

## **2020 – 2021 Department of State Trafficking in Persons Report Questionnaire for MOI/FIA/Ministry of Foreign Affairs; Ministry of Overseas Pakistanis and Human Resource Development; Ministry of Human Rights; Provincial Social Welfare and Labour Departments**

Please provide information for the reporting period (**01 January 2020** through **31 December 2020**) to **dir.ahs@fia.gov.pk** and **htmsrdc@gmail.com** by **January 5, 2021**. Please provide information preferably in soft form (**MS Word** and data in **MS Excel** sheets).

If there are relevant developments during the months of **February** and **March 2021**, we will gladly accept supplementary information at a later date.

### **HUMAN TRAFFICKING TRENDS**

1. Have there been any notable changes in human trafficking trends in Pakistan during the reporting period?
2. Has there been any change in sex and labor trafficking occurring within the country, such as significant changes in the regions where citizens and/or foreigners are most likely to be exploited; or in the geographic origins or characteristics of Pakistani citizens who are most vulnerable to be exploited for sex or labor abroad?
3. Is there a problem of child sex tourists traveling to the country, and if so what are the most common countries of origin of those sex tourists?
4. Has there been a change during the reporting period in areas where trafficking victims are most commonly recruited and exploited? Please include:
  - Regions in Pakistan where trafficking victims are recruited (either for exploitation in Pakistan, or abroad).
  - Countries from which victims are trafficked into Pakistan to be exploited.
  - The main regions in Pakistan where trafficked victims (both Pakistani and foreign) are exploited.
5. Has the Government of Pakistan noticed changes in the groups of people who are at the highest risk of human trafficking (e.g. women, children, minorities, refugees, etc.)?
6. Has the Government of Pakistan noticed any changes in the type of people perpetrating sex trafficking, bonded labor, and other forms of human trafficking?
7. Has the Government of Pakistan noticed any changes in the methods that human traffickers commonly use, or new methods they have begun to employ?
8. Has the Government of Pakistan noticed any changes in trafficking trends or trafficking risks as a result of the COVID-19 pandemic?

9. Is there any other information the Government of Pakistan would like to share about human trafficking trends in Pakistan?

### **GOVERNMENT'S ANTI-HUMAN TRAFFICKING EFFORTS**

1. What were the key anti-trafficking achievements under the 2016-2020 Strategic Framework for Combating Human Trafficking and Migrant Smuggling?
2. Did the government allocate resources to implement the Strategic Framework? If so, please describe resources allocated specifically to address human *trafficking* (not migrant smuggling).

**NOTE:** The State Department's annual report **only** addresses trafficking in persons, and **does not** include information about migrant smuggling. Therefore, we only request information and statistics regarding human trafficking. The UN Palermo Protocol defines trafficking in persons as "the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion...fraud, deception, abuse of power...for the purpose of exploitation...including sexual exploitation, forced labour, or servitude." Human trafficking is a violation of basic human rights which can occur without crossing borders. Human smuggling is a business transaction between two willing parties involving illegal movement across borders. It occurs with the consent of the smuggled person. **END NOTE.**

3. What were the key achievements of the Inter-Agency Task Force during the reporting period?
4. Which government agencies (national and provincial) were involved in efforts to combat sex trafficking and labor trafficking (including forced and bonded labor)?
5. What were the challenges or extenuating circumstances that the Government of Pakistan faced in its efforts to combat human trafficking?
6. Has the government taken steps to research and assess the human trafficking problem Pakistan? If so, please describe those efforts.
7. Were any reports or assessments publicly released regarding Pakistan's anti-trafficking efforts? If so, please include copies of, or electronic links to, those reports in your response to this questionnaire.
8. Were there any limitations on the government's ability to collect data about the extent of the human trafficking problem and/or efforts to combat human trafficking in Pakistan? If so, please describe.

9. How much funding did the federal government devote to combating human trafficking **in 2020 and 2021**? How much funding did the respective provincial governments devote to combating human trafficking **in 2020 and 2021**?
10. How did the government partner with NGOs, the private sector, multilateral organizations, and other governments to address human trafficking crimes?
11. In June 2018 the President signed an anti-human trafficking law. Have the rules for this new law been written, and if not are such rules currently being drafted?
12. Please describe the government's efforts to raise awareness about and to implement the new anti-human trafficking law.
13. How has COVID-19 affected the government's efforts to coordinate, execute, and monitor its anti-trafficking response, if at all? Have anti-TIP officials, units, and coordinating bodies continued to operate during the COVID-19 pandemic? How have they adapted operations throughout the pandemic?
14. Have investigative agencies and courts adapted to impacts from COVID-19? If so, how? Do police, prosecutors, and courts continue to process trafficking cases and/or has the volume of these cases changed? Do police, prosecutors, and courts continue to process non-trafficking cases and/or has the volume of these cases changed?

## **LAWS AND PROSECUTION**

1. We understand Azad Jammu and Kashmir (AJK) passed legislation regarding bonded labor and child labor in brick kilns in 2017 or 2018. Is it possible for us to receive a copy of the laws?
2. Please note if any other provincial/Gilgit Baltistan/AJK legislation regarding TIP-relevant issues was passed in 2020 or 2021.
3. Has Pakistan ratified the 2000 UN TIP Protocol?
4. Does Pakistani law require an element of force, fraud, or coercion of a child recruited for commercial sex in order to qualify as a case of sex trafficking.
5. Does the law prescribe increased penalties for labor trafficking cases involving rape, kidnapping, or which resulted in death? If so, what are the penalties?
6. Are domestic workers protected under existing labor laws? If so, please specify the legal provisions under which domestic workers are protected.
7. How many international investigations on trafficking did FIA participate in with other countries during the reporting period?

8. Did Pakistan enter into any bilateral, multilateral, or regional law enforcement cooperation with other countries related to human trafficking? If so, please describe the cooperation mechanism and Pakistan's involvement.
9. Were any Pakistani Peacekeeping Forces investigated, prosecuted, convicted and/or sentenced for human trafficking?
10. Were there any allegations or indictments/prosecutions on charges of sex or labor trafficking of foreign diplomats posted in Pakistan?
11. Were there any allegations or indictments/prosecutions on charges of sex or labor trafficking of Pakistani diplomats posted abroad?
12. Were there any prosecutions, convictions, and sentences of Pakistani government officials complicit in human trafficking?
13. Were there any amendments to laws prohibiting trafficking crimes, including the penal code, in 2020-2021?

#### **HUMAN TRAFFICKING-RELATED COMPLICITY AND CORRUPTION**

\*For input multiple agencies, including Ministry of Foreign Affairs

1. Were there allegations of human trafficking involving complicit officials or government entities – including police, immigration officials, diplomats, peacekeepers, and other government officials? (If possible, please break the cases down into the following categories: sex trafficking; trafficking out of, through, or into Pakistan; bonded labor; and forced child labor).
2. What measures did Pakistan adopt to ensure its diplomats who are deployed abroad do not engage in or facilitate human trafficking, particularly in domestic servitude (e.g. training, official guidance, etc.)?
3. Were there reports of officials taking actions which may facilitate trafficking (e.g., allowing an illegal brothel to operate, providing protection to brothels where sex trafficking occurs or may occur, accepting bribes to allow undocumented border crossings, or suspending active investigations of suspected traffickers)?
4. Were there examples of trafficking involving state institutions (e.g., prisons, shelters, child foster homes/orphanages, institutions for people with mental or physical disabilities)?
5. Were there reports of Pakistani diplomats exploiting domestic workers overseas?
6. How did the government respond to reports of government officials' complicity in human trafficking during the reporting period?

7. How many law enforcement officials were disciplined by Pakistani authorities for complicity in human *trafficking* (not migrant smuggling – see note on page 2)?
8. How many were permanently removed?
9. How many were compulsorily retired?
10. How many were reduced in rank?
11. What measures has the government taken to prevent official complicity in trafficking in persons crimes?
12. Is there any additional information the government of Pakistan would like to share about human trafficking-related complicity or corruption that is not covered in the questions above?

### **LAW ENFORCEMENT TRAINING**

1. Is training about human trafficking part of routine training for police, investigators, prosecutors, judges, or other law enforcement officials? If so, please describe.
2. Please list all training that FIA or other law enforcement officials received during the reporting period. For each training, please provide the following information:
  - a. Who provided the training?
  - b. Who funded the training?
  - c. Were non-governmental organizations (NGOs), international organizations, or other governments involved?
  - d. Did FIA or another government office contribute financially, with an in-kind donation (including providing space for the training), or with staff?
  - e. Where was it held?
  - f. How many officials attended?
3. In 2020 how many law enforcement officials for UN Peacekeeping Missions were trained on human trafficking issues?
4. What kind of training on countering trafficking in persons do FIA officials receive? Were there changes in the human trafficking training component of FIA basic training? Did FIA officials receive training on the new counter-TIP law? Who received the training?
5. What kind of training on countering trafficking in persons do police receive? Were there changes in the human trafficking training component of police basic training? Did police receive training on the new counter-TIP law? Who received the training?
6. Please describe any other specialized anti-trafficking training the government provided during the reporting period for police, investigators, prosecutors, judges, and/or other law enforcement officials on identifying and assisting victims of trafficking and/or investigating and prosecuting human trafficking cases. Please specify:

- The government's role in the training (including financial or in-kind contributions);
  - When the training took place, the number of persons trained, and their affiliation (police, immigration, social welfare, etc.).
7. If NGOs, international organizations, and/or the U.S. government were involved in the above training, please identify the organizations and describe the support they provided (e.g., led training seminars, funded and organized trainings).
  8. How has the COVID-19 pandemic affected the government's efforts to provide anti-trafficking trainings to officials?
  9. Is there any additional information the government of Pakistan would like to share about counter-TIP training that is not covered in the questions above?

### **PROTECTION**

\*For input from multiple agencies, including MOPHRD, Ministry of Human Rights, and Provincial Social Welfare Departments

1. What protection services were provided to victims of human trafficking during the reporting period? Please specify the kind of assistance, including shelter, medical, and psychological services, provided to foreign and domestic human trafficking victims.
2. Were these services provided by the government, NGOs, or jointly?
3. Were these services dedicated to human trafficking victims, or shared with other types of victims (e.g. domestic violence victims).
4. Did victims have a choice between shelter options, including independent living situations for adults or foster families for children?
5. Where were child trafficking victims placed, and did they receive specialized care?
6. Can adult human trafficking choose whether to enter a shelter? If victims become shelter residents, can they leave the shelter whenever they choose?
7. Can adult victims seek employment while receiving assistance?
8. Did the government provide shelter and specialized care for male as well as female victims?
9. What services were available to male victims of labor trafficking (for example, men who were freed from bonded labor in agriculture or brick kilns)?
10. Did the government provide services that were accessible for victims with disabilities?
11. Did foreign victims of trafficking receive government protection services during the reporting period?
  - a. If yes, please describe those services.

- b. Please provide statistics and details about the number of foreign victims assisted, and how they were assisted.
12. What was the funding source of services to human trafficking victims? How much did the federal government spend on human trafficking victim protection and assistance during the reporting period? How much did the provincial governments spend?
13. Did the government provide temporary residence status or relief from deportation for foreign victims of human trafficking? If so, how many victims received deportation relief? Did the government extend additional immigration relief to victims who would otherwise be deported or repatriated to countries with a high risk of COVID-19 infection or who could not return to their home countries due to travel restrictions?
14. Did the government provide shelter, legal residency, or other resources to help victims rebuild their lives?
15. Did FIA provide any services to victims of human trafficking in its offices in Oman? Was there a reduction or increase of services provided? Did FIA open any other offices overseas?
16. Did the Bureau of Emigration and Overseas Employment provide services to Pakistani trafficking victims overseas through its Community Welfare Attachés? Please describe the Community Welfare Attaché program and services available to Pakistani labor migrants overseas.
17. Has the COVID-19 pandemic affected the government's victim identification and referral efforts? If so, how? If affected, did the government take steps to modify identification procedures to adapt to the pandemic?
18. How has the COVID-19 pandemic affected the government's and their partners' efforts to provide shelter, medical, and psycho-social care to victims? If affected, how did the government adapt its efforts to provide these services?
19. Is there any additional information the government of Pakistan would like to share about protection of human trafficking victims that is not covered in the questions above?

### **VICTIM ASSISTANCE IN INVESTIGATIONS AND PROSECUTIONS**

1. Is there a formal policy that encourages victims' voluntary participation in investigations and prosecutions?
2. If so, how many victims assisted an investigation or prosecution of human traffickers during the reporting period?
3. What support did the government provide if victims agreed to assist in the investigation and prosecution of trafficking? (i.e. immigration relief, legal support, witness protection services, shelter, etc.).

4. How did the government protect the victims' physical security and privacy during the trial process?
5. Is there witness protection for trafficking victims testifying against their traffickers?
6. If so, how many victims received witness protection during the year?
7. Were victims permitted to provide testimony via video or written statements? Were victims' identities kept confidential as part of such proceedings?

### **LABOR RECRUITMENT REGULATION AND OVERSIGHT**

\* For Ministry of Overseas Pakistanis and Human Resource Development

1. Please describe existing procedures (either at the federal level, through the Ministry of Overseas Pakistanis and Human Resource Development, or at the provincial level) to regulate and oversee labor recruitment agencies.
2. Are there regulations for domestic recruitment agencies (e.g. agencies that place domestic laborers, drivers, etc.). If so, please describe the regulations governing these types of recruiting agencies.
3. What efforts did the government make to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent offers of employment (e.g. misrepresenting wages, working conditions, location, or nature of the job), excessive recruitment fees for migration or job placement, or confiscating/withholding workers' identity documents?
4. Does the Pakistani government coordinate with other governments or have bilateral agreements regarding safe and responsible migrant labor recruitment with countries that receive Pakistan migrant laborers?
5. Are Pakistani migrant laborers able to join labor unions?
6. What efforts did the government make to raise awareness among potential labor migrants about limits on recruitment fees or their rights while abroad?
7. Are domestic workers (both Pakistanis and foreigners) protected under existing labor laws? If so, please explain the key provisions.
8. How did the government's response to the COVID-19 pandemic affect the ability of migrant workers to continue earning an income, and to enter and exit the country, and maintain their immigration status?
9. What steps did the government take to mitigate the risk of increased exploitation some migrant workers may have faced due to the pandemic (e.g. job creation or placement for out-of-work labor migrants, extension of immigration relief)?

## **VICTIM IDENTIFICATION AND REFERRAL**

\*For input from multiple agencies, including Provincial Departments of Social Welfare, MoHR, and MoFA

1. What is the total number of trafficking victims identified during the reporting period? Please indicate:
  - The number of male vs female, child vs adult, and Pakistani citizens vs foreign nationals;
  - How many were victims of labor trafficking (such as forced and bonded labor in brick kilns and the agricultural sector);
  - How many were victims of sex trafficking.
2. Of the victims identified, how many did the government refer to care facilities or other assistance?
3. If there were victims who were identified but not referred to services, what was the process to determine whether or not to refer a victim to services? What happens to victims who are not referred to services? Do they receive any support (from the government or other organizations)? Does the government have a method for tracking identified victims in case they later need services?
4. Of those referred to services, how many received assistance? What kind of assistance did they receive (e.g. shelter, medical, psycho-social)?
5. Did the government's law enforcement, immigration, and social services personnel have formal written procedures to guide officials in proactive identification of victims of trafficking? If so, please describe the system (providing a copy of the written procedures/guides, if possible), note if it was newly established, and assess how well it worked.
6. Did the police and FIA continue their efforts to distinguish between migrants who were *smuggled*, and victims who were *trafficked* either internationally (into or out of Pakistan) or domestically? If yes, please describe these efforts.
7. What do police and FIA do when they encounter a foreigner who may have been trafficked to Pakistan?
8. Which foreign embassies provided shelter or protective services to their nationals who were trafficking victims?
9. How do police identify whether women suspected of prostitution or adultery are in fact victims of sex trafficking? Are there steps the government takes to proactively identify trafficking victims during raids or other encounters with commercial sex establishments?
10. Does law enforcement screen for trafficking victims when detaining or arresting migrants, individuals in prostitution, or other vulnerable groups (such as child beggars)?

11. Is there any additional information the government of Pakistan would like to share regarding victim identification and referral that is not covered in the questions above?

### **ANTI-TRAFFICKING UNITS (ATUs) IN THE PROVINCES**

1. Please provide the number of Anti-Trafficking Units (ATU) that are in operation.
2. What is the number of staff in each ATU?
3. Please provide the most updated organizational chart for ATUs, and indicate if they have changed since the last reporting period.
4. What were the key accomplishments for each ATU?
5. Who else did the ATUs cooperate with during the reporting period?
  - a. If any NGOs, please name them and indicate what kind of work ATUs do with them.
  - b. Have there been any changes in the way ATUs work with police. Please provide examples of ATU-police cooperation.
6. Is there any additional information the government of Pakistan would like to share about ATUs that is not covered in the questions above?

### **BONDED LABOR DISTRICT VIGILANCE COMMITTEES**

Did District Bonded Labor Vigilance Committees (DVCs) continue to function? If so, please provide:

- a. Number of DVCs operating in each province.
- b. Number of DVCs newly established (if any) in 2020.
- c. Details/major accomplishments of the DVCs in 2020. For example, how often they met, how many victims they identified and/or assisted, etc.

### **PREVENTION**

\*For input from multiple agencies including MoFA, MoHR, MOPHRD, and Provincial Social Welfare Departments

1. Did the government carry out information or education campaigns about TIP during the reporting period? Did these campaigns target potential trafficking victims (e.g. economically disadvantaged young people who might seek work abroad; economically disadvantaged parents of young children in rural communities that frequently send children for domestic labor in larger cities; communities that work in brick kilns and agriculture, which are typically vulnerable to bonded labor) and/or demand for trafficking (e.g. overseas employment promoters and domestic staff employment service providers; brick kiln and agricultural landowners)?
2. Hotlines:

- a. What government hotlines (at either national or provincial level) are available to trafficking victims?
  - b. What are their hours of operation, and what languages are spoken?
  - c. How many reports of human trafficking were received via hotlines?
  - d. How many victims of human trafficking were identified as a result of calls to the hotlines?
  - e. Were any investigations initiated as a result of calls to the hotlines?
  - f. What procedures were used to follow up after receiving calls regarding human trafficking?
3. What measures did the government take to reduce demand for commercial sex acts or forced labor?
  4. Did Bureau of Emigration and Overseas Employment Community Welfare Attachés receive training about human trafficking?
  5. Did the Government of Pakistan provide assistance to other governments in combating human trafficking through training or other concrete assistance programs?
  6. Did the Government of Pakistan train its diplomats about TIP issues or conduct checks to ensure diplomats were not complicit in human trafficking, including by employing forced labor in their own homes overseas?
  7. Were there any public allegations that a diplomat representing the Pakistani government abroad engaged in trafficking in persons? If so, what actions did the government take to address those allegations? Did any diplomat receive punishment for engaging in human trafficking, and if so please specify what punishment the diplomat(s) received.
  8. What measures did the government adopt to ensure that Pakistanis deployed abroad as part of peacekeeping or other similar missions did not engage in or facilitate trafficking in persons?
  9. Does the government have a national action plan to address TIP? If yes, please provide a copy in English, if available.
  10. Is there any other information the Pakistani government would like to share regarding human trafficking prevention efforts that is not covered in the questions above?

### **LAW ENFORCEMENT STATISTICS**

**Please provide information from the 2020 calendar year, broken down by province, to remain consistent with statistics reported in the most recent TIP Report:**

1. The number of government officials (including diplomats or peacekeepers deployed abroad) investigated, prosecuted, and/or convicted for involvement in trafficking or criminal activities linked to trafficking. Please also note what penalties were imposed, including prison time, suspended sentences, fines and/or administrative sanctions.

2. The number of new investigations of TIP cases, initiated during the reporting period.
3. The number of individuals newly prosecuted for alleged TIP crimes. Please also note the number of defendants involved in ongoing prosecutions begun in previous reporting periods. Please indicate the specific law(s) (and sections, if applicable) under which traffickers were prosecuted.
4. The number of individuals convicted for TIP crimes. Please indicate the specific law(s) (and sections, if applicable) under which traffickers were convicted.
5. Please note the length of jail sentences imposed on each convicted trafficker, and details of fines, if applicable.
6. In how many, if any, cases during the reporting period did perpetrators receive no jail time or suspended sentences?
7. For each of the TIP cases investigated, prosecuted, and convicted, please indicate:
  - a. The number of individuals investigated, prosecuted, and convicted.
  - b. The number of individuals who were public officials.
  - c. The specific laws/Pakistan Penal Code sections that were used to investigate, prosecute, convict, and sentence traffickers, and the province in which the cases were investigated and prosecuted.
8. Where possible, please disaggregate numbers by:
  - a. Type of trafficking (forced labor vs. sex trafficking)
  - b. Whether the victims were children or adults
  - c. Gender
  - d. Whether victims were Pakistani citizens or foreigners

**Please break down the convictions by Law/Pakistan Penal Code section, and by province. Please also include cases from AJK and GB, if applicable. If there are additional relevant provincial or national laws not listed in this table, please include.**

Sr. #	Law/Section of PPC	Cases registered				Prosecution				Conviction			
		Punjab	Sindh	KPK	Balochistan	Punjab	Sindh	KPK	Balochistan	Punjab	Sindh	KPK	Balochistan
1)	Prevention of TIP Act, 2018												
2)	Bonded Labour Abolition Acts												
3)	364/A												
4)	365/B												
5)	366												
6)	366/A												
7)	366/B												
8)	367												
9)	367/A												
10)	370												

11)	371												
12)	371/A												
13)	371/B												
14)	372												
15)	373												
16)	374												
17)	376												
18)	496/A												
<b>Total:-</b>													

9. Are there any other cases or related investigations not covered by the questions above (e.g. employers convicted for imprisoning/abusing child domestic laborers; investigations or convictions related to forced begging, such as convictions under the Punjab Destitute and Neglected Children Act)?

**OTHER QUESTIONS**

\*For input from multiple agencies including MOPHRD

1. What plans are in place to increase data collection regarding human trafficking? Did FIA’s collaborative work with international organizations to create a database continue during the reporting period, and if so what were the outcomes?
2. Did the government extradite persons who were charged with human trafficking in other countries? If so, how many people, and to which countries?
3. Did the government receive any case involving child soldiers/children recruited to fight on behalf of extremist groups during the reporting period? How does the government address militants’ recruitment and use of children for armed conflict? Please describe the government’s efforts to reintegrate and rehabilitate children who were recruited by extremist groups.
4. Were there means by which a human trafficking victim could obtain restitution from the government or file civil suits against human traffickers for restitution? If so, did this happen during the reporting period, and what restitution was ordered by the government/obtained by the victim?
5. Migration and trade policies: Did the government carry out initiatives to ensure that its policies, regulations, and agreements relating to migration, labor, trade, and investment did not facilitate forced labor? These would include labor migration and employment programs or trade agreements that govern or create new markets for migrant labor. Bilateral labor agreements between origin and destination governments would only be of anti-trafficking relevance if they contain explicit language on forced labor or sex trafficking.

6. Identification measures: Over the past year, have there been any new initiatives, or legislative or policy changes related to ensuring Pakistani citizens and foreigners residing in Pakistan obtain identification documents (including birth registration)?
7. Is there any additional information that the government would like to share regarding its efforts to combat trafficking in persons?