



Pakistan

- Population: 185.1 million
- GDP per capita (in US dollars): 1,316
- Multiparty federal republic
- Human development index (HDI): 0.538 (147th rank among 187 countries)
- Gender inequality index (GII): 0.536 (121st rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 30 on a scale from 0 (highly corrupt) to 100 (very clean)

- No official national statistics on prostitution.
- According to the NGO ECPAT, there were 40,000 prostituted persons in Lahore in 2011, 9,000 of whom were children.
- Prostitution, along with all forms of extra-marital sex, is illegal under the Hudood Ordinances. Victims often prosecuted. In the tribal areas, that have their own tribunal (Federally Administered Tribal Areas-FATA) all violators are subject to death penalty.
- There is a significant male prostitution market, although homosexuality is illegal (Penal Code, Section 377).
- The purchasing and selling of a person with the objective to sexually exploit them is prohibited (Penal Code, Sections 371A and 371B).
- Transnational trafficking is punished by the Prevention and Control of Human Trafficking Ordinance (PACHTO), with 7 to 14 years' imprisonment. There does not exist any laws, however, that define and punish domestic trafficking.
- According to the United Nations Refugee Agency (UNHCR), 1.5 million Afghans refugees arrived in Pakistan in 2015, and more than 1 million Pakistanis coming from adjoining territories in Afghanistan, who are particularly vulnerable to trafficking.
- Among the 170 000 street kids in 2011, 90% were sexually assaulted on their first night on the street (*Dawn News*, December 31st, 2014)
- In tribal and rural areas, the “swara” tradition continues to persist: children are forced into marriage to “pay off” the wrongdoings committed by their male relatives.
- The “hijras” culture continues to persist: “hijras”, who are often defined as the third sex, are individuals biologically born as males and often, castrated.

- Serious and problematic instances of corruption within Pakistani law enforcement and anti-trafficking agencies.
- Country of origin, transit, and destination for victims of human trafficking.
- The majority of Pakistani victims of trafficking are brought to Afghanistan or the Gulf countries, while some victims end up in Western countries.
- A number of young girls from Afghanistan, China, Russian Federation, Nepal, Bangladesh, Uzbekistan, Azerbaijan, and Iran are sexually exploited in Pakistan.

In Pakistan today, many vulnerable communities are victim to sexual exploitation on a large scale. Despite strict laws against sex outside of marriage, many boys are sexually abused and prostituted on the streets. Members of the transgender community are also at risk of exploitation, as are young girls who are often forced into marriages. Furthermore, exploited individuals are often the ones who bear the brunt of legal consequences for their actions.

Pakistan is an origin, transit, and destination country for victims of human trafficking. Some Pakistani girls are taken to countries such as Iraq and Afghanistan to be prostituted, whereas women from countries such as China, Russian Federation, Nepal, Bangladesh, Uzbekistan, and Azerbaijan have been brought to Pakistan as victims of trafficking (*U.S. Department of State*, 2014).

Convoluting Sexual Exploitation Legislation

Legislation on sexual acts and sexual exploitation has an extremely convoluted history in Pakistan, and relevant laws are still undergoing changes. With the establishment of the Hudood Ordinances in 1979 under General Zia-al-Haq, Pakistani law was Islamized. The Ordinances were created to modify the 1973 constitution, including making any kind of non-marital sex illegal and punishable by Shari'a methods such as stoning or lashes. With all extra-marital sex illegal, it became very difficult for women to receive justice in cases of rape or sexual exploitation. In order for a man to be found guilty of rape without confessing, there had to be "four adult male witnesses to the act of penetration." After bringing their cases to court without such "evidence" of their sexual assault, many victims were subsequently prosecuted because their complaints were treated as "confessions" of their own participation in extra-marital sex. Thus, the Hudood Ordinances influenced the pervasive culture of victim blaming and punishment in Pakistan, which continues to this day. Although Pakistan's constitution was brought back into force in the early 2000s, the Hudood Ordinances were not halted. In 2006, President General Pervez Musharraf introduced some changes to the laws, but decriminalizing extra-marital sex was not among them (*Human Rights Watch*, September 6th, 2006). Therefore, prostituted persons and victims of other forms of sexual exploitation remain vulnerable to prosecution.

In 2015 a new bill was passed with the intent of improving the protection of rape victims and ensuring that offenders are punished. Under the new law, "defective investigations" of rape are now punishable, and rape cases must be completed within six months of being brought to court. The bill also contains provisions that protect victims' privacy throughout the legal process (*Dawn News*, February 27th, 2015). The bill signifies an important step

forward in Pakistani legislation concerning sexual violence, although it does not specifically aid victims of prostitution and trafficking.

Pakistan does have some laws against human trafficking, but these laws are very limited in scope and are difficult to apply. Trafficking across international borders is illegal under the “Prevention and Control of Human Trafficking Ordinance,” but this does not cover trafficking within Pakistan. A new draft anti-trafficking bill has been recently developed that would extend legal protection to more victims of trafficking in Pakistan, but unfortunately this bill has not yet been introduced in the National Assembly or Senate. As the laws currently stand, victims of trafficking are not frequently identified in Pakistan as such, and they are often prosecuted for immigration rules violations (*U.S. Department of State*, 2014).

Government Action and Corruption

Anti-trafficking efforts in Pakistan are led by the Federal Investigation Agency (FIA), which has an Anti-Human Trafficking Unit (ATU) as part of its Immigration Department. The ATU has a wide range of responsibilities, including preventing trafficking, prosecuting traffickers, updating databases about trafficking, protecting victims of trafficking, and more. In order to achieve these aims, the ATU is in charge of coordinating many smaller efforts and working with local police forces. The ATU also has local “Anti-Human Trafficking Circles” in Pakistan’s largest cities that are in charge of prosecuting local cases and managing deportations, among other abilities (*UNODC*, 2011).

The FIA has taken some specific actions against human trafficking, such as creating a hotline specifically for victims of trafficking and making informative warning posters to place at airports and points of entry into Pakistan. Additionally, in 2014 the FIA released a report with the names of Pakistan’s “most wanted” traffickers, information about trafficking networks within Pakistan, and instances of government corruption having to do with trafficking (*U.S. Department of State*, 2014).

Unfortunately, the FIA’s ability to fight trafficking is impeded by several challenges. First and foremost, the agency lacks the funds and resources necessary to properly carry out its tasks. It recently faced a 25% staff reduction, and the staff members that remain do not have access to basic resources such as office space and supplies (*UNODC*, 2011). The FIA’s staff members are also frequently undertrained for their jobs due to the agency’s structure. Most all FIA employees are rotated to another position in the FIA every two or three years. This system means that the FIA staff do not become experienced in any role, and, due to the frequency of rotation, often receive very little training when they begin new positions (*UNODC*, 2011). Finally, reports of corruption within the FIA itself have reduced its legitimacy, especially since some of its members have themselves been involved with human trafficking. In fact, in July 2013, three FIA officials were arrested for collaborating in a “falsified document scheme” (*U.S. Department of State*, 2014).

Corruption among law enforcement related to sexual exploitation in Pakistan has not been limited to the FIA; there have also been many reports of corruption among police officers. In June 2015 a police officer in Karachi was arrested for directing a prostitution ring (*Samaa News*, June 16th, 2015). Additionally, in 2014, Pakistan’s Interior Minister Chaudhry Nisar Ali Khan called upon police to shut down a large network of prostitution dens in

Islamabad, the nation's capital. Many of these dens were frequented by police officers and were even operating right across the street from police stations (*Pakistan Today*, December 15th, 2014).

Sexual Exploitation of Boys and the Cycle of Abuse

Perhaps one of the most visible and pressing forms of sexual exploitation in Pakistan is that of street children, particularly young boys. Children often begin living on the streets because of extreme poverty or as a means of escaping troubled home lives. They may have been orphaned or abandoned by families who were no longer able to provide for them, or they may have run away from abusive situations. In any case, once living on their own, the children must find ways of supporting themselves and earning enough money to survive (*Murtaza & Habib*, 2010).

A 2014 documentary, *Pakistan's Hidden Shame*, examines the sexual exploitation of street children in Peshawar and includes interviews with several victims, abusers, and aid workers. The film notes that many street children initially turn to collecting garbage for recycling as a way to make money either for themselves or their families. One child explains that his parents beat him if he does not earn a certain amount of money from collecting garbage each day. When they become desperate for money, some children turn to prostitution. Truck and bus drivers are frequent "clients" or rapists of these boys, as many boys search for a place to sleep near the bus terminals at night. Economic pressure is added when children become addicted to drugs. One drug dealer interviewed in the documentary explains that some boys even spend the night with truck drivers in order to make money to buy heroin (*Naqvi*, 2014).

In a study directed by the Interior Human Development Foundation in 2008, 200 boys age 5-18 living on the street in Karachi were surveyed, and 88% of them said that they had been the victims of some form of sexual violence. Additionally, 92% said that they had used drugs. The same study found that police, gang leaders, and drivers were the most common perpetrators of sexual violence against these children (*Murtaza & Habib*, 2010). The fact that police have been responsible for largely violence against street children highlights just how little support this vulnerable population receives from law enforcement. In *Pakistan's Hidden Shame*, police officers who were interviewed pointed to terrorism as the reason they are unable to respond to child abuse. One police officer stated: "There are bomb blasts and terrorist attacks happening. We don't have time to think about the children."

Unfortunately, the exploitation of boys in Pakistan seems to be a self-perpetuating cycle. Often, the perpetrators of sexual violence were victims of abuse as children themselves. According to Ghulam Qadri, former Deputy Country Director of the organization Save the Children, "*The people who indulge in those activities [purchasing sex and raping street children], have an indicative history in many cases. Many times they were abused as a child as well, so this becomes a routine practice from generation to generation. So they don't consider this a crime*". One 13-year-old boy interviewed in the documentary, who has long been the victim of sexual abuse and exploitation while living on the street, admits to having raped a younger boy (*Naqvi*, 2014). Without intervention, the damage will pass on to others.

Exploitation of the Transgender Community

The transgender community is another group that is vulnerable to sexual exploitation in Pakistan. Many transgender individuals are victims of sexual and physical abuse as children, sometimes at the hands of their own family members. According to News Lens Pakistan, one transgender female left home at 15 due to the abuse she faced there and moved to Gul Bahar, an area of Peshawar with a transgender community. However, one of her first mentors in the community ended up forcing her into prostitution. Even when included in supportive communities, transgender individuals in Pakistan still face many risks such as a high threat of sexual violence and a lack of employment opportunities due to discrimination. Without sources of income, many are forced to turn to prostitution (*NewsLens Pakistan*, March 2nd, 2015).

Forced & Child Marriages

Forced marriages of women and children, particularly those living in impoverished situations, continue to be a large concern in Pakistan. The Director Inspector General (DIG), Abdul Khaliq Shaikh, has said that difficult socio-economic circumstances such as poverty and homelessness make people particularly vulnerable to trafficking in Pakistan. In the Sindh province, which includes the city of Karachi, there were 1,261 officially registered instances of women being kidnapped in order to be forced into marriage in 2014. Additionally, 45 minors under 10 were reported to have been kidnapped for the same reason.

In areas such as Sindh, police departments are making some efforts to fight the phenomenon of forced marriage and trafficking. For example, DIG Shaikh stated that Sindh police training now includes an “updated human rights manual.” As of the end of 2014, five kidnapers in Sindh had been convicted, but 369 more were still awaiting trial. Such legal follow-up is not present in all cases of trafficking in the region, though, since the FIA Deputy Director of the Sindh Anti-Human Trafficking Circle, Ashfaq Alam, acknowledged that there were many instances when traffickers were arrested but later allowed to go free without ever standing trial (*Dawn News*, December 31st, 2014).

In certain areas of Pakistan such as the northwest tribal region and the provinces of Baluchistan and Punjab, forced marriages can also occur as part of tribal justice systems. Under the tradition known as “swara,” girls can be forced into marriage as compensation for one of their relatives’ wrongdoings. For example, The Wall Street Journal reports that in 2013 two cousins, age 11 and 17, were forced to marry a mid-30 year-old brother of a girl whom their uncle had raped. Unfortunately, according to women’s rights activist Samar Minallah Khan, such marriages have become largely focused on revenge, and thus girls are almost always mistreated. Even though swara has been illegal since 2011, police often turn a blind eye to it unless they are specifically asked to investigate. Many people justify the practice by saying that it is fast, customary, and will spare the community greater conflict. Even a human-rights activist, Huazer Gul, stated “*The appearance of swara is very ugly, but it settles disputes of many generations...If we do not allow swara, the repercussions are more harmful*”.

Sometimes, the wronged families will agree to accept monetary compensation instead of a bride, but this alternative is not an option if the perpetrator's family is not wealthy (*The Wall Street Journal*, May 5th, 2014). Even "consensual" underage marriages are a crime in Pakistan, but according to the child-protection NGO Sahil, there were 103 reported child marriages in 2014. That number is under-representative of the whole scale of the issue since, for example, there were no reported child marriages in the Federally Administered Tribal Areas (FATA) or Balochistan despite the fact that swara is still in force there. Sahil's data show that underage marriage is a type of sexual exploitation that disproportionately affects girls in Pakistan; of the 103 children who were reported to have been married, 99 were girls (*Salman*, 2015).

Lack of Victim Protection

Even when Pakistani law enforcement does crack down on trafficking and sexual exploitation, protection and services available to freed victims are extremely limited. According to Director Inspector General Alam, in the Sindh province there are no government resources to protect victims of forced marriage when they are rescued from their kidnappers. According to Alam, "the lack of adequate shelter and no rehabilitation strategy has compelled many trafficking victims to return to one or the other captors" (*Dawn News*, December 31st, 2014). The 2014 U.S. Department of State Report on Trafficking in Persons notes that the few shelters that do exist have insufficient resources to adequately care for the victims that they welcome. Additionally, the Pakistani government operates some centers known as "women's shelters," but these centers operate more similarly to jails than refuges and are not very secure. Women are not permitted to leave without a male relative or court order, and sometimes face abuse within the centers. There are also reports of some women whose families did not come to bring them back home being sold into "marriage" by center workers and police, effectively making the supposed shelters trafficking hubs.

Victims are also often discouraged from testifying against their traffickers and abusers in court because they are unable to do so securely. For example, the family of a 14 year-old kidnapping victim brought her case to court in October 2013, but the case was dismissed when the girl was threatened: as a result of a threat, the girl consequently stated that she had not been kidnapped but rather had agreed to the marriage. Not only should protection have been offered to the girl, but also the judge should not have dismissed the case. The girl had also been forced to sell sex to several men, including police officers (*U.S. Department of State*, 2014). This not only complicated the case even further but also highlighted the corruption in law-enforcement. If victims cannot trust law enforcement and cannot feel safe to share their experiences honestly in court, achieving justice becomes nearly impossible.

Progress in Fighting Sexual Exploitation

In March 2014, The United Nations Office on Drugs and Crime took an important step towards better equipping the FIA to fight trafficking. In collaboration with the Australian government, UNODC donated a large array of IT devices, including computers, printers, and cameras, to the FIA's office in Lahore. UNODC has already been working to train FIA staff

on how to respond to human trafficking and smuggling, but this donation is especially important given that the FIA is incredibly under-resourced (*UNODC*, 2014).

Another promising aspect of Pakistani law enforcement is the existence of female-staffed police stations and female officers. Such female officers can offer protection to women who come forward with legal complaints, and may be more trusted by the women than male officers. Additionally, female officers understand firsthand some of the difficulties that other women face in Pakistani society, and thus can at times be more understanding of female victims and detainees than male officers. For example, in the case of a woman who prostituted herself out of economic desperation and was subsequently arrested, a female police officer stated, "*I can understand that [Naheed] is doing what she does because of some real need - one that my [female] officers will also understand and believe... Maybe if a male police officer were to speak to her, he would just degrade her*" (*Deutsche Welle*, April 16th, 2014). Having law enforcement more compassionate and understanding towards victims of sexual exploitation is a step towards reducing the culture of victim blaming and punishment in Pakistan.

Next Steps

Looking ahead, there are several steps that Pakistan should take in its fight against sexual exploitation. Perhaps the issue that most urgently needs to be addressed is that of corruption, especially within the FIA given the large amount of influence and responsibility that it has in combating human trafficking. The FIA needs to be continually monitored and made more transparent to ensure that the agency remains credible and that members are not undermining its efforts. If the FIA, the center and leader of Pakistan's anti-trafficking strategy, is corrupt, it will be very difficult for Pakistan to take any meaningful national action against sexual exploitation. Similarly, Pakistani police officers must also be monitored more closely in order to reduce the number of instances of sexual violence inflicted by the police themselves. In order for the FIA to function properly and to make progress in its work, the government also needs to ensure that the FIA's employees have the resources to do their jobs well. The agency needs more financial resources, as well as more substantive training programs for its members. Finally, Pakistan needs to address its current extreme lack of victim protection. Without offering protection, any legal efforts that Pakistan makes to free victims of trafficking will be in vain. Pakistan should support NGOs and other private organizations that are already attempting to provide services to victims, and should also drastically reform its own government-run women's shelters. The government must ensure that victims are not subject to further abuse in places of supposed sanctuary.

The most vulnerable members of Pakistani society need support and law enforcement that they can trust. Despite the many political and security challenges that Pakistan faces, it must not ignore issues of sexual violence and exploitation.

Sources

- « 1261 women kidnapped in Sindh for forced marriages in 2014 », *Dawn News*, December 31st, 2014.

- « Anti-rape bill », *Dawn News*, February 27th, 2015.
- « Karachi cop arrested for running prostitution ring », *Samaa News*, June 16th, 2015.
- « Nisar orders crackdown against ‘bigwigs’ operating Capital’s prostitution dens », *Pakistan Today*, December 15th, 2014.
- « Pakistan: Proposed Reforms to Hudood Laws Fall Short », *Human Rights Watch*, September 6th, 2006.
- « Pakistani policewoman offers protection and understanding », *Deutsche Welle*, April 16th, 2014.
- « UNODC Hands Over IT Equipment to FIA in Support of Anti-Human Trafficking Efforts », *United Nations Office on Drugs and Crime (UNODC)*, March 20th, 2014.
- CRIDES/Fondation Scelles, *Revue de l’actualité internationale de la prostitution*, 2013.
- CRIDES/Fondation Scelles, *Revue de l’actualité internationale de la prostitution*, 2014.
- Murtaza A., Habib R.A., *Silent Shrieks: A Situational Analysis of Violence Against Street Children in Karachi*, Interior Human Development Foundation, 2010.
- Naqvi M. (directed by), *Pakistan’s Hidden Shame*, Clover Films, 2014.
- Salman H., *Cruel Numbers 2014: A compilation of statistics on child sexual abuse of reported cases in Pakistan*, Sahil Pakistan, March 25th, 2015.
- Schloenhardt A. (Dr), Jolly J.M., *Pakistan’s Law Enforcement Response to the Smuggling of Migrants and Trafficking in Persons*, United Nations Office on Drugs and Crime (UNODC), October 2011.
- Symington A., « Pakistani Girl Forced to Marry as Compensation for Uncle's Crime », *The Wall Street Journal*, May 5th, 2014.
- Ullah I., « The Invisibles: Persecution push Peshawar’s transgender to society’s fringe », *NewsLens Pakistan*, March 2nd, 2015.
- U.S. Department of State, *Trafficking in Persons Report*, June 2014.