishment, which respondents understood to include imprisonment and a fine.

5.6 Legal Aid in Criminal Matters

Access to legal aid is essential for victims, particularly minors and others who cannot afford a lawyer. Under the legal aid framework, a person may apply for legal aid with supporting documents, and the competent authority must decide the application promptly. If satisfied, the authority may provide legal or financial assistance, and it may withdraw aid in good faith if it later finds the application unjustified. The authority may appoint an advocate from a panel or a volunteer, and it is responsible for the fees and expenses of the panel lawyers (Legal Aid and Justice Authority Act, 2020). The quality of legal aid is as important as its availability; comparative research warns that where legal aid payments are poorly designed, commercial pressures can affect the quality of representation (Tata, 2007).

6. Institutional Framework: The Federal Investigation Agency

6.1 Anti-Trafficking Units

The FIA is the main federal agency responsible for transnational trafficking and migrant smuggling. Respondents reported that a separate directorate for the prevention of trafficking was established within the FIA in September 2007, with specialised teams to arrest absconding traffickers and smugglers. The FIA has opened circles in districts known for irregular migration, such as Gujranwala and Gujrat, and now operates 20 Anti-Human Smuggling and Trafficking Circles in seven zones (U.S. Department of State, 2025). The names of the most wanted traffickers are placed on lists so that they can be arrested at entry and exit points.

6.2 Functions of the Anti-Human Smuggling Unit

On the basis of interviews and documentary sources, the main functions of the FIA's anti-trafficking and anti-smuggling unit may be summarised as follows:

- formulating policy for the arrest, investigation and prosecution of traffickers and smugglers;
- providing guidance to field officers on the prevention of trafficking and smuggling;
- organising seminars, walks and other awareness activities for the public;
- monitoring the performance of allied units;
- analysing crime patterns and using the results to formulate future policy at the national and international level;
- tracking the movement of traffickers between countries and coordinating with foreign agencies to monitor them;
- maintaining an annual "red book" of the most wanted offenders;
- managing complaints and redressing grievances; and
- monitoring visas and passports to prevent travel on forged documents.

6.3 Gaps in the Institutional Framework

Respondents identified several weaknesses. FIA investigating officers are not adequately equipped with modern investigative tools and techniques, which contributes to acquittals. Smugglers and traffickers work with other criminal entrepreneurs, such as those who forge documents, and investigators need specialist skills to dismantle these networks. Respondents also stressed that investigators should be financially independent and adequately paid so that they are not vulnerable to corruption.

Coordination was another concern. Since devolution, the provinces have legislative and enforcement responsibility for many related matters, but coordination between the centre and the provinces remains weak. Respondents suggested that a complaint cell for trafficking of women and children should be established in every district, linked to provincial, federal and international bodies, so that complaints are followed up effectively at every level.

Respondents also drew attention to the confusion between trafficking and smuggling in practice. Because the FIA has historically focused on irregular migration and the use of forged travel documents, many cases are processed as smuggling or immigration offences, even where the person concerned has been deceived and exploited. Respondents argued that officials need to be sensitised to the difference between the two crimes, because a smuggled migrant is treated as an offender against immigration law, while a trafficked person is a victim entitled to protection (Brolan, 2002; Gallagher, 2001). Improving the methods used to identify victims was seen as the first step towards protecting their lives and discouraging the crime.

Finally, respondents stressed that data collection remains weak. Different agencies keep separate records, and there is no single public database that brings together the number of trafficking cases registered, investigated, prosecuted and resulting in conviction at the federal and provincial levels. Without reliable data, it is difficult to measure progress, to identify hotspots or to hold institutions accountable.

6.4 Recovery, Shelter and Rehabilitation

An effective framework must not end with the rescue of a victim. Respondents emphasised that recovered women and children require safe shelter, medical care, psychological counselling, legal assistance and, eventually, a means of earning a living. Provincial governments, often with the help of non-governmental organisations, operate shelters for women and child protection units that provide care, education and health services for children found begging or living on the streets. Respondents described the establishment of these units as a positive step and a source of hope for the protection of children from kidnapping and abduction.

At the same time, respondents identified several shortcomings. Shelters are limited in number and capacity, and are not always equipped to deal with the specific trauma of trafficking. Child protection units did not, in respondents' experience, systematically record how many of the children they received had been victims of forced labour or trafficking. Released bonded labourers rarely receive help to find alternative work, which leaves them at risk of returning to bondage. Respondents also warned that children should not be returned automatically to their families without an assessment, because in some cases poverty-stricken parents had themselves placed their children in forced labour. A framework that does not provide for long-term rehabilitation will not break the cycle of re-trafficking.

7. Lessons from England and Wales

7.1 The Modern Slavery Act 2015

England and Wales have adopted a comprehensive approach through the Modern Slavery Act 2015. The Act consolidated offences relating to slavery, servitude, forced labour and human trafficking, and significantly increased the maximum penalty for these offences to life imprisonment. England is a major

destination country for trafficked persons, and respondents noted that the rising number of cases reflects, in part, ineffective cooperation between countries.

The Act contains several features relevant to Pakistan. First, it provides a statutory defence for victims who commit certain offences as a direct consequence of their exploitation (Modern Slavery Act, 2015, s. 45; Muraszkiewicz, 2019). Adult victims must show that they were compelled to commit the offence and that a reasonable person in their situation would have had no realistic alternative, while child victims need only show that the offence was a direct consequence of their exploitation; the defence does not apply to the most serious offences (College of Policing, 2026). Second, the Act allows the confiscation of assets generated by trafficking and provides for reparation orders in favour of victims. Third, courts may make slavery and trafficking prevention orders and risk orders to restrict the activities of persons who pose a risk of committing trafficking offences, on application by a chief officer of police or other authorised bodies.

7.2 Specialist Training and Victim Identification

Training for police in dealing with modern slavery is delivered through the College of Policing, and a large body of authorised professional practice guidance is available to officers. Potential victims are referred through a National Referral Mechanism to specialist agencies with expertise in this area. Police officers and other first responders receive specialist training, which supports effective investigation and successful prosecution.

When an officer comes into contact with a potential victim, the first duty is to protect the victim's life and safety. A trained officer should then interview the victim carefully, keeping in mind the indicators of modern slavery. If the victim is not in a position to disclose information immediately, the officer should arrange safe accommodation and ensure that the victim has no further contact with the exploiter. Police officers who interview child victims must be specially trained, and steps must be taken to ensure that children do not run away and are not re-trafficked. Interviews should be conducted in a supportive and child-friendly manner.

7.3 Indicators of Modern Slavery

Guidance in the United Kingdom identifies several indicators that a person may be a victim of modern slavery, including that the person:

- shows distrust or fear of the authorities;
- acts as if instructed or coached by another person;
- has little knowledge of the local area;
- is fearful of discussing his or her immigration status;
- is fearful and emotional when speaking about family members;
- has limited knowledge of the English language; and
- does not have his or her passport or travel documents, which have been taken by an employer or trafficker.

7.4 Relevance for Pakistan

The experience of England and Wales suggests that a strong criminal law must be combined with a victim-centred approach. Pakistan's PTPA and its 2020 Rules already contain several victim protection measures, but respondents reported that these are not applied consistently. Pakistan does not have a clear statutory defence comparable to section 45, a structured national referral mechanism, or a dedicated training college for anti-trafficking work. Adapting these features to local conditions, together with systematic use of prevention orders and asset confiscation, could make Pakistan's framework more effective.

8. Victim Protection: Non-Liability, Witness Safety and Compensation

8.1 Non-Liability of Victims

Respondents agreed that victims of trafficking should not be held criminally liable for the trafficking offence and should be treated as witnesses against the traffickers. Respondents further explained that local trafficking cases should be investigated by the provincial police, while cases with an external dimension should be investigated by the FIA. Clear rules on non-liability would encourage victims to come forward and cooperate.

8.2 Protection of Witnesses

Respondents stressed that law enforcement agencies must ensure the safety and protection of witnesses in order to secure the conviction of traffickers. Without protection, victims and other witnesses are exposed to threats and pressure, and many withdraw their testimony. Research elsewhere confirms that the cooperation of victims is critical to successful prosecutions, and that such cooperation depends on their safety and support (Farrell et al., 2014).

8.3 Compensation

Respondents recommended that courts should direct the payment of compensation to victims of trafficking and smuggling for the social, health, psychological and other harm they have suffered. Compensation should be funded, where possible, from the confiscated assets of offenders, following the approach of the Modern Slavery Act 2015.

8.4 Trafficking as a Violation of Human Rights

The rights of women and children are protected by numerous international conventions, and in Pakistan the superior judiciary protects fundamental rights as guardian of the Constitution. Respondents argued that these rights can be fully protected only if the public is educated about them, both in Pakistan and internationally, because social change requires education for all. All branches of the state should play their role in protecting women and children from trafficking and smuggling. Respondents also noted that most trafficking cases are not reported, and that without proper knowledge of the causes of trafficking, effective remedies cannot be designed.

9. Discussion

The analysis shows that Pakistan's legal framework has improved considerably. The 2018 laws brought definitions closer to the Palermo Protocol, the 2020 Rules introduced important protections for victims and witnesses, and the ZARRA framework created a mechanism for the rapid recovery of missing children. The 2025 removal of the option to impose a fine in lieu of imprisonment for sex trafficking, as reported by the U.S. Department of State (2025), addresses a weakness that respondents had identified.

However, the findings support the view that the main problem lies in implementation. Respondents described weak coordination between the federal and provincial governments, a lack of specialised training and equipment, inadequate protection of victims and witnesses, and the rare award of compensation. These findings mirror research from other jurisdictions showing that new laws alone do not produce more prosecutions without investment in victim identification, investigative capacity and victim support (Farrell et al., 2014; Kigbu & Hassan, 2015).

The comparison with England and Wales is instructive but must be applied carefully. The United Kingdom has far greater institutional resources than Pakistan, and not every feature of its system can be transplanted. Moreover, the British model has itself been criticised, for example for applying the statutory defence too narrowly (Muraszkiewicz, 2019). Nevertheless, several of its principles, namely non-punishment of victims, structured referral, specialist training, prevention orders and confiscation of

criminal assets, are consistent with Pakistan's international obligations and could be adapted at relatively modest cost.

Finally, the analysis confirms that domestic and international trafficking are interdependent. Victims recruited within Pakistan are often moved across borders, and traffickers exploit gaps between jurisdictions. Pakistan's efforts will therefore remain incomplete without stronger regional and bilateral cooperation, especially with destination countries in the Gulf and Europe.

Viewed through the "3P" framework, Pakistan's framework is strongest on paper in the area of prosecution, where it now provides substantial penalties. It is weaker in protection, because victim identification, shelter, rehabilitation, witness protection and compensation remain inconsistent, and weakest in prevention and partnership, where awareness efforts are irregular and cooperation with other states is limited. Rebalancing the framework towards protection and prevention is therefore likely to produce the greatest gains.

9.1 Limitations

This study relied on a small, purposively selected sample, and its findings reflect the experience and views of the respondents interviewed. The legal analysis is based on the law as it stood at the time of writing; anti-trafficking law in Pakistan has been amended in recent years, and further amendments may follow. The comparison with England and Wales is necessarily selective and focuses on features most relevant to Pakistan. Future research could examine the implementation of the 2020 Rules in specific courts and the practical operation of ZARRA in more detail.

10. Recommendations

1. A national referral mechanism should be established to ensure that potential victims identified by police, labour inspectors, health workers and civil society are referred promptly to protection services.
2. The law should expressly provide that victims are not criminally liable for offences committed as a direct result of being trafficked, with a defence similar to section 45 of the Modern Slavery Act 2015.
3. The victim and witness protection measures in the 2020 Rules should be implemented consistently, including video-link testimony and in-camera hearings.
4. Courts should routinely consider compensation orders for victims, funded where possible from the confiscated assets of traffickers.
5. District-level complaint cells for trafficking of women and children should be established and linked to provincial, federal and international bodies.
6. Specialist training for FIA and police investigators, prosecutors and magistrates should be institutionalised, drawing on international models.
7. Pakistan should conclude bilateral and multilateral agreements on trafficking and smuggling, particularly with European and Gulf countries, and should make full use of INTERPOL channels.
8. The SAARC framework should be broadened, through regional dialogue, to cover all forms of trafficking and not only trafficking for prostitution.

11. Conclusion

Pakistan has made real progress in building a legal framework against trafficking. It has ratified key international instruments, committed itself to regional cooperation under SAARC, prohibited slavery and forced labour in its Constitution and enacted dedicated laws on trafficking, smuggling and the recovery of missing children. The FIA has developed specialised units to deal with transnational cases.

The problem is that this framework has not been matched by effective implementation. Weak coordination, limited investigative capacity, poor protection of victims and witnesses, and limited international cooperation continue to undermine enforcement. The experience of England and Wales shows the value of a victim-centred approach that combines strong penalties with victim identification, specialist training, statutory protection for victims and the confiscation of criminal assets. By adapting these features to its own context and strengthening cooperation with other states, Pakistan can move closer to meeting its national and international obligations and to protecting women and children from trafficking.

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▸ **Ethical Statement**	The study involved interviews and group discussions with human participants. Respondents took part voluntarily, their identities were kept confidential, and questions were framed to avoid distress or harm. [Details of institutional ethical approval and informed consent to be confirmed by the authors.]
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