



HUMAN TRAFFICKING; PROBLEMS, SOCIAL DYNAMIC AND WAY FORWARD

¹MUNAWWAR SULTANA, ²JAWED AZIZ MASUDI, ³NAZAKAT ALI BHAND

¹Ph.D. Scholar Shaheed Zulfiqar Ali Bhutto University of Law (SZABUL), Karachi, Pakistan

E-mail: sultanamunawwar3@gmail.com

²Co-Chairman, Department of Law Shaheed Zulfiqar Ali Bhutto University of Law (SZABUL), Karachi Pakistan

E-mail: jawad.masudi@gmail.com

³Ph.D. Scholar, Shaheed Zulfiqar Ali Bhutto University of Law, Karachi (SZABUL), Pakistan

E-mail: nazakatxp@gmail.com

ABSTRACT

Human trafficking is nowadays a global issue. Human trafficking is the enrollment, transmission, possession/ acceptance of a person by intimidation or by the use of strength or forms of pressure. Sometimes human trafficking becomes kidnapping, disappointment, or abuse of office which creates or receives vulnerabilities/ benefits to attain the harmony of the person administering the other for exploitation. This research focuses on evaluating four basic claims pertaining to human trafficking that are its international magnitudes, and trends, and thereafter highlights the relativeness to other global activities. These claims are universally popular to magnify the said phenomenon and for that purpose, careful research on human trafficking is persuaded. No doubt, there are several studies that have been advanced including the contributions to causes, consequences, and social dynamics with the remedies thereto. The micro-level research would be argued with its advantages and its better-suited formulation i.e. identifying the magnitude of trafficking within a measurable context. The author is therefore proposing an analytical framework in order to understand the relationships among three factors interrelated to the concept i.e. globalization, gender, and work.

Keywords: Social dynamics, Human Trafficking, Causes.

INTRODUCTION

Migration is not a phenomenon in recent times. Looking at human history, migration has become an integral part of human life. There were different reasons for their transfer. "In human history, from the first communities of Africa to the present position of the world, migration took place" (National Geographic Society, 2005). From the beginning of human history, ethnic groups have been looking for a better existence around the world. Reportedly, many people are living far away from their homes just because of some reason nowadays. The reasons may include environmental issues, cheap livelihood, atmospheric issues, law and order situations, race, and country economy. Migration is also seen in underdeveloped countries such as Pakistan, where the only means of overcoming poverty and improving living conditions.

In the last more than two decades, serious attention has been paid to the offense of the trafficking of human beings by use of force, fraud, or coercing across international or national borders as well as within a country for work of sexual uses and forced labor. Sexual abuse is one of the most rapidly rising crimes in fields. Nowadays it is declared that Human Trafficking is the second largest Crime after Drug smuggling. Sex trafficking became a significant problem in the USA at the end of the 1990s, with the ratification by 16 October 2000, which led the USA Parliament to promulgate a new law namely "(The Victims of Trafficking and Violence Protection Act of 2000 (TVPA)) was introduced to control the situation as the law should have to be introduced which can fight against the human being trafficking and also to give protection to the victims. Human trading is the second largest source of illicit income for the world after drug trafficking. The integration of human beings has become a critical problem for many governments around the globe (Lachko, 2005).

Further strengthened the anti-trafficking laws necessary initiatives were followed up by legislation and reauthorizing the protection for trafficking victims in 2003 and 2005. Given efforts to federal and local authorities, NGOs, and the scientific community to fight against human being trafficking. According to The International Labor Organization (ILO) Report 2022) criminal benefits from human beings trading is exceed US\$ 150 billion, whereas US\$ 51 billion earned from other monetary activities viz. forced economic exploitation such as domestic work, agriculture, and other activities. (ILO Director-General's Report 2022)

Although, most trafficking experts believe that while in human trading mostly women and children become victims, little systematic information regarding the extent of this phenomenon, the characteristics of being become a victim (including their capabilities to distinguish between adults and children, baby and baba, women and men), theirs lives. This information is essential if, policymakers are to formulate effective policies, provide services to providers with culturally sensitive, language-appropriate effective programs, as well as enhance the capabilities of law enforcement agencies to identify victims to protect them and traffickers for prosecutions.

In addition, the people involved in human trafficking and related topics, frequently have to choose sensational publications that raise quality awareness and relevant research based on calculations, methodologies, analytical (qualitative) research, and legal and political analytics. This exercise must be beneficial and will be able to disclose causes of human trading, try to give closer numbers of the people trafficked, cartography & analysis of human traffic areas with directions, consideration of various types of exploitation, understand the resilience and impacts of victims of trafficking, which evaluates the feasibility of therapeutic and psychological regimes. With this goal and this need in mind, a project with a grant from the National Justice Institute (NIJ) was launched by the International Migration Georgetown University Research Institute as follows:

Compile a complete literary bibliography based on English human trafficking research using EndNote software for electronic bibliography management;

Development of a systematic group in links to identify the series of criteria developed in coordination with the National Institute of Justice.

Different works are being taken into consideration especially in English to evaluate & point to the trafficking of human beings in literature

The researcher in his report on the above project provided a detailed account of the processes involved in the identification of scientific literature based on trafficking in human beings, the researched databases on keywords to identify relevant links, discuss the development of a taxonomy for the classification of articles, reports, and books on the renowned scientific journal and concluded with a debate on the research gaps.

The study is to entail a useful dissection of the problems of Human Trafficking which is a type of criminality in every society. It is usually committed by a person who has respectability and high social ties. The purpose of the study is to ascertain the causes and consequences and an effort is to suggest possible measures for the eradication in view of the information/knowledge which is gained through the empirical research. The study is helping to identify the facts that are responsible for the increasing of this menace in society. This study shall aid in the formulation of policies and strategies to control the problem, the area of study is unique in its concept, and comprehensive research has not been conducted on the subject, the author's attempt at exploratory work will also serve as the trailblazer for the future researches on the similar area, or perhaps a further probe in their similar matter.

Human beings Trafficking is an accurate and highly competitive concept that scientists do not share. There is considerable knowledge of human trafficking and human smuggling worldwide, inspirer of scarcity illegal trade. It is difficult to find out a common definition due to the illegal and secretive nature of the person trafficking, investigators, politicians, and other interested parties involved in trafficking in persons. This is partially the product of the deficiency of consistency in terms and definitions taken in used by governments, global organizations, NGOs, universities & media that restrict the response to sex trafficking. This deficiency of clarification causes citizens, researchers,

and university scholars to replace human trafficking, such as smuggling, illegal migrations & forced labor (Lee, 2007).

As for the nuanced and secret existence of trafficking in human beings is difficult for scientists, policymakers, and researchers generally to find a simple concept of human trafficking. Although there is no universally accepted definition of human trafficking in science, many researchers do so. The UN definition is also employed in this study to eliminate discrepancies with other definitions of the word and to establish the scope of the investigation. According to Article 3(a) of the UN Protocol on Persons Trafficking, human trafficking is defined as:

Human trafficking is the enrollment, transmission, possession/ acceptance of a person by intimidation or by the use of strength or forms of pressure, kidnapping, disappointment, or abuse of office which creates or receives vulnerabilities/ benefits to attain the harmony of the person administering the other for exploitation. At least, Exploitation involves forced labor or services, slavery, or other similar practices such as slavery, organ harvesting, prostitution, or other types of sexual exploitation. (UNODC, 2012).

The phrase "personal trafficking," which is accurate and fiercely contested, lacks a standard meaning among scientists. Despite the limited human trafficking, the world is well-informed about human trafficking and other forms of human trafficking. However, it is difficult to find a common definition due to the illegal and secretive nature of the traffic in persons, investigators, politicians, and other interested parties involved in trafficking in persons. This is partly due to a deficiency of clarity in terms & definitions used by the government, global agencies, non-governmental organizations, universities, and the media. This lack of transparency pushes people, investigators, and researchers, such piracy, slavery, and forced labor, to replace trafficking human beings (Lee in 2007).

Regarding the complex & hidden nature of human trafficking, a clear definition of human trafficking is difficult to locate, as agreed by researchers, scientists, and politicians generally. Although no consensus among scientists found on the concept of trafficking in humans, many researchers use the UN concept. The definition provided by the UN is also used in this study to reduce inconsistencies with the prevailing definition of the term and to regulate the scale study. Article three (a) of the UN Protocol on Personal Trafficking defines the term trafficking in human beings. Trafficking in individuals is not the illegal transmission of people from one country to another, but a very complex phenomenon, as stated in the previous description, consisting of three components, the means, and intentions that are different but connected. This legislation sets out several procedures and steps, with trafficking in human beings, recruitment, transport & travel, these tools covering various systems of human trafficking as supplementary components. Via a variety of strategies, traffickers convince and track their sufferers, with the victims' supremacy and monetary weakness. Human trafficking may take place for different purposes. This is often done to make huge profits from the work of trafficked people

To Know the Human Trafficking

Having looked at various trafficking interpreters Cameroon, (2007) and Lee (2007) explain the concept of trafficking in human beings calls for an analysis of the set and actions of the factors that make trafficking in humans vulnerable. Firstly, it's significant to determine and understand the interactions between structural and variable factors in human trafficking in a wider social, economic, and political environment, such as economic crises, social inequality, and work demand as well as economic and worldwide legal systems, weak law implementation, bribery, weak schooling campaigns, national and international etc. Close factors such as the identification and knowledge of the interaction of motivational and attractive factors, which are responsible for human trafficking, help us to understand the nature of human trafficking (Cameroon, 2007).

Recognizing different causes of trafficking only contributes to a better understanding of the subject. This portion of the study, therefore, seeks to investigate not only the causes but also the multiple problems facing trafficked victims and those involved in trafficking.

Perpetrators Involved in Human Trafficking

Human trafficking involves a large number of players from various backgrounds,

Including diplomats and multinationals seeking to involve young women in domestic work, small businesses, and members of Asia's biggest trafficking organizations, Shelley (2010) reports. Citizens' smugglers. Not only are several organizations involved in the sex trafficking operation but individuals are also involved in the cycle of human trafficking. At the beginning of the human trafficking chain, it could be an entity, local network, or elite community, particularly in the recruitment process. Trafficking in kids is dissimilar from trafficking in males and females; participation in hiring & facilitating families is more common in the process than in adults. (al., 2008) studied in respect of children revealed that they are used as victims of trafficking, or are used to leverage their jobs.

ILO's info guidelines for combating discrimination, mistreatment & harassment of migratory workers included individuals, who are involved in the trade and trade of human beings that includes a wide number of persons, such as family members, school teachers, police, military personnel, retired public officials, and migrant workers, so also active return migrants. The movement between places of use involves people, such as taxi drivers, truck drivers, hotels, motels, media, lawyers, bar owners bar managers, discos, and brothels that promote children, women, and men. According to the previous ILO reports the major traffickers are immigration police as well as government officials/Public officials who participate with false birth certificates and papers, cross the borders illegally, and protect the owners of barracks and lawyers of criminal prosecutions.

Main Reasons for Human Trafficking

Recognizing and considering the association between the structure and related influences, are vital milestones that how deception and coercion make human trafficking vulnerable. Nevertheless, to understand the social, socioeconomic, and political dynamics of trafficking, both when and how such a problem occurs. It is also important to understand the systemic causes of human trafficking & their bonds with related factors. Causes of human trafficking differ and sometimes differ within countries and even in countries. Human trafficking is a secret and dynamic phenomenon, which is frequently affected by financial, economic, cultural, and legal factors. You can always move among the poor in search of a better life. This purpose is also used by traffickers to hire and track potential victims. Some local circumstances allow people to move to improve their personal lives such as scarcity, domination, lack of societal and economic openings, human rights deficiencies, etc. (UNODC, 2012). The trafficking of men, women, and children is a complex issue. These variables, which may be categorized as push and pull factors, are the major causes of human trafficking. Motivating elements help people avoid becoming victims of human trafficking while engaging factors encourage them to take advantage of favorable possibilities. Whether legal or illegal, all forms of human trafficking or migration have a connection to compelling and motivating causes. According to National Geographic (2005), there are four sorts of movement and attraction factors: economic, political, cultural, and environmental.

Pressure factors include numerous hostile problems and situations that force people to move to better lives. Several variables working in the countries of origin include the push factors. Under the information guide of the ILO, which is used to prevent discrimination, exploitation, and abuse of working women, "Poverty and chronic unemployment; growing materialism and a better way of life; family circumstances; lack of access to education; gender discrimination and a firm disparity; economic crisis; natural disasters; wars; political conflicts; ineffectiveness;" are the key causes.

"Poverty & unemployment are linked to the factors that force people to exploit themselves without full knowledge, according to (Harbilas, 2013)" The poverty and overall economic state of the nation of origin are connected to elements like employment and educational opportunities. Other intriguing elements, such as intriguing chemicals that increase the immigrant's incentive to immigrate to the destination, also contribute to human trafficking in such nations. According to the ILO information handbook, the following are the key demand sources and variables in the destination countries: -

Competitiveness of labor and export-oriented manufacture costs, development of the unceremonious economy, expanding sex and entertaining industry successes & wedding and bridal trade' (ILO, 2020). Cullen-DuPont is based on economic promise and consumer demand; one of the main factors of people's trafficking is the need for higher income, reduced costs, and other inspirations for employers in destination countries (Cullen-DuPont, 2009). Low-cost work paid and

sex work among the potential destinations are strongly demanded. These conditions for jobs and sexual activity enable migrants to boost their income and livelihoods. The sex workers' or prostitutes' requirements in designated countries, therefore, require people in developing countries to move to income chances to escape economic opportunities.

Economic factors, including poverty and unemployment, not only drive people to emigrate but end human trafficking. In count to the economic crisis, people are often forced to travel and be dominated by human traffickers. According to UNDP, the situation at the local level, which forces people to strive for better conditions, includes pressure, deficiency of human rights, deficiency of social opportunities, fight or instability threats like political uncertainty, militarism, civil disturbance, armed conflicts internally and natural tragedies could lead to an increase in trafficking in human beings (UNDP, 2008). The above-mentioned ecological, political, and community conditions are, therefore, one of the driving forces behind trafficking in human beings.

People move for certain political, environmental, and cultural reasons, in addition to economic factors. From the above, stability and better living conditions are qualities that are sought by people when they decide to move or be trafficked into a stabilizing country.

Victims under the Problems of Trafficking

Human trafficking is routinely used when both traffickers and employers arrive at their destination during human trafficking. Victims of trafficking also face many difficulties at all levels of trafficking. Males, females, and children face many challenges as sufferers of human trafficking. However, they differ significantly in their size and type of problems; it's also important to acknowledge that females, males, and children are exposed to numerous forms of work & exposed to different conditions and usage risks. According to Halabi, abuse and oppression are well-documented and more overt in male-dominated industries, because people work in building and farming communities. The violence and exploitation of women victims in the early stages of relocation or in unseen situations are less common. These manipulations can include claims of increased payment by immigration officers or traffickers, additional robbery, and frequent physical integrity violations, like punishment, intimidation, ludicrous behavior, and sexual assault (Halabi n.d.).

Women are the most disadvantaged groups relative to men, suffering most from different types of violence and special circumstances. Aleppo's view on female vulnerability is reinforced by added work lessons that show domestic workers, due to their individual working conditions and the role of brokers, officers, and employers are very vulnerable to discrimination and misuse. No doubt, trafficked people face various difficulties in human trafficking procedures, but difficulties they face in their place of visit and labor are well recognized and as serious as their difficulties in transit during the entire human trafficking cycle. Trafficking victims face problems such as abduction, economic abuse, and sex trafficking extortion, however, victims in countries where employers are named are the most frustrating and unacceptable issues.

(Sabban, 2006) deliberate household refugee worker in UAE. He described a number of problems for domestic workers, who are trafficked as domestic workers in UAE in his report. In addition to sexual and psychological violence, he says that household workers in the UAE are subject to ethnic discrimination. According to him, ethnic discrimination and representative treatment of migratory workers are often involved in the U.A.E. Employers view migratory workers as lower and weaker culturally. He said that most immigrant employees refused independence of movement, regulated their community and bodily wellbeing, & expressed great skepticism about all social contacts with neighbors. Regardless, of the myth of migrant workers in UAE, household workers are not socially and ethnically classified. Employers closely monitor the social interaction of migratory workers and their movement. As a result, the isolation of immigrants working in the United Arab Emirates is becoming an important feature. However, their degrees of isolation differ as domestic workers because trafficking in human beings isolates physical, social, cultural, psychological, and other features of human life. According to (Sabban, 2006), some people are living in isolation in very violent conditions, while others can overcome some of the physical and psychological challenges of socializing with others. A tool for managing migrant homes is also physical and psychological isolation in the UAE (Sabban, 2006)

In conclusion, the vast majority of literature on human trafficking discusses the problems faced by traffickers in their destinations. But when I the author talk about this, migrants have many problems when crossing different transit cities and deserted human trafficking roads. However, no literature reports on the problems faced by migrants in the path of human trafficking. It's important to examine these difficulties and include those in modern works in a direction to fully recognize the numerous problems faced by sufferers of human trafficking.

Human Trafficking Effects and Reasons

The psychological and health effects of individual victims are heavily affected by human trafficking; they also have monetary and political influence in the countries of origin & destination. To date, no rigorous empirical research has been carried out on other effects of human trafficking and safety. However, the necessary and intolerable human and societal costs of trafficking range from homicide and brutality to psychological damage. The impact of human trafficking on individuals and cultures is disastrous. (UNODC, 2008).

People who are victims of human trafficking suffer, as do the political, economic, and social systems of society. First and foremost, human trafficking is a crime against the person, and its victims directly suffer its consequences. According to the United Nations Office on Drugs and Crime (2008), trafficking affects 130 nations. Sex trafficking is an issue that transcends national borders. However, the most knowledgeable about the short- and long-term effects of the issue are the individual victims, societies, and nations. The individual victim has suffered the most from human trafficking, even though it has political and economic repercussions for nations and civilizations.

Trafficking affects people, who gain in all areas of their lives and can include physical and sexual abuse, violence, impoverishment and torture, coercion, manipulation, economic exploitation, humiliation, working conditions, and other phases of trafficking. (2008) (UNODC). Victims of trafficking face different health problems at various stages of trafficking. Even after being rescued and coming home, they face health and psychological problems. Inhuman breathing conditions, deprived hygiene, poor nourishment, poor personal sanitation, physical and emotional attacks by traffickers, and many physical and mental health challenges may be experienced by victims of trafficking due to dangerous conditions at their workplaces. Post-traumatic stress disorder, anxiety, hopelessness, isolation, attitude, violence & trouble focusing are the most common psychological effects (UNODC 2019). Studies have also shown that psychological traumas will intensify and endure before violence ends.

Sufferers of human trafficking are also more likely to become infected with HIV. In 2012, the WHO and PAHO released a report on the healthiness effects of trafficking in human beings. (Zimmerman and Stockl, 2012) recognized the healthiness and connected belongings of trafficking in human beings on this fact sheet.

Here are several consequences i.e. Poor mental health causes frequent and persistent negative human health effects from the practice of human trafficking. Suicidal thoughts, depression, post-traumatic stress disorder, and other anxiety disorders are a few examples of the psychological effects, along with somatic problems that differentiate between pain and physical dysfunction and additional health difficulties including stigma. can bring people back to their previous difficulties. If, you want to stay where you are they offer, many people search for shelter and face refuge, mistrust, and tension (Zimmerman and Stockl, 2012).

As previously mentioned, trafficking victims are socially stigmatic, especially when they return home without protest, despite the harm and the problems they create. We have shown that the effects of trafficking of human beings impact individuals, and families, nationally, regionally, and internationally and all individuals affected are people who have felt the intensity of the problems directly. Human Trafficking in human beings affects countries, but it also affects host countries.

The Political implications of human trafficking

The social justice of human trafficking is influenced by a variety of political issues. The first official law to address human trafficking was the Trafficking Victims Protection Act of 2000. There is also the Justice for Victims in Trafficking Act (2015) in addition to the TVPA. These deeds have helped human trafficking and still help it. In keeping with the TVPA, this law publishes an annual report on TIP

(Trafficking in Persons). This report's objective is to rank various nations according to how well they are doing in stopping human trafficking. While there are several political initiatives to combat this societal issue, corruption also has an impact.

The statute to prohibit human trafficking includes this report as well. The TIP gathers information on international nations' efforts to combat human trafficking. This is a crucial political weapon for enlisting the support of other nations. The American government keeps track of each nation's data. The number of trafficking offenses, the number of prosecutions and convictions, if the government provides victim protection, etc. According to the findings, no nation is treated equally. They can be classified as belonging to Tier 1, Tier 2, or Tier 3. The United States government takes the appropriate actions to raise the status of the country in accordance with the particular tier they are assigned. State Department,

People frequently mix up sex trafficking and prostitution, even though these are two distinct crimes. It would take ignorance and unawareness to think the association is significant. The feminist perspective is essential for combating and comprehending the phenomenon. Their analysis of the social system behind human trafficking is where they have the most substantial impact. (Lobasz, 2009)

Legal Framework In Pakistan

Pakistan is a signatory of the *UN Convention Against Transnational Organized Crime 2000*. Pakistan also ratified "*The Palermo Protocol in 2010*". Thus, under the said convention and protocol, Pakistan is obligated to legislate. Pakistan has laws to address human trafficking at every level. At the federal level, the Inhibition and Controlling of Human Trafficking Ordinance viz. "*Prevention & Controlling Human Trafficking Ordinance, 2002*" stood accepted & promulgated in October 2002. This law criminalized all forms of human trafficking, which may include trafficking forced labor, sexual mistreatment, or other purposes that provided effective measures to prevent the crime as well as safeguard and support the victims of trafficking, the sentence for trafficking included fines and sentences ranging from seven years' life in prison. The Preventions & Controlling of Human Trafficking Ordinance of 2002 was enacted as a legislative measure to stop human trafficking but it criminalized the victims and failed to distinguish between trafficking and smuggling. It highlights the ongoing lack of policy consideration given to this crucial aspect of organized crime. "*The Prevention in Smuggling of Migrant Act 2018*" & "*The Prevention Trafficking in Persons Act 2018*" have replaced the 2002 Ordinance, which came into force in 2018. The new act provides a more comprehensive legal framework for the prevention & control of human trafficking across Pakistan, with provision for protection & assistance of sufferers of trafficking. It also establishes specialized anti-trafficking units and imposes severe penalties on those found embarrassed of trafficking.

A new enactment was promulgated in response to ranking Pakistan on the Tier 2 watch list presented by the US. In addition to federal laws, the province had its own laws for addressing human trafficking. e.g., the Punjab Destitute and Neglected Children (Amendment) Act 2017 aims to protect susceptible children from trafficking, while the Sindh Bond Labor System (Elimination) Act prohibits bonded labor, which in a way counts as human trafficking. Despite these laws, human trafficking is still a major problem in Pakistan, and both the laws' execution and the government's handling of trafficking cases have drawn criticism.

A UNODC assessment found the laws given not only protect the right of human trafficking and smuggled immigrants it also helps Pakistan's law enforcement authorities' capability to successfully prosecute organized teams responsible for these crimes and those who profit from them. The ICT Act 2018 & Criminal Law Act 2016, which edited various sections of the Pakistan Penal Code legislate for illegalization exposure of conquest to child Section 292-A, child pornographic Sec 292-B, an offense of cruelty to the child (Sec 292-C), are just two examples of recent legislation guaranteeing legal protections to child & enhancing powers of the state in order to punish perpetrators (Sec 377-A). The recent declaration, named after the Kasur disaster, Zainab Alert Act 2020. Ironically, Crime occurred on that day, law passed on the force. The law aims to establish an institution for a response mechanism that will develop a system of alerts in the event of kidnapping/ missing children. The

Constitution of Islamic Republican Pakistan 1973 has several outstanding features which guarantee fundamental rights as provided in the assertion of the human right, to order our lives, individually and collectively. Article 11 of the constitution guaranteed that slavery forced labor, etc., prohibited subclass 2 of article 11 of the constitution clearly speaks "all form of force labors and traffic in human being or forbidden. Sub clause 3 of Article 11 of the constitution also categorically speaks about child labor below the age of 14 years not supposed to be taken in any work/ mine or any other harmful employment.

Article 11's provisions are comparable to those in Article 4 of the Universal Declaration of Human Rights. American 13th Amendment, Indian Constitution Article 23. Both Fundamental Rule No. 3 of the 1962 Constitution and Article 16 of the Constitution from 1956.

Slave. The word "slaves" comes from Slavi, who once lived in central Europe and they were so-called from Slav, which meant noble. But when they were conquered, the Romans and others drew their servants from them. They were sold into captivity and spread over Europe, and thus the word 'slaves' came to be used. Condition of servitude, ownership of people's property, or at least, management of one-man labor & services for the advantage of others, and lack of a person's legal rights to govern his own person, property, and service are all definitions of slavery.

The definition of slavery is the complete denial of an individual's status as a free focus. In that condition, a person essentially delivered to their master "having infinite control on his life, rights & everything which constitutes with him as a free subject." This kind of service is known as slavery; a person is rendered completely powerless for the duration of their life.

Forced labor. The expression 'forced labor' means the labor which a person is forced to do. He is unwilling to do it, but it is extracted from him under some threat or compulsion. It does not matter if he is paid or is compensated. Under S. 374 PPC. It is made penal to compel any person to labor against his will.

Clause 2 of Article 11 of the Constitution forbids all forms of forced labor and human trafficking, with the exception of prisoner labor or that which is mandated by law and performed for public purposes. For example, the government may require all physically fit citizens to serve in the military, or the States may require physically fit males over the age of twenty-one and under forty-five to work on public roads for six days each year. Thus, forced labor, on reasonable grounds for the State is justified though it is not justified when exacted by a private person. However, the phrase 'Public purposes must include an object or aim with this immediately affects the general interest of the society as a whole. No legislation permits a private person to retain a Juris person in his own care. The term "detention" refers to unlawful custody rather than just being physically confined in a tiny space.

Under both provisions of laws i.e. Article 199 of the Constitution and Sec 491 of the Criminal Process Code, any type of restriction on freedom is punishable. Any agreement in which a person gives up his or her right to take or sell any of his or her property or labor product at market value, or gives up the freedom to work and travel as they likes, is invalid. [PLD 2009 S.C.507] The High Court has full authority to actively uphold basic rights, including those against private individuals as well as state entities. Only the High Court has the authority to provide directions for the effective enforcement of basic rights against private parties, including those protected by the Constitution's Articles 11 and 22, etc. against such parties.

Other parts of the Pakistan Penal Code 1860 (PPC) that ended up with various sorts of human trafficking were still in practice by authorities. For illustration, Sec 371. A & 371. B (added by the Protection of Women Act VI of 2006) to purchase or sell women or girls for prostitution is illegal & penalties in a sense obligatory to fine with jail terms of up to 25 years. Provision of PPC Sections 371-A and 371-B. This only applies to those who commit the crime and intend to utilize the victim or any other person they sell or buy for prostitution or other unlawful sexual activity. In their wisdom, legislators took into account societal norms and recognized that allowing cases under such offenses to be registered based on spy information or complaints made by an anonymous person would have encouraged false reports involving innocent men or women for malicious purposes. Police personnel must acquire search warrants before entering a location, and any evidence recovered must comply with section 109 of the Criminal Procedure Code. Police officials are not allowed to violate the law

in any way, including by disregarding the legal system as a whole. Prevention & Controlling Human Trafficking Ordinance PACHTO in Pakistan forbids all kinds of international human trafficking and carries sentences of seven to fourteen years in jail.

Conclusion

It is concluded that the human trafficking issue is worldwide. Pakistan has also facing this issue for many decades. There are many laws and regulations in the country, but the governance system is poor. The Laws are good enough to control human trafficking, but the implementation of the laws is always at stack. National action plans and consistent strategies or policies on forced labor as well as on human trafficking are categorically needed in order to increase the legal risk, which is obviously a major link to traffic. Such policy/plan must have taken an account the aspect of gender, those used for labor migration and human trafficking. Since trafficking in person is mainly a global phenomenon that connects different countries, therefore, the legal framework and cooperation must be established at the national, regional, and international levels.

Government and non-governmental figures are expected to improve the living of poor communities, so also increasing literacy, training, and basic education for women in particular, as they are more vulnerable to trafficking, and for other traditionally disadvantaged groups. Development of general public information campaigns to promote knowledge of the risks related to trafficking. These efforts should be highlighted through wide awareness of the dynamics of trafficking and why people can take the decision to migrate and put them in potential danger. Sensitivity-building drives confirm that migrants, particularly women should properly be informed on migration danger (maltreatment, health, and physical abuse in slavery) and the opportunities for safe, non-exploitative migration that are open.

This research proposes the following points, mainly based on the key findings of the report, to the governments and non-governmental organizations (NGOs) concerned and to researchers, who would like to examine the issue of trafficking in human beings. Trafficking in person is a heinous global phenomenon that involves compelled or coerced individuals to make available for forced labor or low-wage services or involved in commercial sexual practices. The practice is very much prevalent in Pakistan where instances of human trafficking are reported to law enforcement agencies, different departments, and organizations and highlighted in the media.


REFERENCES

- [1] Ali SM. 2010. *The human trafficking problem*. Daily Times. Available from URL: http://www.dailytimes.com.pk/default.asp?page=2009%5C04%5C07%5Cstory_7-4-2009_pg3_3.
- [2] story_7-4-2009_pg3_3.
- [3] Truong TD. 2011. *Poverty, Gender and Human Trafficking in Sub-Saharan Africa: Rethinking Best practices in Migration Management*. Available from URL: <http://unesdoc.unesco.org/images/0014/001432/143227e.pdf>.
- [4] Amin M. A. 2011. *Research Study on the Trends & Causes of Women Trafficking in NWFP, Pakistan*.
- [5] *Economic survey of Pakistan 2004-2005 Part-II*. Available from URL: <http://www.accountancy.com.pk/docs/Economic-Survey-2004-05-Part-II.pdf>.
- [6] Moran T. 2011. *Health and Human Trafficking*. International Organization for Migration (IOM), Geneva.
- [7] United Nations International Children's Emergency Fund (UNICEF). *Welcomes Signing of Two Conventions on Children by South Asian Leaders*. (Online press release) 2002 January 5 (Cited 2011 January 6). Available from URL: <http://www.unicef.org/newsline/02pr01.htm>.
- [8] Zimmerman C, Kiss L, Hossain M, Watts C. 2009. *Trafficking in persons: a health concern?* *Ciência & Saúde Coletiva*. 14: 1029-1035.
- [9] Busza J, Castle S, Diarra A. 2011. *Trafficking and Health*. *British Medical Journal*. (Online) 2004 (Cited 2011 Jan 6). 328: 1369.
- [10] Motus N, et al. *Migrant Victims of Trafficking: Extending Protection, Assistance, Health Care and Advocacy for Women and Children*.
- [11] Anti-Slavery, "What is human trafficking?"
- [12] Human Smuggling and Trafficking Center 2017. U.S. Department of State, "Fact sheet: Distinctions between human smuggling and human trafficking," April 2006, <https://2009-2017.state.gov/documents/organization/90541.pdf>.

- [13] World Bank. 2018. *A migrant's journey for better opportunities: The case of Pakistan* (Washington, D.C.: World Bank Group, 2018).
- [14] United States Department of State. 2018. *Trafficking in Persons Report - Pakistan*, June 28, 2018, <https://www.refworld.org/docid/5b3e0ab0a.html>
- [15] International Labour Organization. 2005. *Global report on Forced Labour in Asia: debt bondage, trafficking, and state-imposed forced labour*, May 18, 2005, https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_075504/lang-en/index.htm
- [16] Umar Cheema. 2018. *The US improves Pakistan's ranking on human trafficking*. The News, June 30, 2018, <https://www.thenews.com.pk/print/335431-us-improves-pakistan-s-ranking-on-human-trafficking>
- [17] Aljazeera. 2019. *More than 600 Pakistani girls 'were sold as brides' to China*. December 5, 2019, <https://www.aljazeera.com/news/2019/12/600-pakistani-girls-sold-brides-china-191205054627426.html>
- [18] UNODC. 2011. *Trafficking in persons in Pakistan. A review of national laws and treaty compliance*, October 2011, https://www.unodc.org/documents/pakistan/2011.10.00_Laws_relating_to_Trafficking_of_Persons_in_Pakistan_final.pdf
- [19] Federal Investigation Agency's Anti Human Trafficking Unit page at <http://www.fia.gov.pk/en/ahtc.php>
- [20] M. Akbar Notezai and Waseem Ashraf Butt, "Human smuggling: a thriving racket."
- [21] Aleem Maqbool. 2012. *How the city of Mirpur became 'Little England'*, BBC News, March 5, 2012, <https://www.bbc.com/news/magazine-17156238>
- A. Muhayuddin. *Women and child trafficking for sexual exploitation in Pakistan*.
- [22] Pakistan Today. April 2, 2012. *Central Asian girls being trafficked to Pakistan for prostitution*, <https://www.pakistantoday.com.pk/2012/04/02/central-asian-girls-being-trafficked-to-pakistan-for-prostitution>
- [23] Shahid Ilyas Khan. 2019. *The menace of human trafficking (part I)*, Daily Times, May 20, 2019, <https://dailytimes.com.pk/397370/the-menace-of-human-trafficking-part-i>
- [24] UNDP Pakistan. 2019. *Sustainable urbanization*. May 8, 2019, https://www.pk.undp.org/content/pakistan/en/home/library/development_policy/dap-vol5-iss4-sustainable-urbanization.html
- [25] T. Anwar, et al. *Landlessness and rural poverty in Pakistan*. Pakistan Institute of Development Economics, <https://www.pide.org.pk/pdf/psde20AGM/Landlessness%20and%20Rural%20Poverty%20in%20Pakistan.pdf>
- [26] Saqib Saboor. 2003. *Cultural cognition of child Labour* (M.Sc. thesis (2003), University of Arid Agriculture), 47.
- [27] Quoted in A. Muhayuddin. *Women and child trafficking for sexual exploitation in Pakistan*.
- [28] Faras Ghani. 2019. *The spiraling debt trapping Pakistan's brick kiln workers*, Aljazeera, October 21, 2019, <https://www.aljazeera.com/indepth/features/spiraling-debt-trapping-pakistan-brick-kiln-workers190903135224452.html>
- [29] Global Slavery Index. 2018. *Country Data (Pakistan)*, <https://www.globalslaveryindex.org/2018/data/countrydata/pakistan/>
- [30] Faras Ghani, "The spiraling debt trapping Pakistan's brick kiln workers."
- [31] Ahmad Saleem. 2004 *A rapid assessment of bonded labour in Pakistan's mining sector*, ILO Geneva, 2004, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_082032.pdf
- [32] UNODC. 2012. *Status of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto as of 1 October 2012*, October 1, 2012, https://www.unodc.org/documents/treaties/organized_crime/COP6/CTOC_COP_2012_CRP/CTOC_COP_2012_CRP1.pdf
- [33] Federal Investigation Agency. *Anti-Human Trafficking Unit page* at <http://www.fia.gov.pk/en/ahtc.php>
- [34] UNODC. 2018. *Trafficking in persons and smuggling of migrants laws 2018*, <https://www.unodc.org/pakistan/en/trafficking-in-persons-and-smuggling-of-migrants-laws-2018.html>
- [35] Shmyla Khan. 2020. *Making children safer*, The News on Sunday, February 2, 2020, <https://www.thenews.com.pk/tns/detail/606913-making-children-safer> FIA (as reported by Geo: <https://www.geo.tv/latest/173398-7430-cases-registered-under-campaignagainst-human-trafficking-fia>)
- [36] M. Akbar Notezai and Waseem Ashraf Butt. 2018. *Human smuggling: a thriving racket*, Dawn, April 24, 2018.)

Article 8 of the Convention.

- [1] *State of Maharashtra versus Syndicate Transport co. Ltd.*, AIR 1964 Bombay. 195.

- 
- [2] *West Bengal versus Corporation of Calcutta*, AIR 1967 SC 997.
 - [3] Silvia Rodriguez Lopez. 2017. "Criminal Liability of Legal Persons for Human Trafficking Offences in International and European Law," *Journal of Trafficking and Human Exploitation*, Paris Legal Publishers 1(2017): 1, 95-114.
 - [4] Tara M. Parente. 2014. "Human Trafficking: Identifying Forced Labor in multinational Corporations and the Implications of Liability," *Brazilian Journal of International Law* 11: 1, 146-161.
 - [5] *The Omnibus Crime Control and Safe Street Act*, 1969.
 - [6] Article 2(a) of the Convention.
 - [7] Risto Pullat. 2009. "Criminal Hierarchal Characters: Models of Organized Crime in the Baltic Sea Region," *SIAM Journal* (2009).
 - [8] Jones and Bartlett 2018. *Organized Crime as defined by Laws, Agencies, and Governments*, Jones and Bartlett Learning. (accessed on 02-08- 2018).
 - [9] Article 1, Paragraph 1 of the Joint Action. 2008. It has been the legal instrument in force within the EU until the entry into force of the Framework Decision (2008/841/JHA).
 - [10] Bootlegging was when people made, transported, and sold liquor illegally. It was a risky business to get into but the profit was huge. Bootleggers used to smuggle alcohol in foreign countries.
 - [11] Bryan A. Garner, *Black's Law Dictionary*, Eighth Edition.
 - [12] Bill McMath. 2001. FBI, personal communication, August, 2001.
 - [13] Article 3 (a) of the Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime, 2000.
 - [14] Kevin Bales. 2018. Testing a theory of Modern Slavery." < <https://glc.yale.edu/sites/default/files/files/events/cbss/Bales.pdf> > (accessed on 18-08-2018).
 - [15] Ronald Weitzer 2014. New Directions in the Research of Human Trafficking," *The Annals of the American Academy*, AAPSS 653 (May 2014).
 - [16] Karen E. Bravo. 2007. Exploring the Analogy between Modern Trafficking in Human Beings and the Transatlantic Slave Trade," *Boston University International Law Journal* 207 (June 2007): 25, 207-295.
 - [17] Juan Friede and Benjamin Keen. 2008. *Barolome de Las Casas in History: Towards and Understanding of the Man and His Work* (DeKalb: Northern Illinois University Press, 2008).
 - [18] *Human Cargo*. 2017. *Transatlantic Slave Trade, its abolition and contemporary legacies in Plymouth and Devon Plymouth City Museum and Art Gallery*. Sir John Hawkins sailed from Plymouth to West Coast of Africa and became the first English slave trader. At the cost of Guinea, he kidnapped 400 Africans men and women and sold them into Saint Domingo (Haiti). From 1562 to 1567, Hawkins is believed to have enslaved up to 1400 Africans for profitable business of slaves. < http://plymhearts.org/wpcontent/uploads/2016/03/human_cargo_education_pack_1sm.pdf > (accessed on 23-07-2017).
 - [19] James Walvin. *Black and White*. 1976. *The Negro and English Society 1555-1945* (London: Allen Lane the Penguin Press, 1973); Paul Edward and James Walvin. *Africans in Britain, 1500-1800* (England: Cambridge University Press, 1976).
 - [20] V.C.D. Mtubani. 2007. African Slaves and English Law," *PULABotswana Journal of African Studies* 06 (November 1983). < <http://pdfproc.lib.msu.edu/?file=/DMC/African%20Journals/pdfs/PULA/pula003002/pula003002007.pdf> > (accessed on 01-08-2018).
 - [21] James Walvin. 1972 *The Black Presence, a documentary history of the Negro in England, 1550-1860* (London: Schoken Books, 1972).
 - [22] James A. Rawley. 2007. *The Transatlantic Slave Trade: A History, Revised Edition* (Lincoln and London: University of Nebraska Press, 2007).
 - [23] Carolyn A. Brown and Paul E. Lovejoy. 2010. *Repercussions of the Atlantic Slave Trade: The Interior of the Bight of Biafra and the African Diaspora*, Africa World Press, Inc., the Harriet Tubman Institute for Research on the Global Migration of the African People 14 (January 2010). ISBN 1-59221-357-X.