

# **Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan**



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**DEPARTMENT OF SOCIOLOGY  
FACULTY OF SOCIAL SCIENCES  
INTERNATIONAL ISLAMIC UNIVERSITY,  
ISLAMABAD, PAKISTAN  
2021**

# **Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan**



Thesis submitted in accordance with the requirement for the degree of

Doctor of Philosophy in Sociology

By

Muhammad Makki Kakar

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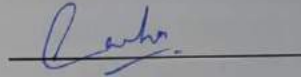
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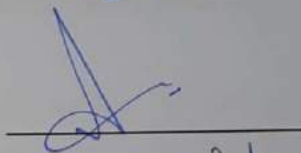
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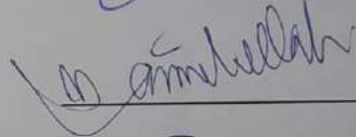
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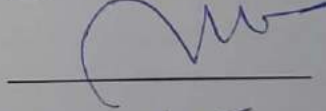
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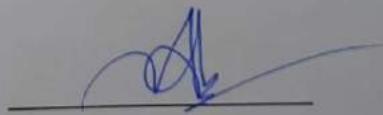
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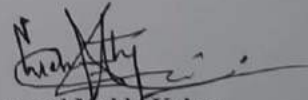
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**SUBJECT: INCORPORATION OF THE RECOMMENDATIONS OF FOREIGN  
AND LOCAL EVALUATOR IN PHD DISSERTATION OF MR.  
MUHAMMAD MAKKI KAKAR TITLED "LIVED EXPERIENCES  
OF WOMEN AND GIRLS TRAFFICKED INTO FORCED  
MARRIAGES FROM AFGHANISTAN AND PAKISTAN"**

Sir,

The undersigned pertaining registration number 40-FSS/PHDSOC/F16, Department of Sociology, International Islamic University Islamabad, Pakistan has completed his PhD dissertation titled, "Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan" under the supervision of Dr. Farhan Navid Yousaf, Associate Professor Institute of Social and Cultural Studies, University of the Punjab Lahore, Pakistan and co-supervisor Prof. Dr. Ahmed Yousif Ahmed Al-Draiweesh, Ex-President of International Islamic University Islamabad, Pakistan. It is hereby stated that in compliance of the recommendations of foreign and local evaluators, the undersigned has incorporated all the recommendations in the above-mentioned PhD thesis.



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## FORWARDING SHEET

This thesis entitled, "Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan" submitted by Muhammad Makki Kakar, Registration number 40-FSS/PHDSOC/F16 in partial fulfillment of the requirement of PhD degree in Sociology has been completed under our supervision. We are satisfied with the quality and originality of the research work. We allow the researcher to submit the dissertation to concerned authorities for further process as per rules and regulations.

Dated: 14-04-2021

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### **Declaration of Authorship**

I, Muhammad Makki Kakar, declare that, except where reference is made to the contribution of others, this thesis is the result of my own work and has not been submitted for any other degree at the International Islamic University Islamabad Pakistan, or any other institution.

Dated: 14-04-2021

Signature: \_\_\_\_\_



Muhammad Makki Kakar

## **Dedication**

I would like to dedicate this successful and valuable effort to the survivors and victims of human trafficking who have lived or are living the treachery of modern-day slavery.

## ACKNOWLEDGEMENT

I am profoundly grateful to my research supervisor, **Dr. Farhan Navid Yousaf**, Associate Professor, Institute of Social and Cultural Studies, University of the Punjab, Lahore, for his commitment to work, optimism, intelligence, and continuous encouragement at every step during the course of this research work that enabled me to achieve my goals. I attribute the level of my Ph.D. degree to his encouragement, keen interest, skillful guidance, effort and without him this thesis, too, would not have been completed or written. He did not only train me on how to carry out research, but also taught me very vital skills to become a good researcher. My gratitude also goes to my co-supervisor, **Professor Dr. Ahmed Yousif Ahmed Al Draiwesh**, the Ex-President of International Islamic University, Islamabad, for his precious comments and suggestions about my research. His ideas, discussions, and comments have been important.

I thank the faculty at the Department of Sociology, International Islamic University Islamabad, for sharing their experiences and knowledge with me. The unrelenting coursework has substantially increased my ability to think critically about the social issues that society often contend.

In my data collection process, I have been blessed with a cheerful group of three girls Humaira, Breshna, and Maimoona. I wish to express sincere thanks to them for their utmost cooperation and their valuable assistance during data collection.

I would also like to thank my research participants. Without them, this research would not have reached to this level. Their lived experiences expanded the limited knowledge that I had about my area of study.

Last, but certainly not least, thanks to my family and friends whose unwavering love, support and sacrifices led me to accomplish my challenging research.

**Muhammad Makki Kakar**



## **Abstract**

Human trafficking is one of the leading illegal industries that generates billions of dollars in profits by exploiting millions of people, particularly women and girls, across the world. The main focus of discussions and interventions on trafficking has been on sex and labor trafficking. Despite the fact that recent global estimates have indicated that a significant number of women and girls who are victims of trafficking are exploited in forced marriages, still there is little research on this dimension of trafficking. Drawing upon in-depth interviews with Afghani and Pakistani women and girls who are trafficked into forced marriages in Balochistan, this study explores the lived experiences of trafficked women and girls. The study encapsulates the processes of trafficking and the role of brokers in the chain of trafficking. This study also examines how existing policies and anti-trafficking interventions approach the problem of trafficking and their efficacy to address the needs and vulnerabilities of the trafficked women and girls. I argue that the women and girls who are victims of forced marriages actually experience several episodes of exploitation or trafficking which really blurs the difference between forced marriage and other forms of trafficking e.g., sexual exploitation, forced labor, domestic servitude.

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## **List of Abbreviations and Acronyms**

AF	Aurat Foundation
AFP	Australian Federal Police
AI	Amnesty International
AIC	Australian Institute of Criminology
ATU	Anti Trafficking Units
BBC	British Broadcasting Corporation
BLF	Balochistan Levies Force
CNIC	Computerized National Identity Card
EUAFR	European Union Agency for Fundamental Rights
FATA	Federally Administrated Tribal Area
FANA	Federally Administrated Northern Area
FIA	Federal Investigation Agency
GAATW	Global Alliance Against Traffic in Women
GSI	Global Slavery Index
GSN	Global Survival Network
HRCP	Human Rights Commission of Pakistan
HRW	Human Rights Watch
ILO	International Labour Organization
IRIN	Integrated Regional Information Network
NCU	National Coordination Unit
(I) NGOs	(International) Non-Governmental Organizations
IOM	International Organization for Migration



OHCHR	Office of the High Commissioner for Human Rights
PSMA	Prevention of Smuggling of Migrants Act
PTIPA	Prevention of Trafficking in Persons Act
P & CHTO	Prevention and Control of Human Trafficking Ordinance
TIP	Trafficking in Persons
TVPA	Trafficking Victims Protection Act
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNODC	United Nations Organization of Drugs and Crimes
UNHCR	United Nations High Commissioner for Refugees
USA	United States of America
USAID	United States Agency for International Development
U.S. DOS	United States Department of State
WDD	Women Development Department
WEF	World Economic Forum
WFF	Walk Free Foundation

# **Chapter One**

## **Introduction**

Drawing upon in-depth interviews with Pakistani and Afghan women and girls trafficked into forced marriages in Balochistan province of Pakistan, this study unveils the links between trafficking and forced marriage and highlights the processes and ways that lead to the exploitation of women and girls. Using gender intersectionality and human rights frameworks, the study highlights intersecting vulnerabilities that make particular women and girls susceptible to this form of trafficking that involves the exploitation of their basic human rights. This study also examines how existing anti-trafficking interventions approach this issue and whether they address the needs and vulnerabilities of women and girls trafficked into forced marriages. In this research, I employ the definition of human trafficking provided by the United Nations (UN) that I explain in detail later in this chapter.

### **1.1 Human Slavery and Human Trafficking**

Historically slavery was practiced centuries ago for forced labor, later transformed into sex slavery (Whyte, 2013). Scholars believed that white slavery shaped the future of human trafficking (Lovejoy, 2011; O'Connell Davidson, 2011; Whyte, 2013). Human trafficking is seen as modern-day slavery, it existed since the beginning of slavery (Ball & Pennington, 2011). National governments and transnational organizations are committed in the eradication of human trafficking, and trying for the ownership of lives of people living in modern-day slavery (Rafferty, 2013). With reference to women trafficking, four general waves can be seen in Europe and the United States of America (USA). The first wave starting from 1992 involved the trafficking of Asian women particularly from the Philippines and Thailand. The second wave of 1993 involved the trafficking of South

American women. The third wave also started from 1993 involved the trafficking of African women, particularly originating from Ghana and Nigeria, and the last wave from 1994 involved a large part of trafficked women from Eastern, and Central Europe, including Hungary, Poland, Czech, Russia, Romania, Albania, Ukraine, and Latvia (International Organization for Migration [IOM], 1995; Van Impe, 2000). In addition, there has been growing concern about the increased number of women trafficked for sexual exploitation to European Union (EU) (David, Bryant, & Larsen, 2019; Van Impe, 2000).

Human Trafficking is a complex global phenomenon (Lobasz, 2012; Rosenberg, 2003; Surtees, 2003), which is gaining considerable attention from academicians, politicians, media and lawyers. In the last two decades, human trafficking has been observed as one of the fastest-growing criminal activities. It is increasing due to vulnerable state borders and marginalized populations (Aghatise, 2003; Evans, 2020; Flowe, 2009; Kara, 2009). Human trafficking is linked to the international crime industry that generates billions of dollars annually (McNulty, 2014; Polaris, 2014; Stewart & Gajic-Veljanoski, 2005). According to an estimate, human trafficking involves 150 billion dollars annually (Gallucci, 2019), and it is seen as the third largest source of financial benefits for organized criminals worldwide, after drugs, and weapons trafficking (Goździak, 2008; Zhang & Pineda, 2008). Corporate globalization, including manufacturing industries, and storefronts have contributed in making human trafficking as criminal activity in the global enterprise (Polaris, 2104).

Human trafficking is one of the largest challenges for global north and global south that are linked with the form of slavery featured the recruitment, sale and receipt, and movement of people into several forms of exploitative conditions worldwide (Lee, 2013).

The frequency of human trafficking is higher in developing countries of the world, and also expanding in some parts of developed countries (Bernat & Zhilina, 2010; Laczko, 2005; Laczko & Gramegna, 2003). Human trafficking is a multifaceted problem that affect a large range of people across the globe including the victims, their families and the local people (Houston, Odahl-Ruan & Shattell, 2015; Ikeora, 2016; Ofuoku, 2010).

## **1.2 Human Trafficking: Transnational, and Internal Movement of Persons for Exploitation**

Several scholars revealed that international criminals have shifted the industry of drug trafficking to human trafficking. It is evident that profits from human trafficking are higher than drug trafficking. The human movement from the source, transit and destination countries is not easy and involve risks (Schauer & Wheaton, 2006; Wheaton, Schauer & Galli, 2010). Vulnerable people are trafficked into a diverse industries, including domestic servitudes, construction or agriculture labor, and service industries such as restaurants, hotels, and commercial sex (Ditmore, Maternick & Zapert, 2012; Richards, 2014).

Human trafficking take account of fraud or extortion in recruitments, coercive restraint, gang rape, the threat of physical harm, loss of liberty, and loss of self-determination on arrival in the destination country (Schauer & Wheaton, 2006). The major component of this industry is the exploitation of women for profits (O'Connell Davidson, 2011; Stewart & Gajic-Veljanoski, 2005). Traffickers sometimes make fake promises of love, marriage, and lucrative job offers to vulnerable women and girls to trap them (Limoncelli, 2009; Polaris, 2014). Traffickers also come up with an effective methodological approach, it begins with isolating the victims, beat and rape them, teach them fear and submission. The effects are consistent, simple and tragic. These trafficked

persons are then forced into several other forms of exploitation such as forced labor, sexual exploitation, and domestic servitudes, including forced marriage (Gerassi, Edmond, & Nichols, 2017; O'Connell Davidson, 2011). It is misperceived that individuals crossing border are considered victims of trafficking, there are much trafficking take place internally within the boundaries of country (Carling, 2006; United Nations Office of Drugs and Crimes [UNODC], 2008). Similarly, individuals are trafficked in the same community by the traffickers regardless the victims are trafficked to transnationally or regionally (Denton, 2016). Internal trafficking is intensely nested in the social and cultural environment of a country. Gender discrimination, violence, forced labor, and forced marriages, are numerous practices that make individuals vulnerable and potential targets of internal trafficking (Danailova-Trainor & Laczko, 2010).

Human trafficking requires a comprehensive legal definition at a global level that might establish trafficking as a crime, a exploitation, and a violation of human rights (Gozdziak & Collett, 2005; Hyland, 2001; Scarpa, 2008). In 2000, a definition was brought that had widespread international acceptance. This treaty was ratified by 117 states since it was open for signature in December 2000 (Quek, 2018; Zalewski, 2005). The United Nations' (UN) Protocol 2000 defines trafficking based on three main elements the act, the mean, and the purpose (UNODC, 2017). Presence of each of three elements confirms the trafficking under international law.

Human trafficking, many times denoted to as the contemporary form of slavery, and is not a new phenomenon. For some scholars, trafficking or human slavery is as old as human history (Haerens, 2012; Kara, 2011; Wilson & Dalton, 2008; World Economic Forum [WEF], 2016). Various conventions (e.g., Forced Labor Convention 1930,

Convention on Slavery 1926, and Supplementary Convention on the Abolition of Slavery, the Slave Trade and Practices similar to Slavery 1956) provided partial definitions (OHCHR, UNHCR, UNICEF, UNODC, UN Women & ILO, 2011), that did not address all forms of exploitation of human beings. However, the first comprehensive definition of human trafficking was provided by the United Nations in its *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* adopted in November 2000. According to the article 3 of the Protocol:

Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor, or services, slavery or practices similar to slavery, servitude or the removal of organs (UNODC, 2019).

Human beings can be trafficked for diverse exploitations. According to the UNODC (2016), some of the core forms of trafficking include forced labor, trafficking for sexual exploitation, domestic servitudes, forced marriages, and organ trade. Traffickers sort men, women, and children for different forms of exploitation. For example, women and girls are more likely to be the victims of sexual exploitation, whereas men are more likely to be the victims of forced labor or organ trade (Yousaf & Purkayastha, 2015).

Human Trafficking is a global issue and millions of men, women, and children

across the globe become victims of trafficking each year. According to UNODC, human trafficking is also one of the leading illegal activities that generate billions of dollars annually (UNODC, 2018; 2019). Due to the hidden nature of the crime, this is very problematic to identify victims of trafficking and estimate their exact numbers, however available global statistics indicate that a devastating majority of trafficked persons are women, and girls. According to International Labour Organization (ILO), Walk Free Foundation (WFF), and IOM (2017), around 40 million people around the world are victims of modern form of slavery and out of them, a significant majority i.e. 71% includes women and girls. The report further elaborates that 15.4 million people live in forced marriages, a form of modern-day slavery, across the world and out of the 88 percent of victims of forced marriages are women and girls. Moreover, UNODC (2016) notes that marriage could be a source of trafficking for women and girls when they are forced or sold into marriages without their consent. These forced married girls and women further become vulnerable to prostitution, forced labor, domestic servitudes and re-trafficking in many parts of the world. As the worldwide estimates indicate, the main target of this form of trafficking is women and girls.

Several research studies (Chantler, 2012; Clark, 2003; Dauvergne & Millbank, 2010; Seelinger, 2010; Sharp, 2008) indicate that forced marriages have driven women and girls from all parts of the world. These studies moreover highlight that women and girls lose independence and dignity when they are pushed into forced marriage. In forced marriage, one or both parties are forced against their will. According to U.S. DOS (2016), forced marriage as a form of human trafficking is prevailing in different parts of the globe. However, this form of trafficking is often unreported and ignored because of the dominant

focus of research and policies on addressing sex and labor trafficking (Quek, 2018; UN, 2000; UNODC, 2009; 2016). Very little attention has been paid across the globe to forced marriages as a form of trafficking (Attane & Guilmoto, 2007; Jeffreys, 2008; Kim, 2010; MacLean, 2012; Quek, 2018).

According to the Global Slavery Index (GSI) (2016), 45.8 million people in Asia-Pacific were estimated in modern slavery, including different forms of slavery such as forced labor, commercial sex exploitation, forced begging, domestic servitude, and forced marriage. The GSI (2018) further ranks Afghanistan second and Pakistan third in this list in terms of highest numbers of people living under conditions of slavery, as the Asia-Pacific hosts 62 percent of the total people exposed to slavery-like conditions. The report highlights that 66 percent of people living in slavery were found in forced labor and 34 percent were living in forced marriage in Asia-Pacific (WFF, 2016; 2018).

Most of the trafficked girls come from Asia-Pacific (Datta, 2005; Piper, 2005). In South Asia, the majority of the trafficked person included women and girls (Miko, 2004; Richard, 1999; UNODC, 2012). Young girls are high in demand to be traded as commodities. Many times, their parents and family members are found involved in their exploitation (Timmerman, 2006). Women and girls are sold into marriage to settle family disputes and/ or to gain some economic and social benefits (Mikhail, 2002; Seelinger, 2010). Similar situation has been observed by UNODC (2016) and scholars (e.g. Davi, 2006; Kim, 2010) who note that bride selling is being practiced in various parts of South-Asia.

Several other research studies highlighted that bride selling has also been identified as a major problem in China, North Korea and India (Muico, 2005). Different prices are



charged for (keeping in view the racial status) women and girls trafficked from the origin. Focusing on race reflection, sex business owners pay more to Filipina girls than to Sri Lankan in the Gulf States (Shelley, 2002). South Asia's women commonly suffer many forms of violence including rape, gang rapes, dowry deaths, sexual harassment, and suicides due to domestic, physical and mental torture or stigma after the rape, forced marriages, psychological and financial oppression and trafficking (Mohajan, 2012). The rapid growth of work and marriage migration flows flourished the Asian trafficking market. More often children, and women who are at the top targets of traffickers for forced marriage, and sex industry flourished the practice (Attane & Guilmoto, 2007; Duong Belanger & Hong, 2007; Kelly & Le, 1999; Le, 2000).

Several studies (e.g. Foot, 2010; Kara, 2009; Wilson & Dalton, 2008) elaborated the lack of inter-organizational collaboration within and between anti-trafficking organizations across the public and private sectors that it is mentioned as one of the reasons why efforts to combat the problem remain largely ineffective. It realizes that more strategic collaboration among government agencies is needed to investigate and prosecute trafficking crimes since a single agency cannot tackle the problem because the issue is transnational in nature and intersects across agency jurisdictions. One of the studies found that not a single agency can coup up with the provision of all necessary services to the victims of human trafficking. And so, inter-agency collaboration is significant to address the issues of the victims (Wilson & Dalton, 2008).

Pakistan is a source, transit, and destination country for human trafficking (Huda, 2006; Khowaja, Tarani & Agha, 2012; Shaheen, Awan, Waqas & Aslam, 2012; UNODC, 2016). According to the U.S. DOS (2019), for the last two years, Pakistan has been ranked

on Tier 2 which means that the government has made some efforts but still not shown enough assurance to address the issues of trafficking. Children, women, and men are trafficked from Pakistan to other countries and within the country for diverse forms of exploitation. However, owing to the lack of knowledge, and understanding of the issue of trafficking, maximum of the internal cases of human trafficking are not reported in Pakistan (Yousaf & Purkayastha, 2015).

Furthermore, sometimes women and girls in Pakistan are traded to settle family disputes as traditional practices, such as *Vani*, and *Swara*. These girls are further vulnerable to trafficking into forced marriages, forced labor and domestic servitudes (Inayat, 2017). According to Aurat Foundation [AF] (2012), women and girls are trafficked for sexual and labor exploitation within Pakistan. In some areas, it is not unusual for fathers to accept payment and return in exchange for their children. According to a study conducted by Noor Education Trust and Asia Foundation (2015), trafficking in Pakistan is a harsh reality and demand for trafficking of women through forced marriage is increasing from Balochistan, Kashmir, Punjab, Sindh and other parts of Pakistan.

The trafficking of women is linked with poverty, gender discrimination, lack of education, and ignorance of legal rights (Khowaja, Tarani & Agha, 2102). The underprivileged economic conditions, poverty, inflation, lack of opportunities, severe joblessness, increasing terrorism, are the reasons that push the ambitious inhabitants to traffic in persons (Sajid, 2010). A report revealed that more than 20000 women and girls are trafficked domestically within Pakistan for exploitation in various trafficking industries (Pakistan Today, 2019; The Express Tribune, 2019). Many girls from poor and marginalized families in Pakistan are trafficked to the Middle East for sexual exploitation,

and fake marriages (The News International, 2007).

According to U.S. DOS (2019), Pakistani women and girls were sold into marriage to Chinese nationals residing in Pakistan and were shifted to China. They were further forced into prostitution in China by their husbands. British Broadcasting Corporation (BBC) reports that many poor Christian women from Pakistan were trafficked to China in the cover of marriages and were further exploited in labor and sex work. Christian women from commonly poor, deprived, and marginalized community in Pakistan are perceived to be targeted by traffickers, who pay their parents hundreds or thousands of dollars (BBC Urdu, 2019). According to an estimate reported by Aljazeera news (2019), more than 600 women and girls are trafficked through fake proposals of marriage from Pakistan to China. Several Chinese and Pakistani traffickers are involved in the trafficking of women and girls for marriages, and further forced them into prostitution and forced labor (Aljazeera, 2019).

Refugees who are uprooted from their homeland continue one of the most vulnerable groups susceptible to trafficking. According to the annual report of the United Nations High Commissioner for Refugees (UNHCR), 65.3 million people are displaced forcibly in the world mainly due to violent conflicts (UNHCR, 2017). Amnesty International (AI), a human rights organization (2016-17) expressed that 1.4 million people in Afghanistan are displaced and live in critical situations without access to shelter, water, food, education, and basic necessary health facility. The report further highlighted that 95 percent of 2.6 million total Afghan refugees are residing in Pakistan and Iran, where they faced discrimination, racial attacks and lack fundamental rights. Armed groups in Afghanistan also target working women and also restrict the freedom of movement of girls and women, including access to education and health care in areas under their control (AI,

2017).

This study explores the processes of trafficking of Afghan and Pakistani women and girls into forced marriages in Balochistan. Afghanistan is a landlocked mountainous country and shares 2430 kilometers long border with Balochistan, Khyber Pakhtunkhwa including recently merged districts of Federally Administrated Tribal Areas (FATA), and Federally Administrated Northern Areas (FANA) of Pakistan. Whereas, Pakistan's coastal line in Balochistan and Sindh connects it to Middle Eastern countries and Iran. Afghanistan has been experiencing situation of war, conflict, political unrest, and extreme socio-economic insecurities since the attack of Russia in 1979. Pakistan as a neighboring country and a major ally of the West to counter Russia in Afghanistan could not protect herself from the effects of war. As Pakistan historically shares social, cultural, religious, and geographical ties with Afghanistan, the country opened its borders for Afghan refugees after the attack of Russia on Afghanistan and established refugee camps in various parts of Balochistan and Khyber Pakhtunkhwa. As a result, a large number of people from Afghanistan migrated to Pakistan that became the biggest recipient of Afghan refugees in the world (Ahmad, Shah & Khan, 2014; Mazhar & Goraya, 2009).

Several research studies and reports (e.g., David, Bryant, & Larsen, 2019; UNODC, 2016; U.S. DOS, 2017) have identified refugees as the main target of human traffickers. As mentioned above, over the last several decades Pakistan has been hosting one of the largest numbers of refugees in the world, the massive flow of refugees from Afghanistan to Pakistan is associated with several social issues, including trafficking of Afghan people, especially women and girls to Pakistan. Preying on the vulnerabilities of Afghan refugees in Pakistan, traffickers have been able to traffic young and teenager girls, and women from

refugee camps in Balochistan for diverse purposes, including forced marriages (IOM, 2008). The purchase of girls into forced marriages, without their consent, strengthen the dominance of men to use them for labor, sex, and domestic servitude. Force marriage, however, is not a separate category of exploitation. It intersects with other forms of exploitation such as domestic servitude, forced labor and sexual exploitation of girls (Yousaf & Purkayastha, 2015).

According to U.S. DOS (2019), and Huda (2006) Afghan women and girls are vulnerable to be trafficked for forced labour, sex trafficking, forced marriage, prostitution and domestic servitude primarily in Pakistan, Iran, and India. The U.S. DOS (2019) has placed Afghanistan on Tier 2 watch list which indicates that the country does not fulfil with the minimum standards as identified in the United States Trafficking Victims Protection Act (TVPA), but it is making important efforts. Similarly, women and girls from Afghanistan are lured by fraudulent marriage proposals, or sold into forced marriages, kidnapped for prostitution in Pakistan. They are also trafficked internally as a part of the settlement of family and tribal disputes or debts, forced labor, sexual exploitation, as well as for forced marriages (Huda, 2006).

According to United States Agency for International Development (USAID) (2016), and IOM (2008), the armed conflict created socio-economic problems for people in Afghanistan particularly it has left many women and girls vulnerable to trafficking internally as well as transnationally. Conflicts, loss of lives and livelihood practices, economic uncertainty, widespread poverty, social insecurity, common and cultural domestic violence on women and girls and shared border with six countries fuels human trafficking in Afghanistan (Iannelli, 2020; IOM, 2008; USAID, 2016). The studies

highlighted that vulnerable girls had been married before reaching the legal age of marriage (Seelinger, 2010; USAID, 2016). About 81 percent of trafficked women and girls were reported as forcibly married before the age of eighteen. In the same way, up to 50 percent of girls were under 15. Moreover, about 29 percent of victims were forced into marriages after being harassed, kidnapped, raped, or exposed to violence (Irin News, 25 July 2011).

### **1.3 Statement of the Problem**

Trafficking in human beings is one of the fastest-growing criminal activities because of lucrative profits (see AI, 2016; IOM, 2017; UNODC, 2016; U.S. DOS, 2017). The global estimates of trafficking (see ILO, WFF & IOM, 2017; U.S. DOS, 2019; WEF, 2016) indicate it as a gendered phenomenon as the majority of trafficked persons include women and girls. Human trafficking is an alarming issue of Pakistan as its ranking was improved to Tier 2 in 2019 after remaining on Tier 2 watch list for four consecutive years. However, in 2020, the country is again downgraded to Tie 2 watch list which indicates that the government has not taken meaningful efforts and concrete measures to address trafficking (TIP Report, 2020). Women and girls can be trafficked for diverse purposes, but the dominant focus of existing literature on trafficking has been on sex and/or labor trafficking. The recent global estimates of modern slavery indicate that out of a total of 40 million people who are living under conditions of modern slavery, 15.4 million people are living in forced marriages in which 88% of the victims are women and girls (ILO, WFF & IOM, 2017). Focusing on this little-studied dimension of human trafficking, this study explores the links between trafficking and forced marriage and highlights how and why particular women and girls from Afghanistan and Pakistan become victims of this form of trafficking. The study encapsulates how political and economic instability and gendered

vulnerabilities make women and girls susceptible to trafficking that involve the exploitation of their fundamental human rights. The study also highlights how existing policies and interventions approach the issue of human trafficking and whether they address the needs of trafficked women and girls.

#### **1.4 Objectives of the Study**

1. To examine the reasons and processes women and girls are trafficked into forced marriage.
2. To document how the brokers connect buyers and sellers.
3. To analyze the experiences of women and girls trafficked into forced marriage.
4. To study the interventions of stakeholders to address the issue of trafficking of women and girls.
5. To examine how existing anti-trafficking policies/laws approach the malaise of trafficking and address the issues of women and girls trafficked into forced marriage.

#### **1.5 Research Questions**

1. How do particular women and girls become vulnerable to trafficking into forced marriage?
2. What are the processes involved in the trafficking of women and girls into forced marriage?
3. How are the brokers involved in the chain of trafficking and connect the buyers and sellers?
4. What are the lived experiences of Afghani and Pakistani women and girls trafficked into forced marriage? How and why do these experiences vary, if any?
5. What are the interventions of stakeholders to address the issue of human trafficking?

6. How do existing anti-trafficking policies/laws approach trafficking and address the issue of trafficked women and girls?

### **1.6 Significance of the Study**

Human trafficking, in general, is not yet a focus of scholarly discussions in Pakistan and Afghanistan. Even the focus of diverse global literature on human trafficking has been mainly on sex and/or labor trafficking. Because of the general assumption that marriage provides socio-economic security to women, the links between trafficking and marriage have not been well explored. This study adds to the existing knowledge on trafficking, by exploring how particular women and girls are exposed to trafficking through the conduit of forced/fake marriages. The in-depth interviews help to theoretically understand how trafficking is an issue of intersecting vulnerabilities and human rights violations that make certain women and girls more susceptible to trafficking than others. Based on the experiences of trafficked women and girls, the study highlights that different forms of trafficking are not really concrete categories, as women trafficked into forced marriages could be victims of other forms of trafficking e.g. forced labor, sexual exploitation, domestic servitudes. Moreover, it helps to understand the bleak or invisible boundaries between different associated concepts e.g., legal and illegal migration, human smuggling and trafficking, and transnational and internal trafficking. The findings of the study are significant in understanding the social construction of human trafficking and help policymakers and stakeholders in strengthening/formulating effective interventions to fight the malaise of human trafficking.

### **1.7 Organization of the Study**

The study is structured into the following chapters;



Chapter one provides introduction to the entire thesis. In this chapter, I made an effort to highlight the issues of human trafficking particularly the issue of women and girls trafficked into forced marriages from global perspectives to the local scenario. The chapter further discusses the statement of the problem in which the issue of women and girls trafficked into forced marriages is problematized. The chapter moreover, frames objectives of the study and research questions that require to be answered.

Chapter two explains the review of the literature in detail. In this chapter, the issue of trafficking in persons, trafficking into forced marriages, and reasons for the vulnerability of women and girls have been discussed from global perspectives to the local perspective. The chapter includes the data obtained from empirical studies and moved to the theoretical review of the issue of trafficking in persons and into forced marriage. It explains, how trafficking of women and girls intersects with other factors and contributes to the exploitation and violation of women's human rights when they are forced into forced marriages.

Chapter three provides insight into the research methodology of the study. In this chapter, choices of the methods and approaches have been explained in detail. In this context, the study had different categories of participants. For those categories appropriate methods and approaches have been used.

Chapter four explains international trafficking in persons in which women and girls are trafficked into forced marriages from Afghanistan to Balochistan province of Pakistan. In this chapter, the lived experiences of women and girls trafficked into forced marriages from Afghanistan to Balochistan are brought into focus. The chapter also highlights the reasons of vulnerabilities of women and girls trafficked into forced marriages. Moreover,

the chapter elaborates on the processes and their everyday experiences living in the condition of modern-day slavery. Furthermore, the chapter also explains the role of the brokers in the chain of trafficking of Afghan women and girls trafficked into forced marriages and discusses how they connect the buyers and the seller.

Chapter five illuminates internal trafficking in persons in Pakistan in which women and girls are trafficked into forced marriages from other provinces including Punjab, Sindh, and Khyber Pakhtunkhwa to Balochistan province of Pakistan. In this chapter, the lived experiences of women and girls trafficked into forced marriages from other provinces of Pakistan to Balochistan are explained in detail. This chapter further highlights the reasons and processes of vulnerabilities of women and girls trafficked into forced marriages. Moreover, it depicts the everyday experiences of women and girls trafficked into forced marriages. This chapter also deals with the role of the brokers involved in trafficking of Pakistani women and girls trafficked into forced marriages within Pakistan and how do they connect the buyers and the sellers.

Chapter six highlights the interventions of stakeholders, including representatives from different government departments, national, and international non-governmental organizations and how they address the issue of trafficking of women and girls trafficked into forced marriages in Balochistan. Moreover, anti-trafficking policies and laws are also analyzed through content analysis. The chapter also explains how these laws address the issues of women and girls trafficked into forced marriages.

Chapter seven briefly discusses the issue of trafficking into forced marriages between Afghan and Pakistani girls. The chapter also draws the conclusion of the study and comes up with recommendations for the prevention of trafficking and protection of

trafficked women and girls.

## **Chapter Two**

### **Review of the Literature**

For the present research study, I reviewed the literature relevant to the phenomena of human trafficking and trafficking into forced marriages. The chapter begins with the historical background of human trafficking. The chapter further moves on to explain concepts, definitions, and forms of human trafficking. This chapter elaborates on women in trafficking and structured gender inequality. Furthermore, the chapter discusses the links between human trafficking and forced marriages and a due attention is given to reasons, processes, experiences, interventions, and present laws and policies to understand the issues of human trafficking from international to national level. The chapter also explains the links between trafficking in persons and smuggling of migrants. In conclusion, this chapter highlights the reflection of the theoretical knowledge from human rights as well as gender intersectionality perspectives that how human trafficking violates the right of women and girls, and highlights intersecting factors contributing to the vulnerabilities of women and girls trafficked into forced marriages.

Internationally, there is significant concern about the issues of human trafficking as a major human rights abuse. Lack of information and theoretical knowledge is common about the forms of contemporary trafficking (Scarpa, 2008; UNODC, 2009). According to TIP Protocol, there are several forms of human trafficking such as forced labor or services, sexual exploitations or prostitution, slavery or practices alike to slavery, servitudes or the removal of organs. Practices similar to slavery include debt bondage, serfdom, forced marriages, and illegal adoption (Al-Zoubi, 2015; Aronowitz, 2009; Winterdyk, Perrin & Reichel, 2011). Human trafficking includes several more recognized forms of trafficking

that make the victims vulnerable to exploitation such as forced prostitution, domestic violence, forced marriage, forced labour, and other slavery-like practices (Purkayastha & Yousaf, 2018; Wijers & Lap-Chew, 1999).

Sex trafficking is any practice that comprises the movement of individuals for sex work or sexual exploitation across the national and international borders (Bernat & Zhilina, 2010; Hughes, 2000; Riegler, 2007). However, in the perspective of US law, sex trafficking is given meaning by the *Trafficking Victims Protection Act of 2000* (TVPA), and describes sex trafficking as: The recruitment, harboring, transportation, provision, or obtaining of a person for commercial sex acts (Coleman, 2016). According to the estimates of UN, one million women and girls are trafficked for sexual exploitation each year (Hughes, 2000; 2001). In this respect, the study revealed that the USA ranks as the second largest destination. Following the US in the rank order are Italy, the Netherlands, Japan, Greece, India, Thailand, and Australia (Mizus et al., 2003; Schauer & Wheaton, 2006). Most of the trafficked girls mainly originate from Asia, central Asia, and Mexico (Miko, 2004; Richard, 1999). Several studies conclude that sex trafficking is characterized by extreme violence. Traffickers transporting women and girls into destination countries are very adaptable in the exercise of trafficking (Demleitner, 2001; Schauer & Wheaton, 2006).

Forced labor means a work or service which is taken from a person under the threat of consequence and for which the said person has not presented himself/herself of his/her own free will (Raymond, 2004; Raymond, Hughes & Gomez, 2001). Trafficking into forced marriage means the marriage occurred without the consent of either one or both parties. In forced marriages, the consent remains absent from either parties or both of them (Aronowitz, 2009; Enright, 2009). Domestic work is rarely recognized as labor and

domestic labor force is seen as members of the family (Kelly, 2005b). Consent was seen as a significant thing in negotiation around the UN trafficking protocol (Abramson, 2003; Balos, 2004).

Besides, feminist scholars have different arguments about sex trafficking and prostitution as a form of trafficking. The first group argued that all prostitution regardless of consent, should be considered trafficking and a violation of human rights (Campagna & Poffenberger, 1988; Estes & Weiner, 2001; Leidholdt, 2004). The scholars believe that prostitution and sex-related work is illegitimate and is the abuse of women's human rights. Similarly, sex work and prostitution are seen as violence against women in which women and girls are commanded by male sexual demands (Hynes & Raymond, 2002; Raymond & Hughes, 2001).

In contradiction, the second group stated that coercion is an essential part to the meaning of trafficking. They further said that sex work is similar to other forms of work which include all rights related to human life. They said the notion of consent reflects the ambiguity of the protocol (Bindman, 1998; Doezema, 2002; Kempadoo & Doezema, 2018). Similarly, it is highlighted that prostitution should be acceptable, socially approved normal, and a proper activity (Bloom, Owen & Covington, 2003; Demlietner, 2001; L. Kelly, 2003; Liedholdt, 2004) because it involves a variety of reasons including empowering socio-economic level, financing the future business and the choice among alternate occupations available to the women (Anarfi, 1998; Cabezas, 2004; Kempadoo & Doezema, 1998).

Similarly, some scholars revealed that the meaning of trafficking in women need to be broadened to encompass the multifaceted issues linked with trafficking and the varied

situation of women. They further take in the analyses of arranged marriages, mail order brides, sham adaptation, forced labor, and other practices similar to slavery (Langevin & Belleau, 2000). The scholars highlighted that an individual cannot consent to slavery and trafficking but it is extremely difficult to establish the presence or absence of consent (Schauer & Wheaton, 2006).

There are a number of factors behind human trafficking, including illiteracy, poverty, conflict, and disasters that play an essential role in the trends of trafficking. Several structures of inequality existing in the world such as gender based inequalities, ethnic differences, caste disparities, poverty, language variances, lack of access to education and health, and land and livelihood are intersecting reasons for the large number of women and girls as the victims of human trafficking (Gupta, 2010; Hall, 2013). Human trafficking occurs not only in global south, but also in global north (Winterdyk, Perrin & Reichel, 2011).

## **2.1 Human Trafficking and Human Smuggling**

Human trafficking and human smuggling are two different phenomena. However, in some cases, human smuggling may lead to trafficking when the process results in the exploitation of migrants. They both involve transportation and illegal border crossing (Schauer & Wheaton, 2006). Traffickers and smugglers' relation with migrants is deeply rooted. They function as guides and informants for migrants coming from different regions of the world. It paves the way for migrants' vulnerability to the hands of traffickers and smugglers. Smugglers, however are more concerned with the routes for which they take the money and provide food and shelter to the migrants. Whereas, in trafficking, migrants remain fully vulnerable to exploitation by traffickers and are transited and transferred

without their consent. Trafficking also include fraud, deception, force, coercion, or exploitations of the trafficked persons (Klueber, 2003; Mandic, 2017; Schauer & Wheaton, 2006). Various studies highlighted that smuggling of migrants can well generate trafficking in persons. The grey areas were noted in the findings in the studies (Leman & Janssense, 2006; Meese et al., 1998 cited in Salt, 2000). The scholars have pointed out the instances that the process of agreeing on smuggling at the endpoint transit them into trafficking (Kelly, 2002; 2005a; Stewart & Gajic-Veljanoski, 2005).

Restrictive immigration and border control policy by migrants receiving countries led to the emergence of smuggling and trafficking cross border preparation of fake traveling documents and fake mirage to reach the destination country (Kempadoo et al., 2005; Kofman, 2000; O'Connell Davidson, 2011). National and international flow has complicated the participation of women and girls, this element has thoroughly been ignored by conventional migration research on the fact that women travel as a dependent (Piper, 1999). The employment dependency of a smuggled person on the third party at the destination country increases the chances of exploitation, debt, and bondage (Shelley, 2002). These two can be perceived as a continuum, sheltering into and out of one another through the number of magnitudes (Anderson & O'Connell Davidson, 2003; ILO, 2018; IOM, 2012; Kelly, 2005a).

Trafficking and exploitation of persons involving coercive or deceptive means is a violation of women' human rights. Trafficking is seen not only as a criminal justice issue, but also an outcome of forced migration (Ahmed, 2012; Erturk et al., 2012; McSherry & Kneebone, 2008). A considerable number of migrant women include the farmers' wives and fake wives to make sure permissible status in the quest of jobs in some countries (Piper,



1999). The rapidly increasing growth of work and marriage migration flows flourished the Asian trafficking market. More often children and women are the top target of traffickers for forced marriages and sex industry flourished the practice (Attane & Guilmoto, 2007; Duong, Belanger & Hong, 2007; Kelly & Le, 1999). Major activities of organized crime carry on smuggling of migrants and goods, and trafficking of goods and persons. The traffickers and smugglers make approximately US\$ 500 billion to a trillion each year (Shelley, 2003; Kelly, 2005a).

## **2.2 Human Trafficking and Forced Marriage**

Forced marriages have driven women and girls from all parts of the world to escape from their homeland in search of protection. Women escape from marriages they have been forced to enter (Seelinger, 2010). The consent in marriage is the preliminary condition for the contract. Women and girls lose their independence, and human dignity when they are pushed into forced marriage without consent (Clark, 2003). The right to consent to marriage and freedom from slavery is demarcated in many universal conventions and part of legal structures of several countries. However, cultural norms, values, and mores destructive to human self-respect remain to successfully dominate worldwide discourses and agreements (Burris, 2014). Forced marriage is explained as when or where one or both parties are coerced against the will and involve in physical and emotional pressure into a marriage (Chantler, 2012; Dauvergne & Millbank, 2010; Qiu, 2019). These are facilitated through social, psychological, physical, and cultural pressure in societies. Regardless of the context, forced marriage in every perspective shares an important character that lack of evocative consent, usually by the brides (Mikhail, 2002; Seelinger, 2010). In contrast, some scholars highlight that consent in forced marriage is irrelevant. They argue that an

individual cannot consent to slavery, and trafficking (Schauer & Wheaton, 2006). Similarly, scholars argue that any definition grounded on the victim's consent places the liability of evidence on the victims and propositions a gap for traffickers to use the supposed consent of the victims in their defense (Hynes & Raymond, 2002).

Many scholars are of the view that literature produced on sex trafficking and trafficking into forced labor could not explain the situations of human trafficking comprehensively. The emphasis on an extensive body of scholarly knowledge needed that could highlight the issues of human trafficking from a range of standpoints (Aronowitz, 2009; Cameron & Newman, 2008; Chandran, 2011; Dragiewicz, 2014; Malloch & Rigby, 2016; Roth, 2011; Shelley, 2010; Winterdyk, Perrin, & Reichel, 2011). UN established a trafficking in person's law, it has recognized certain forms of marriages as form of trafficking including forced marriage. Marriage is explicitly a separate form of human trafficking which is prevailing worldwide. The discussion on trafficking for marriage appears unreported and ignored because of the dominant focus on sex trafficking in research and policies (Quek, 2018; UN, 2000; UNODC, 2009; UNODC, 2016). It is highlighted that very little consideration has been given across the globe to forced marriages as another form of trafficking (Attane & Guilmoto, 2007; Jeffreys, 2008; Kim, 2010; MacLean, 2012; Quek, 2018). It is also stated that several kinds of marriages including forced marriage as an institution constitute a situation of trafficking in persons (Chamie, 2015). The authors believed that marriage trafficking cannot be understood as a sub-set of labor trafficking or sex trafficking. It is a separate form of trafficking in its own right and intersects with other forms of human trafficking and make women more vulnerable (Dauvergne & Millbank, 2010; Follmar-Otto & Rabe, 2009; Quek, 2018). In

the same way, forced marriage is recognized as proficient of being used as a way of recruitment for trafficking (Coomaraswamy, 1997; Follmar-Otto & Rabe, 2009).

UN Special Rapporteur on trafficking thematically studied forced marriage as a social phenomenon that has deeply rooted in customary practices and constitutes an element of trafficking in persons (Huda, 2007). Similarly, international human rights organizations have reported documents about an increasing number of practices that consisted of sales and purchases of women in marriage across the world (see, e.g. Human Rights Watch, 2002; IRIN, 2008a, 2008b, and 2009; Sigmon, 2008), these practices were linked to human trafficking that abused women's human rights (ILO, 2018; Muico, 2005; Quek, 2018). Furthermore, the IOM and U.S. DOS originated that traffickers recruit women, and girls into the trafficking industry, frequently practice marriage to trap them from protection across transnational borders and further push them into prostitution (Angathangelou, Agathangelou & Ling, 2003). It is concluded that forced marriages are not new forms of exploitation, and it is historically rooted in the enslavement of human beings (Bunting & Quirk, 2017).

A study on women and girls informed that many women working as sex workers were prostituted by their husbands, and boyfriends (Raymond, Hughes & Gomez, 2001). Partners practice physical misuse to take domestic, and sexual services from their spouses worldwide. Husbands sell them to brothels and agents for the extraction of profit from the prostitution (Jackson, 2006).

There are strong financial, and social restrictions on women being pushed into forced marriages. This conveys us back to Walby's (1990) theory of patriarchy and states that marriage is linked with extensive social, and economic structures, endorsed by the

control of the state. Women freezing out in market, with an adverse outcome on their ability, and capacity to earn, inflowing to marriage offer them a better opportunity of economic security than remaining single (Piper, 1999). Marriage and travel agencies are often used as recruitment agents that covers up the selling of girls from the origin to the destination countries for traffickers (Van Impe, 2000). Most of the times physical, emotional pressure, and abuse are used to push women into forced marriages (Erturk et al., 2012; Dauvrgne & Millbank, 2010).

Women and girls forced into marriages might become vulnerable to or end up being the victim of trafficking. Many countries practice forced marriage as a tradition without restrictions. A large number of factors are involved in the prevalence of forced marriages worldwide. These include exchange of economic value, no choice or refusal of husband, age differences, lack of fertility rights, lack of equal parental rights, no control over inherited property or income, missing safety from physical abuse, threats of violence, inferior position in the society, and no control over the contract. These factors make women susceptible to exploitation, and living in forced marriages (Rosenberg, 2003; Wijers & Lap-Chew, 1999). A study revealed that forced marriages are distinct form of trafficking. It often involves the elements of rape, sexual violence, and enslavement (Jain, 2008). Forced marriage much more endangers the lives of the girls who are forced into marriage in early childhood which include physical and emotional harm to the girls. Due to their inexperience, and vulnerabilities, they are being controlled by their husbands virtually (Mibenge, 2010; Warner, 2012). In forced marriages women often find them experiencing violence, rape, and life servitudes. Women' human rights are rejected in forced marriages (Clark, 2003). Similarly, another study highlighted that women in forced marriages risk

several harms related to their lives. They are beaten, raped, threatened, female genital cutting, and insulted (Seelinger, 2010). In the same way, it is noted that forced marriages might contain threatening behavior, abduction, rape, physical violence, imprisonment, and in certain cases killing (Britain, Ahmed & Uddin, 2000; Mikhail, 2002). The scholar observes forced marriage as the feature of armed conflicts around the world (Jain, 2008).

### **2.3 Human Trafficking and Forced Marriage: An Insight of the Developed Nations**

Canada is the destination and transit country of human trafficking. Many women come from various parts of the world in search of jobs that end up with the abusive condition, and exploited in several forms of human trafficking including forced marriages (Stewart & Gajic-Veljanoski, 2005). A Canadian study stated that most of the time refugees fail to qualify for conventional migration. They have the only option to migrate through human smuggling. Government response to border control strategy transformed these vulnerable refugees to smuggled migrants to trafficked persons due to their unclear status (Oxman-Martinez, Martinez & Hanley, 2001). According to a study, much focus has been paid to the issues of trafficking in Canada. In response, there is a little knowledge about the people of Canada that how do the local people perceive the trafficked persons (Kaye, Winterdyk & Quarterman, 2014). Canadian government enacted laws ruling out human trafficking. It has also established task forces to combat this form of exploitative practice (Millar, O'Doherty, & Roots, 2017). These policies are crime centered which require to change into victim-centered where these policies might be used as a shield for the protection of the victims against the traffickers and situation they create for victims (Medsen, 2009).

Mexico is also known as origin, transit, and destination country for various forms

of trafficking (U.S. DOS, 2016). It is observed as the largest transit state for human trafficking and smuggling to USA (Gozdziak & Collett, 2005; Rietig, 2015). In this regard, one of studies reported that a high level of vulnerable people within and from Mexico enter into slavery through the cover of seeking employment opportunities abroad (Farrell & Pfeffer, 2018). Similarly, economic and political stress, violence against women, inequalities, and corruption fueled human trafficking (Clark, Johnson & McArthur, 2011; Tiano & Murphy-Aguilar, 2016). In this way, vulnerable people include women, girls, and children for various forms of exploitation (Walter & Devis, 2011). Furthermore, women and girls trafficked in Mexico experience extreme forms of sexual and physical abuse when they are in the custody of traffickers (Acharya & Clark, 2014). Mexico ratified several agreements to solve the issues of human trafficking (Gozdziak & Collett, 2005; Rietig, 2015). Primarily, human trafficking is prosecuted at the federal level. There are still several hurdles in the eradication of this crime in Mexico (U.S. DOS, 2016). Though laws were made for the combat of trafficking in 2010, contain heavy charges against the trafficker (Farrell & Pfeffer, 2018), but it is still perceived as a state security issue. The study revealed that police, immigration officials, and custom officers were found involved in the trafficking of the human being (Scafer, Bahney & Riley, 2009).

Many studies across the United States of America reveal that human beings are trafficked for exploitation in different industries. Thousands of people are trafficked from other countries to the USA every year (Andrade, 2019; Hepburn & Simon, 2010; UNODC, 2014). There are thousands of victims which are forced into labor and sexual exploitation within the USA (Polaris, 2014). In the same way, small and large organizations are covertly engaging in the sale and purchase of brides for forced marriage. International Marriage

Bureau, Non-profit organizations and Global Survival Networks working in the USA are in one way or the other concealing the trafficking of women and girls in the legal cover of marriage. Girls advertised for marriage might instead be traded into forced labor, domestic servitude, prostitution, forced marriages, or all of the above (Jackson, 2006). A Chinese girl was detained for one year in the USA. She was given in a forced marriage in exchange for return her father's gambling dues. She was refused with help by security agencies and was returned to her spouse. As a result, she runaway with trafficker who promised her protection and job security in the USA (Seelinger, 2010).

Owing to the growing nature of trafficking, the federal administration-initiated measures to address the issue, through raising awareness, bringing justice to victims, and prosecuting the perpetrators (Polaris, 2014). US federal administration and its fifty states have voted for laws that criminalized human trafficking. They aimed to support the identification and prosecution of the human trafficking criminals. After the framing of laws, a few cases were prosecuted. The study finds that victims of trafficking were identified as being offender of crime rather than victims of human trafficking (Farrell, DeLateur, Owens & Fahy, 2016). Similarly, the US has also framed domestic anti-trafficking laws that consider prostitution as a form of trafficking and the people, captured with the evidence of buying sex from trafficked persons, are charged with the high penalties (Lerum, McCurtis, Saunders & Wahab, 2012). In this regard, the TVPA act is to protect those persons who may be in the USA illegally because they were the victims of human trafficking. This act is intended to recover and return control of their lives (Crane & Moreno, 2011). Moreover, the T-Visas are offered for the victims for a specific period. Victims can work there for a specific time, but they have to testify against their traffickers

if they agree (Chakraborti, 2014; Department of Homeland Security, 2014).

A study reveals that human trafficking needs serious attention because it is a growing problem of Latin America (Margesson, Seelke & Taft-Morales, 2016). Similarly, academicians found human trafficking in Brazil as a social panic that is perceived as an offense against human dignity. Several reasons (e. g. poverty, unemployment, illiteracy, and inequalities) upraised human trafficking that is not different from slavery (Blanchette & Da Silva, 2012; Figueira, 2012). According to UNODC, Brazil is the largest source country that export trafficked persons to other countries (UNODC, 2010). More often, children and women are exploited in prostitution (Blanchette & Da Silva, 2012). Legislation in the United States and Europe specifies that trafficked persons have the right to receive temporary residence. They may have work permits, but bureaucratic processes make it difficult to obtain the rights as the victims of trafficking through their determination (Brennan, 2017).

A large number of women are forcefully traded to Denmark every year for sexual exploitation. The common practices that lure victims into trafficking are promises of a good job, false or forced marriage that turned into slavery or slavery-like practices by parents, husbands, or boyfriends and traffickers (Poulin, 2004). A study conducted highlights that the increasing number of the trafficked person in Denmark is due to the illegal status of prostitution in the country (Cho, Dreher & Neumayer, 2013; Osmanaj, 2014). In contrast, the study depicts that prostitution of trafficked women is a threat to morality, marriage, and family in Denmark (Bjonness, 2012; Spanger, 2011; 2013). Many women face violence and refrain to report, because of the threat of deportation as an illegal migrant. Denmark does not allow the victims of trafficking to stay in the country (West, 2018). Furthermore,



it is stated that the focus of government in Denmark is on the screening of undocumented foreign people rather than on identifying some indicators to eradicate human trafficking. Therefore, the state is losing the fight against human trafficking (Smith, 2016; UNODC, 2019). An appropriate, realistic, and humanitarian perspective on the issues of women in trafficking are required to protect them (West, 2018).

Human trafficking is serious organized crime particularly in Norway as well as the other world. An important part of the victims of human trafficking in Norway include women and children (Bjelland, 2017; Tyldum & Brunovskis, 2005). Consequently, women trafficked to Norway receives many forms of violence and exploitation from traffickers and smugglers (Skilbrei & Tveit, 2008). Therefore, the Norwegian administration has proven a National Coordinating Unit (NCU) for the victims of trafficking in 2006 (Bjonness, 2012; Spanger, 2013). The purpose of the center is, to collect data from the victims of human trafficking and publish a report on public awareness about the issue (U.S. DOS, 2011). According to coordination unit, the victims of trafficking are increasing every year (KOM, 2015). The Norwegian government provides six months reflection period for the victims and provided immediate care and assistance. The victims are expected to assist the law enforcement institutions (Ismail, 2014). In this regard, the government tends to identify victims of trafficking, getting help from police, safe houses, immigration authorities, and children protection centers (Bjelland, 2017).

Forced marriage involves coercion, force someone through the use of assault, violence or threat is, therefore punishable in Sweden. Swedish tax agency runs the registry of birth, marriage, and death at the time of marriage contract both parties have to be examined and ensured marriage on the provision of required documents (European Union

Agency for Fundamental Right, 2015).

Nineteen highly suspected child trafficking cases were informed in the UK. The researcher stated that these trafficked persons were primarily recruited for sexual exploitation, labour exploitation, and underage forced marriage involving seven Somali girls. They were reported as forced into marriages before reaching the age of sixteen years (Beddoe, 2007; Bokhari, 2008; Kapoor, 2007). Sex trafficking has become a very dominant story in UK in the debates of trafficking. It might override other forms of human trafficking such as labour exploitation, domestic servitude, and forced marriage. These hidden forms of trafficking have begun to emerge on the policy agenda to realize the prevalence human trafficking (Hynes, 2014; Jobe, 2008).

The UK is one of the destinations countries where people pursue job opportunities that make them vulnerable to modern day slavery (Tverdova, 2011). In 2015, the UK voted for the modern slavery act for the eradication of all forms of labour exploitation and slavery (Craig, 2017). According to this act, the person involved in the travel or facilitation of the other person for exploitation is confirmed as an offense and the consent of the person traveled in any situation is seen irrelevant (Craig, 2017). UK has framed 3P: Prevention of trafficking, protection of the victims of trafficking, and prosecution of the offenders of trafficking policy for the combat of human trafficking in response to the UN protocol (Yuko, 2009). The scholars believe that the absence of forced marriages in UK policy towards response to trafficking is in contrast with the UN anti-trafficking policy (Barry, 2010; Stepnitz, 2009). The stories of women highlight that women were trafficked for forced marriage into and outside the UK. Therefore, forced marriage in response to trafficking is of great consideration (De Angelis, 2016). Though trafficking within, into

and out of the UK has been criminalized by the state government (Sexual Offences Act, 2003).

Many scholars (see, Barry, 2010; Macey, 2009; Poppy, 2009; Samad, 2010) have identified forced marriages as another form of trafficking. Women and girls, in this form of trafficking are imported as wives and then pushed into exploitation. Forced marriage involves trafficking. These marriages occur for the interest of men on the provision of the structural conditions and personal opportunities. In response, men use marriages for the exploitation of women partners (Long, 2004; Barry, 2010). Forced labor often intersects with other forms of human trafficking such as sexual exploitation, and forced marriages (Fiona, 2010).

Belgium is the source, transit, and destination country for several Albanian, Bulgarian irregular migrants (Derluyn & Broekaert, 2005; Guild et al., 2016; Leman & Janssens, 2006). People move to Belgium for the sake of better life qualities and escape from poverty. Trafficking of women often involve deceit, and fraud, but without seeming prescribed exploitation of legislation, for instance, the Belgian understanding stated that women were officially granted work permits as cabaret, artists and traffickers further forced them into prostitution (Bernat & Zhilina, 2010; Van Impe, 2000). Women as sex workers, convenient marriage and domestic labors are likely to come across more difficulties and hurdles (Leman & Janssens, 2013). These victims of trafficking are kept in their (traffickers) custody through false documents, false marriages and through the exploitation of their customers (Leman & Janssens, 2015). The country has established legislation for victim protection, and also established three specialized centers for the rehabilitation of the victims of trafficking (Camargo, 2017; Van Ingelgem, 2002). All the

departments in the country are engaged to address the issues of human trafficking (Verwilghen, 2003).

Germany ranks at the top for children and women trafficked for sexual exploitation worldwide (Mizus et al., 2003). Woman is more probably trafficked for sexual exploitation whereas man is trafficked for forced labor. Trafficking involves the exploitation of the victims in forced prostitution and forced marriage in Germany. The country has the law regarding the prevention of human trafficking. The law ensures provision of compensation from the perpetrators to women and girls particularly to the victims of sex and labor trafficking (Follmar-Otto & Rabe, 2009). Furthermore, the visa process in Germany makes women vulnerable, therefore women enter into marriages to make their stay possible in Germany where their initial blackmailing starts (Prasad & Rohner, 2009). The data obtained from Germany indicate that the majority of the trafficked women include prostitution. The study further elaborates that victims of trafficking are substantially increasing in the country (Benkel, 2015; Laczko & Gramegna, 2003).

In 1904, the UK including Germany, Sweden, Norway, Belgium, Spain, Netherlands, Switzerland, Denmark, Italy, France, Russia, and Portugal signed an International Agreement on Trafficking and the Suppression of White Slaves (IASWST). This treaty was aimed to safeguard women and underage girls from exploitation outside their countries. Later on, the convention advanced into the Paris convention in 1910 (Allain, 2017)

Trafficking in the human being is a serious organized crime in Russia (McCarthy, 2009). Many women and children have been made the victim of the form of exploitation. The organized criminals traffic children and women for sexual manipulation inside and

outside the country. Therefore, it has turn into a multi-billion dollars business industry (Finckenauer, 2001; Robinson, 1997). Similarly, a study reveals that Russian and Ukrainian men fail to protect their daughters and grand-daughters from the exploitation in the trafficking industry (Smith, 2000).

The costs of gender disparity, patriarchic customs, the practice of prostitution, and sexual exploitation shaped unique combinations of factors contributing to the upsurge in sexual exploitation (McCarthy, 2019; Tverdva, 2011). Each year amid 20,000 to 60,000 Russian women and girls turn into the victims of trafficking. No less than 500,000 have been trafficked from several countries of former Soviet Union (Dean, 2014; Lugo, 2018). Russia has turn into the large exporters of women and girls for sex trafficking (UNODC, 2006). Russia also provided multiple transit routes for human traffickers from the poorer countries of the former Soviet Union (Tverdova, 2011).

Research work of human trafficking linked with socio-economic and political turmoil, characterize a distinct piece of the economic argument. For instance, scholars pinpointed to the overwhelming outcome downturns and militarized disputes for the enhanced vulnerabilities of children and women. Though historically Russian government is silent and declared human trafficking a threat to national security. So, many NGOs like *Syostrri* (Sisters), along with intellectuals and researchers struggled to include anti-trafficking law in Russian criminal legislation (Dean, 2014; Lugo, 2018; Orttung & Shelley, 2005).

The researchers showed that many of the sex trafficking cases in Italy comprised of Nigerian victims. The investigations were ordinarily delayed by limited resources, lack of governmental level cooperation with neighbors (Aghatise, 2003; Kara, 2009), and the

legalization of prostitution in which women were perceived and granted to have control on their bodies to choose sex work as form of labor were contributing factors (Kara, 2009).

Similarly, Amnesty International in its (2004) report expressed that the sex trade increased not only in Kosovo only, but also many of women and girls were trafficked to Europe. Report further stated that poverty, conflict in the region, and gender inequalities paved for trafficking routes and lengthened the sex industry in the sex market in the poorest countries in Europe (Kelly, 2005a).

## **2.4 Human Trafficking and Forced Marriage: An Insight of Australia and African Nations**

Many Studies conclude that Australia is the destination country for human trafficking. Slavery and similar practices including forced labor, sex related exploitation, and forced marriages prevailed and also turned the country as the source of forced marriage (Parliament of Australia, 2017). The traffickers indulged in the crime of human trafficking are from foreign organized criminal groups (Segrave, 2009). Australia is, predominantly a hotspot for human trafficking, slavery and slavery-like practices, which occur in many forms, varying from forced labour to sexual exploitation to forced marriage. However, the prevalence and increase of forced marriage taking place in Australia is changing this paradigm to render Australia a source as well as a destination country for slavery-like practices (Schloenhardt & Loong, 2011).

Australia is situated in the hotspot regions for trafficking (Belser & Danail-Trainor, 2005; Schloenhardt, 1999), and the Australian Federal Police [AFP] believes that it is geographically attractive destination for trafficked persons. (Kotnik, Czymoniewicz-Klippel, & Hoban, 2007). The demand for Asian sex workers is high in intensity in

Australia (Batros, 2004). The Australian Institute of Criminology (AIC) recommends that the potential trafficking requires to be addressed due to the trends of increase in the flow of trafficking (Larsen, Lindley, & Putt, 2009). Women are trafficked for debt-bondage, and prostitution into Australia (Munro, 2005).

Nigeria remained as a center for the illegal/irregular trade in human beings. Country is documented as acting as a provider, receiver, as well as transit point. Many victims of trafficking in Nigeria are children and women (Okojie, 2009). The facts from Nigeria propose that the trafficked women are often offered jobs in foreign countries via informal networks involving of persons from their areas (Carling, 2005). As they reach at the destination, and turn as victims of exploitation in debt bondage, forced labor, and repay the debt taken from the traffickers (UNODC, 2009). They lose liberty, freedom, and free will and remain in slavery till the return of money invested on them (Aronowitz, 2001). The traffickers use numerous means to hold onto them including physical limitations, separation from others, removal of their documents, pressures against their family members or fear of incarceration, and control of their capitals (Deckert, Warren, & Britton, 2018).

Forced marriages was seen as crime against human beings first of all and prosecuted in Sierra Leone (Chantler, Gangoli, & Hester, 2009). Many thousands of women and girls were kidnapped, abducted, and captured from Sierra Leone during the 1990s by the rebel armed forces. They were forced to be bush wives and were beaten, banded, forced into servitude, raped, and bear children for the rebel soldiers. The Special Courts of Sierra Leone declared forced marriages as severe human rights violations committed in Sierra Leone and were found distinct from sexual slavery (Seelinger, 2010; Gallagher, 2008; Smith & Smith, 2011).

Most of the Ethiopians girls trafficked are pushed into temporary marriage for the individual contract in UAE. In temporary marriage, only man owns the authority to dissolve the marriage whereas women do not. It is believed that this type of marriage makes women vulnerable to sexual exploitation and push them into prostitution used as legal means (Kelly, 2005b; Mattar, 2003). A study revealed that the temporary marriage of wealthy Arabs would have taken with the daughter of poor Egyptians. The study further documented that women and girls were kidnapped under the guise of temporary marriage and were further forced into prostitution in Algeria. Moreover, the study reported that twenty-two Egyptians were given in marriage to a wealthy Arab and he further pushed them into prostitution (Mattar, 2002).

## **2.5 Human Trafficking and Forced Marriage: An Insight of the Asian Nations**

Beijing declaration 1995 considered forced marriage and forced labour as other forms of human trafficking and human slavery in the fourth international world conference on women (Kelly & Regan, 2000). The prevalence of marriage as cultural practice and kinship exchange are directly linked with trafficking of women and create the precondition for the contemporary forms of exploitation across national and international boundaries (Rubin, 1975). The relatives and friends from Asian countries lured women and girls abroad under pretenses. There were several stories of parents selling daughters, knowing that they will be forced into prostitution abroad (Piper, 1999). The migration of Asian women has augmented women's susceptibilities in sex industry, mail order brides, and women trafficking worldwide (Barry, 1995; Enloe & Bananas, 1989; Matsui, 1987; Piper, 1999; Truong, 1990). The Asia-Pacific region contains more than 75 percent of the world's forced labor victims (Belser et al., 2005).



A study conducted in Turkey observed that fifty percent of women of east and south Turkey were given in marriage without their consent. Women's right of entry to education was also less than that of others in country (Seelinger, 2010). According to a Turkish study that females traded in sales like auction (Erder & Kaska, 2003), increasingly women as commodity were used in Bosnia, and Kosovo (Corrin, 2000; Croegaert, 2010; Human Rights Watch, 2002). Kurdish girls were given in forced marriages earlier the age of puberty, which they whispered were unconsented (Chantler, Gangoli, & Hester, 2009).

Cultural and traditional practices in Iran work as the main reasons behind the forced marriages of girls under the age of eighteen years. Many parents sell their daughter mainly because of poverty, illiteracy, and poor socio-economic conditions (Matlabi, Rasouli, Behtash, Dastjerd, & Khazemi, 2013). In another study, scholars viewed that large scale trafficking of women and girls has taken place between 2000 and 2003 in Iran. These trafficked women are further exploited in the prostitution industry. The study further reviews that these girls are not trafficked into the sex industry internally only but also to cross the border for example, France, UK, Gulf States, Afghanistan, and Pakistan (Hughes, 2002; Kelly, 2005b).

Children trafficking for sexual exploitation routes and processes vary from place to place. Children from Iran were mostly trafficked within the country, Afghan children dominantly girls were trafficked to Iran for commercial sex and forced marriages. Similarly, women and girls from Iran are trafficked into Pakistan, Turkey, Kuwait, Qatar, UAE, Germany, UK, and France for forced marriages, and prostitution (The News International, 15 Feb 2007). In addition, the large international trafficked population flows into Arab countries (Mattar, 2003; Kelly, 2005b). The Gulf States deserve more attention

concerning all forms of trafficking. It constitutes a hot spot for the purchase of sexual services (Badran & Turnbull, 2019).

Preferences attached to male children gave rise to the shortage of women of marriageable age resulted in the demand of trafficked bride (Quek, 2018). Chinese one-child policy, abortion, and infanticide for the preference of the male child has left a few women for marriage. In this regard, bride trafficking for forced marriage emerged in China (Jackson, 2006). Many girls reported that girls are kidnapped and trafficked for forced marriages from rural areas to main within China and abroad (Chantler, Gangoli, & Hester, 2009). Similarly, the fewer females in China due to the one-child policy operated the women trafficking for forced marriages. To meet the demand a large number of Cambodians and Vietnamese women and girls were trafficked to China and were sold as brides (WEF, 2016).

A situation that has been observed by UNODC (2016: 32) and scholars (e.g. Davi, 2006; Kim, 2010), that bride selling is being practiced in various parts of South-Asia. Bride selling has also been identified as a major problem in China, North Korea and India (Muico, 2005). Different prices are charged for (keeping in view the racial status) women and girls trafficked from the origin states industry. Focusing on race reflection, sex business owners pay more to Filipina girls than those of Sri Lankan in the Gulf States (Shelley, 2002). A study revealed the trafficking of Vietnamese girls to China for forced marriage is reported as the outcome of trafficking. Two factors mainly make these women vulnerable to trafficking for marriage i.e. demographic reflection and the deficiency of girls in China and the economic insecurity and the inflation of the bride at China and accessibility of Vietnamese at a cheaper price (Attane & Guilmoto, 2007).

In China men outnumber women. Chinese men buy foreign women for high prices. China-Vietnam border was an economic opportunity for Vietnamese because most of them were in the quest for employment in China. Being cognizant of the situation, traffickers find an opportunity to transfer these women to China as a sex workers, domestic servitudes, and wives (Le, Belanger, & Khuat, 2005). Similarly, Vietnamese women were sold to men in China via mail order bride. Most of these Vietnamese women use Singapore as a destination country as a marriage migrant (Ahn, 2006; Duong, 2012). According to an estimate 119,000 Vietnamese girls have been moved as married migrants to Taiwan, South Korea, and Singapore (Ahn, 2006; Attane & Guilmoto, 2007; Duong, 2012). Another study stated that an important quantity of women were trafficked into the sex industry were initially trafficked into forced marriages (Dottridge, 2017). Factors such as marginalized status in the labor market, and their labor (sex work) is not socially approved as work (Piper, 1999).

Internal trafficking is widespread in the forms of sexual, and labor exploitation. Though within the context of Cambodia, transnational trafficking comprehends the forms of trafficking including debt bondage, child sex trafficking, and forced labor in divert job originating sectors, for example, domestic servitudes, construction work, and fisheries. The push and pull factors of human trafficking in Cambodia mean the bitter reality of socio-economic conditions that leave several families and people struggling to live and seeking methods to ease deprivation (Gilarowski, 2016; Keo, 2013).

Malaysia has adopted criminal approach instead of human centric approach for the combat of trafficking. Similarly, other Asian states also adopted criminal modal instead of human rights response to the eradication of trafficking (Willman, 2009). In spite of the

human rights aspect of human trafficking, Malaysian has made very little efforts for the implementation of the actual rights protection of the victims of trafficking. Endorsing human right framework is not easy task because the focus is on prosecution of traffickers/smugglers instead of victims' protection (Ismail, 2014).

Various cultures have been known as encouraging forced/coercive marriages. Whereas, there is important works responding forced marriages as against the philosophy of religions for example forced marriage is prohibited in Islam (Caroll, 1998; Chantler, Gangoli, & Hester, 2009; Gangoli, Razak & McCarry, 2006).

Currently 164 countries are signatories or have ratified the Palermo Protocol. Among the nearly two-dozen member states that have not yet become signatories to the Palermo Protocol are Afghanistan, Bangladesh, Iran, Nepal, North Korea, Pakistan, Singapore, and Yemen (Chamie, 2015). A large number of trafficked persons including women and children originate for South, and East Asia. The trafficking originating countries include Bangladesh, Cambodia, China, India, Japan, Malaysian, Myanmar, Nepal, Pakistan, Philippine, Thailand, and Vietnam particularly for sexual exploitation, domestic labor, and forced labor (Wennerholm, 2002). Similarly, main migration routes comprise of Afghanistan-Pakistan, Bangladesh-India, India Pakistan, and Nepal-India. It is essential to note that these routes are very dissimilar, and reflect a series of historical, and contemporary social, economic, cultural, and security reasons (IOM, 2019).

Women in South Asia usually face multiple forms of violence such as violence including domestic violence, sexual harassment, rape, gang rapes, suicides, and dowry death because of domestic, physical violence, financial oppression, mental and psychological torture, stigma after the rape, forced marriages, and trafficking (Mohajan,

2012). Forced marriage persists in many countries e.g. Bangladesh, Nepal, Indonesia, Pakistan and Afghanistan (WEF, 2016). Due to the huge demand for women and girls, smugglers and traffickers take trafficking as a very lucrative business. The organized groups of traffickers frequently trap young women and girls with false and fake promises of jobs and marriages (Hossain & Turner, 2001; Mohajan, 2012).

India is a origin, transition, and destination country for various forms of human trafficking including forced labor, sexual exploitation, and forced marriages (Calandruccio, 2005; Joffres et al., 2008). India is attempting to battle human trafficking and its forms including forced labor especially of children, sexual exploitation, forced marriage, and begging. Domestically the Indian government has adopted various types of human trafficking legislations and acts that aim to prevent forced labor, bonded labor, and sexual exploitation. In addition to penalties of imprisonment of seven, ten or more years for human trafficking, India is also pushing national media campaigns against child labor (Chamie, 2015).

A study finds in Bangladesh that women are devalued on social, political, and economic level by the client and employers. They are marginalized at the domestic level and are socially constructed and natural passing through the lowest position in society (Hossain & Turner, 2001; Mahajan, 2012; Kelly, 2005b). In the context of Bangladesh, trafficking is the illegal exportation of women from place of origin for sexual services. Trafficking can properly be explained as all acts involved in the capture, kidnapping, abduction, recruitment, and transportation of women and girls within and across national borders with the intent to sell, exchange for illegal purposes that is prostitution, servitudes in the guise of marriages, bonded labor, or sale human organs (Ahmed & Sarkar, 1997;

Paul & Hasnath, 2000).

Afghanistan remain source, and transit for human trafficking. Men, women, children are trafficked for forced labor, sexual exploitation, prostitution, begging, and forced marriages to various parts of world including Pakistan, Iran, and Arab countries. These are trafficked with the consent of their parents, and relatives in the guise of having social and economic security abroad. Women and girls are kidnapped, trapped by false marriage proposals, and sometimes sold for forced marriages and prostitution in Pakistan. They are sometime trafficked internally for the settlement of family disputes or debts, including forced marriages, forced labor, and sexual exploitation. Similarly, boys are trafficked internally for labor, sexual exploitation, and dancing. Iranian women also use the rout of Afghanistan for transit to Pakistan for forced prostitution (Huda, 2006).

Trafficking like practices such as early and forced marriages, kidnapping, abduction, bride price, dower, and exchange of women and girls for the settlement of family and tribal disputes prevailed in Afghanistan have been specified as a harmful practice within the UN definition of gender-based violence (IOM, 2012; Kelly, 2005a). Human trafficking intersects with several factors at different levels. For instance: conflict, loss of lives, livelihood practices, socio-economic insecurity, and poor security, common practices of violence including forced marriages in Afghanistan are, the reasons of the vulnerabilities of women in trafficking (IOM, 2008). According to a study 60 percent of Afghan girls are given in marriage by their families before they reach the age of marriage. This make their role as an insufficient mother due to their immaturity and increases illiteracy as it is documented that eighty percent of women in Afghanistan are illiterate due to early marriage (Seelinger, 2010).

Besides, Afghanistan is facing mass population displacement. The country faced the second highest disaster displacements in sub-region due to drought conditions (IOM, 2019). A lot of the displaced people did not have safe places to stay. They ended up living in camps or open areas where basic social services and means of livelihood are missing. Women and children lived under these conditions were mostly at risk of several forms' exploitations including trafficking (Danailova-Trainor & Laczko, 2010; IOM, 2008). The security situation in Afghanistan and gender inequality remain to limit women' rights and drive women to sexual exploitation (IOM, 2012; Kelly, 2005b). The militia is spying on the Afghan population in breach of privacy laws. Some Afghan parliamentarians have established criminal business and are involved in the kidnapping, for ransom, drugs, and human trafficking. They have established contacts with the insurgents and also turned northern Afghanistan into the business of male prostitution and child sex slaves (Jalalzai, 2014). IOM (2012) reported that the situation of internal trafficking in Afghanistan. The report emphasized that the issue of trafficking in the country is alarming and requires the focus and attention of counter-trafficking agencies to combat it.

The statement that everyone come from FATA do not have valid NIC particularly women and girls. According to an estimate, 51 percent of the total and 85 percent of internally displaced women and girls did not have CNIC. The study revealed that the civil documentation, particularly for women is the biggest challenge for government and stakeholders (Khan, 2012; Mohsin, 2013).

Human trafficking remains a serious issue in Southern Asia. The data for many countries in the sub-region are unusual. According to the report nearly 60 percent of the victims detected in the sub-region in 2016 were women and girls. This data is available for

four countries, including Pakistan, Bangladesh, Maldives, and Nepal (IOM, 2019; UNODC, 2018). With the assistance of IOM, Pakistan initiated anti-trafficking legislation, and prevention to control the threat of human trafficking (Yousaf & Purkayastha, 2015).

Iran and Pakistan hosted a large population of refugees and ranked in top ten. About 3.9 million Afghan migrated primarily to Iran and Pakistan. The migrants flee from the danger of conflict, political disparity, and violence raised since 1970s within Afghanistan (IOM, 2019). Pakistan shares long border, ethnic homogeneity, religious uniformity, and economic ties with Afghanistan. The country remained the major host for many decades. The current statistics was estimated that currently 1.4 million Afghan refugees are hosted at the end of 2018 (IOM, 2019).

A study reveals that teenage and young girls are trafficked from Pakistan to Middle East on the pretext of employment, and good opportunities. Instead of this, they are used for sexual exploitation, prostitution, and fake marriages. These girls are trafficked on bogus and fake documents. Traffickers trap young girls from different parts of Pakistan. Many times, the traffickers were arrested for involvement in this business by the police such as traffickers who trafficked 40 young girls to Arab countries were arrested for exploitation (The News International, 15 Feb 2007).

The traffickers use the territory of Pakistan as origin, transit, and destination for human trafficking. Women and girls from various South and East Asian countries including Afghanistan, Bangladesh, Iran, Myanmar, Nepal, and Central Asia are trafficked into Pakistan for labor and sexual exploitation (Huda, 2006; Khowaja, Tarani, & Agha, 2012; Shaheen, Awan, Waqas, & Aslam, 2012). Women trafficking is linked with poor economic condition, gender-based discrimination, illiteracy, and lack of the awareness about human



rights are underlying causes of the prevalence of human trafficking. The existing data reveal several areas of concern, i.e., direct health effects, the use of illicit drugs, and inaccessibility to healthcare facilities. Several interventions are required for instance: prevention of trafficking, victims' protection and potential prosecution of the traffickers and smugglers (Khowaja, Tarani, & Agha, 2102).

British Broadcasting Corporation (BBC) reported that suspected group of Chinese traffickers are involve in the trafficking of women and girls on the guise of marriages. Women and girls are trafficked from Pakistan to China and further pushed into prostitution. The traffickers were primarily working in power project and arranged marriages at the rate of \$12,000 to \$25,000 per ad. Many women trafficked to China were from economically marginalized Christian community. The parents received many thousand dollars and sold their daughter to Chinese traffickers. The report further explains that the trafficking of women and girls from Asian countries to China for forced marriage was documented earlier, and the current wave shoes that Pakistan is new hot spot for Chinese trafficking industry. The trafficked girls were threatened with the organ removal if they denied sexual services to the customer (BBC Urdu, 15 May 2019).

The report shows that about 600 Pakistani young girls sold to marriages into China. The target of recruitment of women and girls for forced marriages the Christian community residing in the different parts of Pakistan. The chain of trafficking in ringed between Chinese, and Pakistani traffickers. Parents were involved in the chain of selling daughters. The girls after marriage were isolated for some times and then abused, and forced into prostitution. The trafficked girls plead to bring them back to Pakistan (Aljazeera, 5 Dec 2019).

According to an estimate 20,000 cases of domestic trafficking were reported in 2018 including 92 percent women and girls. An officer of FIA said in a seminar that most of the evidences of human trafficking are not reliable. It is difficult to ascertain the number of women and girls trafficked for forced labor, domestic servitudes, sexual exploitation, and forced marriages in Pakistan. He said that Pakistani women were trafficked from both the rural areas and the big cities (Pakistan Today, 27 Aug 2019).

Human trafficking always remains a miserable practice for its victims. The trafficked persons are transported and contained in bad condition in trucks and other transports. For example, a driver of container contained more than one hundred persons in his container. He was basically the group member of organized traffickers and smugglers. He was trafficking these people in majority of them were Afghan, trafficked from Afghanistan and were carried to Iran via Pakistan. Unluckily, due to suffocation some sixty trafficked people were found dead and others unconscious when the container driver opened the door in Hazar Ganji, Quetta. The result shows that the trafficked persons at the risk of various form of exploitation (Mirza, 2010).

Pakistan has made several efforts to address the challenges of human trafficking through the prosecution, protection, and prevention (Mirza, 2010). Pakistani folks move and trafficked towards various regions for instance, Middle East, Europe, America, and other developed countries. It is hard to have concrete statistics of the trafficked and smuggled person not from Pakistan, but also from other economically vulnerable countries. Majority of the victims of trafficking include economically deprived, socially isolated, and some time social and cultural barrier become the push and pull factors entering into trafficking (Butt, 2010).

The study emphasize that the practice of human trafficking prevailed in the forms of children trafficking for camel race to Middle East, women and girls trafficked for prostitution internally, and transnationally. The state's response to address the problem of trafficking is associated with the P & CHTO 2002 law. But the experts state that the focus of country is on the smuggling of migrants rather than human trafficking. Despite the laws such as P & CHTO and Women Protection Act, women still live in fear of kidnapping, and trafficking for sexual exploitation. The human rights of Pakistani women have not brought for consideration. That is why, women and girls vulnerable to several forms of exploitation including human trafficking (Weiss, 2012).

## **2.6 Human Trafficking and Human Rights**

Human trafficking is an issue of human rights violation both as a reason and a consequence. It involves the violation of several human rights, including civil and political, social and economic, and cultural and environmental rights. According to Jorden (2002) the growth of trafficking is associated with human disparities that serve as recurring grounds for trafficking including civil war, environmental catastrophes, domestic violence, and discouraging economic development. Trafficking stream generally flows from under developed to prosperous regions because of attractive economic opportunities. Many women and girls are desperate to migrate to prosperous areas to earn a good future for them and their families, and for traffickers they become easy prey who lure them through the false and fake promises of prosperous future through the conduit of forced or fake marriages. However, such marriages may result in exploitation of women. According to the Office of the High Commissioner for Human Rights (OHCHR), human trafficking in any form is violation of human rights. Trafficking includes exploitative practices such as

forced labor, bondage, child labor, sexual exploitation, and forced marriage. These all practices involve the violation of the fundamental rights of people and they forced into involuntary situation (OHCHR, 2010).

Lobasz (2009) believes that main contribution of the feminist perspective to study human trafficking lies in the investigation of the social construction of human trafficking. This approach challenges the traditional security model of restricted migration or deporting those who are forced into migration as such actions are violation of the human rights of migrants those who are victims of trafficking. Focus of anti-trafficking interventions should be human security i.e., to safeguard and help those irregular migrants who have already been victims of exploitation. This human rights-based approach shifts the focus of security from state to individual whose rights have been violated.

Focusing on international trafficking or separating it from internal trafficking reinforced the assumption that trafficking is a migration-related issue rather than human rights violation (Ray, 2011). In 1995, the United Nations declared human trafficking as a violence against women in which women and girls are exploited against their free and full consent (Weldon & Htun, 2013). Human trafficking is not the international organized crime only, but also practiced and a severe human rights violation. Human trafficking remains a serious human rights issue at the local and global levels (Follmar-Otto & Rabe, 2009). Refugees particularly women and girls are at a greater risk of vulnerability for exploitation in human trafficking (AI, 2017).

Feminists have insisted on the problems of women' human rights and violence against women worldwide. They have drawn attention to understand the socially constructed expression of gender-based violence such as trafficking of women for

numerous forms of trafficking including forced marriages, honour killing, and genital mutilation against women (Dustin, 2016; Erturk et al., 2012; Fernandez, 2009; Jaggar, 2005; Roggeband, 2007; Ticktin, 2008). Similarly, the UNODC (2009) global report confirmed women as the major subject of trafficking in person. In this regard, the forceful transportation, transaction, abduction, and deception of women are common in the trafficking industry. Women, and children include major proportion of the victims of human trafficking in global south as well as global north (Schauer & Wheaton, 2006; Uprety, 2014).

Victims tend to prove physical signs of violence in respect to be confirmed as the victims of human trafficking. Victims of trafficking are expected to prove, resistance, or attempt of escaping (Townsend, 2011). In a study, the researcher concludes that the issue of trafficking can better be addressed through the victim-centered approach. He believes that approved sites for data collection make the research biased (Holder, 2017). Many women are the victim of human trafficking compared to the men population. The sex industry provides the gateway for the boost of trafficking as employers and women are also exploited in other forms of trafficking (Hughes, 2000; Tsutsumi et al., 2008). There are very small data about the prosecution of the victims of trafficking and their fear of charge in the press. National and transnational communities have not taken effective measures in fight against human trafficking or for the protection and rehabilitation of the victims of trafficking (Buckly, 2009; Sulaimanova, 2006; Zakhari, 2005).

## **2.7 Human Trafficking and Gender Intersectionality**

Feminist scholars for long have been emphasizing and criticizing the gendered hierarchal structures of society that lead to the marginalization and objectification of

women. Regarding this research, the significant work, however may be in the surveys of the social construction of exploitation and violence against women, which pinpoint the negative role that racist, and sexist stereotypes perform in construction of the category of women victims, particularly who counts as victims of trafficking (Bernstein, 2012; Crenshaw, 1990; Jordan, 2002; Lobasz, 2009; Majic, 2014; Yousaf & Purkayastha, 2015).

The concept of intersectionality was first of all documented in the intersectionality theory by Kimberle Williams Crenshaw. The focus of intersectionality theory is that gender is not the only structure that results in the exploitation and violence of women, but there are several other structures or social hierarchies such as age, race, class, ethnicity, nationality, sexuality, geographical location, and religion which intersects gender and result in suppression, violence, and exploitation (Carbado, Crenshaw, Mays, & Tomlinson, 2013; Crenshaw, 2014; Viruell-Fuentes, Miranda, & Abdulrahim, 2012). The theory of intersectionality would guide me to pay particular attention to intersecting structures or hierarchies that make certain women and girls susceptible to trafficking into forced marriages. Situating trafficking amidst intersecting vulnerabilities and exploitation, Yousaf and Purkayastha (2015), showcase that trafficking cannot be considered as a discrete form of violence unrelated to women's oppression and violence in other spheres. Hence, trafficking needs to be conceptualized as a form of exploitation the continuum of violence that women and girls encounter in their lives. Moreover, for women and girls in the global South, it becomes important to understand how modernization and globalization affect their living experiences (Bhattacharya & Nair, 2014; Khurram, 2017). According to a study racial status matters in the rise and fall of women and girls. For example, Slavic women receive more wages than Caucus women in sex work (Shelley, 2002). Similarly,

Bangladeshi and Nepalese women are perceived as innocent and attractive that is why they are at the top target of traffickers for recruitment (Hussain & Turner, 2001; Mohajan, 2012).

Women as the victim of trafficking experience several episodes of violence. The victims' poor socio-economic background, poor educational exposure, and single parent make them vulnerable to several forms of exploitation. Most victims are afraid of getting legal assistance because of their exposure to abusive and exploitive conditions, fear of retaliation, deportation, linguistic barrier, and criminal charges (Stewart & Gajic-Veljanoski, 2005). Similarly, not only poverty but also the cultural practice of marriage makes women and girls susceptible to trafficking in persons in different regions (Clark, 2003). Sometimes women responses to advertisements of work and study, and taking the help of smugglers to travel abroad for better employment opportunities make them victims of trafficking (Klueber, 2003; Schauer & Wheaton, 2006). Women and girls enter in the destination country by the traffickers. That require several sets of false and bogus documents. The traffickers arrange false documents, women trafficked are at disposal of risk and cost in return to pay off and travel arrangement to the traffickers. The traffickers also keep the documents of women in their custody to prevent them from escaping (Hodge, 2008; Piper, 1999; Richard, 1999).

In South Asia, the majority of the trafficked person included women and girls (UNODC, 2012). Young girls are high in demand to be traded as commodities. Many times parents and family members are found involved in their exploitation (Timmerman, 2006). Women and girls are sold into marriages to settle fathers' debt, forced to fulfill the promise of an uncle with their friends, and rapist marries for other outcomes from the girls (Mikhail,

2002; Seelinger, 2010). Women and girls are identified with diverting exploitative conditions in trafficking and major proportion remain victims of trafficking across the globe (Hynes, 2014; Kelly, 2005b; Mattar, 2003; Sales, 2002). Women and girls were target of various forms of gendered violence including domestic slavery, kidnapping, rape, sexual slavery, and forced marriages. Many of these girls were raped before reaching to the puberty age and made bush wives (Bunting & Quirk, 2017; McKay & Mazurana, 2004).

Trafficking into forced marriage is a large structure of gender inequality that exclude women from civil and political participation, social and economic independence, and reproductive autonomy (Seelinger, 2010). Forced marriage is a gendered phenomenon for following reasons that is existing data on forced marriages suggest that large proportion of women and girls experiencing forced marriages. And, the effect of forced marriages are sever for women and girls. They are vulnerable to face consequentially sexual abuses, rape, and domestic violence after marriage (Erturk et al., 2012; Gangoli, Chantler, Hester & Singleton, 2011; Kazmirski et al., 2009).

Traffickers exploit traditional practices such as bride price, for trading women and girls as commodities in different parts of the world. It is like enslaving the girl for life because the buyers have so-called legal, and cultural ownership over her (Rogers, 2004). The trafficked women experience several episodes of violence from the traffickers, pimps, and consumers when they would make any mistake. It included punching, slapping, being hit by objects, beaten with sticks, belts, bats, and fists, being coerced to drink alcohol, sexual violence, rape, solitary confinement and mental violence (Dzuhayatin & Silawati, 2002b; Stewart & Gajic-Veljanoski, 2005; Rosenberg, 2003; Warner, 2004; Warner, 2012).



Scholars stated that government policies instead of providing women as the victim of trafficking incentives to co-operate, they are deported as illegal immigrants. In response, they are reproduced as the cycle of abuse of women by returning them to their source country where they are at the greater risk of re-trafficking (McSherry & Kneebone, 2008; Kempadoo, 2005). Many feminist scholars (e.g. Chantler, Gangoli, & Hester, 2009; Gangoli, Razak, & McCarry, 2006; Hossain & Turner, 2001; Siddiqui, 2002) believed that forced marriages the violation of human rights and gendered violence that prevailed in the society.

According to an estimate globally women proportion comprise of 49 percent of victims of human trafficking, 21 percent girls, 18 percent men, and 12 percent boys are documented proportionally (UNODC, 2014). It is documented that 40.3 million people are the victims of human trafficking. Out of the total 24.9 million lived in forced labour and 15.4 million lived in forced marriage (ILO, WFF, IOM, 2017). Similarly, it is informed that 24.6 million people lived in modern-day slavery (U.S. DOS, 2019).

Bernstein (2012) also argues that the dominant focus of discussions and interventions on human trafficking as a gendered phenomenon has been on the criminalization aspect. This narrow focus ignores the original agenda and struggle of feminist scholars and activists i.e., achieving economic justice and liberation. Punishing the perpetrators involved in traffic is not enough as it does not restore the rights of women and girls being the victims of trafficking.

There are several strong push factors in the source countries, and pull factors in the destination country. Both the source and destination countries, require to take effective measures because alone one cannot address the issues of human trafficking.

Comprehensive, and effective strategy framing enable the countries to address the issues of push and pull factors, and is beneficial for the combat of human trafficking (Ghosh, 2009). According to the scholar there is no uni-dimensional remedy for the eradication of human trafficking. It is a complicated phenomenon, and need to be addressed from multi-dimensions to reduce the menace of human rights violation (Van Impe, 2000).

The traffickers often share the same ethnicity, culture, and language. So that the trafficker uses these factors to exploit the victims. The victim is from the same language as of the trafficker and the victim is not able to speak other language. Consequently, the traffickers make them afraid of the authorities by using the same language (Sirseloudi, 2017).

Women and girls represent considerable number of victims of trafficking. They are trafficked for forced labor, bond labor, begging, prostitution, and forced marriages. The marriage bureaus contribute to extend national and transnational offers for marriage arrangement. They trap women and girls through fake and bogus promises in the guise of marriage and make them vulnerable. Moreover, another method used by the recruiters is that they involve with girls on the name of love and romance relationship. They trap them for false marriage and further push these girls into sexual slavery (Voronova & Radjenovic, 2016). The UNODC has implemented gender sensitive approach because the experiences of men and women differ from each other, and they have different vulnerabilities as observed in everyday life (UNODC, 2014).

According to intersectionality each person is positioned at the intersection of many social axes. These social axes include race, class, gender and each person is liable to advantages and disadvantages specific to his/her intersectional position (Collin, 1998;

Crenshaw, 1990; Davis, 2006; Hancock, 2007; Shields, 2008). Intersectionality is widely used as framework in academic disciplines to enlighten and articulate the oppressions experienced by multiple minorities (Vidal-Ortiz, 2006). The minorities are marginalized on the bases of several intersectional factors including sex, sexuality, gender, race, class, and nationality (Robertson & Sgoutas, 2012). The intersectional position articulates with other dimensions of identity for instance, age, gender, race, ethnicity, and socio-economic background (Warner & Shields, 2013). There are several coercion linked with intersectional inequalities including forced marriages. The socio-economic background, cultural practices within communities, race, the normative status of heterosexuality in society, gendered legal discourses and state policies as the reasons for vulnerabilities can be studied from women position (Anitha & Gill, 2009). Intersectionality is the most important theoretical contribution that women studies have adopted so far (McCall, 2005). The emphasis on criminalization, criminal-justice remedy in sex trafficking, the causes of sex trafficking, globalization, economic inequalities, poverty, ethnicity, racial status, and gender oppression are intersecting factors that intersect with each other and increase women vulnerability (Baker, 2014).

Simple explanations that the exploitation of women and girls is due to gender are not enough. Several other factors or structures intersect with gender such as age, class, caste, religion, culture, and produce intersecting vulnerabilities that lead to trafficking of women and girls. In this study, I used human rights and gender intersectionality theoretical lens to understand and explain how trafficking in forced marriages intersects with other forms of exploitation and involves the exploitation of fundamental human rights.

## **Chapter Three**

### **Research Methodology**

The review of the literature in previous chapter provided a deep understanding of trafficking in persons around the globe. It highlighted the issues of human trafficking and its various forms as socially constructed practices in a society. The review of the literature helped in understanding the various types of trafficking in persons, including trafficking into forced marriages. The literature further added intersecting elements that played important role in the violation of human rights of trafficked persons. The main purpose of this study is to explore the lived experiences of women and girls trafficked into forced marriages from Afghanistan and Pakistan. This chapter describes the research design chosen to address the research questions, methodology, data collection method, data analysis and ethical consideration employed in this research to produce knowledge about how women and girls trafficked into forced marriages experience their everyday lives.

#### **3.1 Research Design of the Study**

The purpose of the research design is to elaborate the overall structure of the study. Research design helps to obtain significant data on the topic under research study (Kathuri & Pals, 1993). The research design provides the plan of work and framework that guide the researcher in the collection of data as well as data analysis. It is like the blueprint of the designer for scheming a house. The research design gives the essential data about an inquiry and facilitates the researcher to lead the study in a specific way (Crotty, 1998).

This is an exploratory research study. In this respect, after the careful review of the literature of different methodologies, qualitative research design was adopted for a purposeful and meaningful understanding of the phenomenon of trafficking into forced

marriage. It is important to mention here that the decision of qualitative research was taken to have a deep insight into the issues of women and girls trafficked into forced marriages as stated that the qualitative research allows to have in-depth knowledge of the selected social issue (Creswell & Poth, 2017). Moreover, qualitative design and methods can describe, and help understand different characteristics of the social world (Tavallaei & Talib, 2010). Furthermore, qualitative research helped to unearth various human actions involved in the process of trafficking (Maxwell, 2012; Merriam & Grenier, 2019; Merriam & Tisdell, 2015). Qualitative research comprises of an explanatory, and realistic approach, and attempt to make sense of the phenomena in terms of the meaning individuals attach to them (Denzin & Lincoln, 2011).

### **3.2 Selection of the Study Sites and Participants of the Study**

Research location and selection of the population necessarily be chosen to fit the meaningful purpose of the qualitative study (Bryman, 2016; Flick, 2006). The data for this study were collected from three types of participants/populations, including Afghan and Pakistani women and girls who were trafficked into forced marriages in Balochistan, brokers that connected the buyers and sellers, and the stakeholders comprising the representatives of government and non-governmental organizations working on the issues of human trafficking. In this study, I selected research area to recruit participants for interviews to examine the variety and deepness of research findings. I tried to select appropriate samples which characterize a comprehensive and knowledgeable opinion and experiences related to human trafficking. The fieldwork for the present study was conducted in the Balochistan province of Pakistan. The data were collected from two divisions of Balochistan including Quetta and Zhob. These two divisions were selected for

data collection because they border Afghanistan, host refugee camps, and serve as main destination and origin point for the trafficking of women and girls (Khosravi, 2007). Moreover, as I belong to Quetta city, I was very much familiar with the local culture, language, and dynamics of trafficking, and have a strong social network that helped me to access the participants for this research. Data from stakeholders were taken from Quetta where the main offices of governmental and non-governmental organizations are situated. The regions were chosen based on the following criteria:

- evidence of human trafficking, including identification of a significant number of human trafficking cases, criminals and/or victims;
- programs for trafficking prevention and victim protection.

### **3.3 Sample Size and Sampling Technique**

The most challenging task conducting research on human trafficking is the element that the populations relevant to the issue, such as victims of human trafficking and brokers/traffickers, are part of hidden population, i.e., it is very difficult to establish a sampling frame and draw a representative sample of the populations. The research studies dealing with research methods pinpoint some of the major complications encountered when conducting research on human trafficking (Tyldum & Brunovskis, 2005). However, it is vital to choose a suitable number of participants for drawing meaningful information and results (Creswell, Hanson, Clark Plano, & Morales, 2007). The participants in the research were purposively chosen keeping in view the specific research questions (Kothari, 2004).

In this regard purposive sampling technique was used to recruit the participants for this study. The interviewees were women and girls trafficked into forced marriages, the brokers/traffickers, and relevant officials of governmental organizations from Police,

Levies, Prosecution, Bureau of Emigration and Oversea Employment Federal Investigation Agency, Women Development Department, Social Welfare Department, Law and Human Rights Department and non-governmental organization including Aurat Foundation, HRCP, SEHER Organization, UNHCR, UNODC, and UN Women who were identified in the course of the study as having information and/or interaction with the issues of human trafficking. As suggested by (Kothari, 2008; Kothari, 2004; Liangputtong, 2006), purposive sampling technique was used to pick out information-rich participants that met the defined criteria.

The sample size of this study included 12 Afghan women and girls trafficked into forced marriages from Afghanistan to Pakistan, 12 Pakistani women and girls trafficked internally into forced marriages, 3 brokers/traffickers involved in chain of selling and buying of the Afghan women and girls, 3 brokers/traffickers involved in chain of selling and buying of Pakistani women and girls, 14 officials of governmental and non-governmental organizations working on the issues of human trafficking. In addition, human trafficking related laws and interventions were also analyzed.

### **3.4 Sampling Criteria for the Study**

Meaningful practices to be used in the selection of study participants are the identification of their age, gender, status, role, and that they have some knowledge of the topic being researched. This help to have reliable witness for interviews (Turner, 2010). In this regard, the following criteria were set up for this study.

- Women and girls trafficked into forced marriages from Afghanistan and Pakistan and brought to Balochistan.
- Brokers who connect buyers and sellers for trafficking of women and girls.

- The stakeholders, including government and nongovernmental organizations, that have been dealing with the issues related to human trafficking.

### **3.5 Data Collection Process for the Study**

The data collection process for this research comprised of both primary and secondary data sources. The primary data sources include three groups: women and girls trafficked into forced marriages from Afghanistan and Pakistan; brokers/ traffickers involved in the chain of human trafficking; and stakeholders engaged in the prevention of human trafficking. The entire primary data collection process took place in the year 2018-19. Women and girls trafficked into forced marriage were interviewed one-on-one basis at their desired place and time where they were comfortable. To make the women participants more comfortable and remove their hesitation to share their personal experiences with a male, I took the help of female research associates for the collection of data. Female research associates obtained the consent of female participants and further interviewed them.

Representatives of relevant organizations were also approached for data collections and included participants from Balochistan Levies Force, Bureau of Emigration and Oversea Employment, Federal Investigation Agency, Law and Human Rights Department, Police, Prosecution Department, Social Welfare Department, Women Development Department, and non-governmental organization including Aurat Foundation, HRCP, SEHER Organization, UNHCR, UNODC, and UN Women. One-on-one interviews were conducted with the representatives of the above-mentioned organizations. The interviews lasted between one and one and a half hours. After obtaining the permission, many of the interviews were recorded, however, some of them were not recorded and extensive notes



were taken and later transcribed for the analysis.

Secondary sources of information were gathered by ways of reading, analyzing, and recording data contained in readily prepared materials such as private and public statistical record, documents, journals, books, magazines on human trafficking, existing laws and policies linked to human trafficking. Secondary sources of information used in this study were also obtained from government departments and NGOs. Similarly, the data published by government and non-governmental organizations were also accessed and analyzed.

### **3.6 Research Methods**

This study incorporated the lived experiences of women and girls trafficked into forced marriages from Afghanistan and Pakistan. Qualitative methods for the study are selected because they offer an opportunity to the participants to explain their experiences in their own words (Landsheer & Boeijie, 2010). Qualitative methods practiced in social research are characterized by no single method. A range of different methods as part of different approaches are chosen in accordance with the main research questions. In research the object of investigation and the central question represent the point of reference for the selection and assessment of methods. The practice of the qualitative method is highly recommended when the researcher investigates everyday life events, data are collected in natural contextual, and statements are examined in the context of a comprehensive answer, or an interview or a narrative. Furthermore, the competence of researchers to catch several features throughout the investigation process perform a pivotal role. According to many researchers, qualitative exploration advances a particular construction of the reality of those under inquiry and generates the situation to find out different viewpoints of social

phenomena (Creswell, 2013; Jenner, Flick, von Kardoff, & Steinke, 2004).

For this study, the in-depth interview method was used to showcase the experiences of the participants. One of the benefits of using qualitative interview method is that it provides the chance for participants to share experiences they like based on their own understandings. This is significant for this study to learn more about the important aspects of individual experiences, knowledge, and causes that make them vulnerable to exploitation. Qualitative interviews draw on the social processes and experiences that the researcher is involved in discovering. It allows for meaningful exploration by researchers whose positions recognize that the experiences and interactions of people are meaningful properties of the social reality (Mason, 2010). The qualitative interview also allows the interviewer to use own expertise, knowledge, and social skills to dig out motivating or unforeseen thoughts or themes raised up by the participants (Plas, Kvale, & KVALE, 1996). The interviewee is perceived as a knowledgeable and the researcher is seen as a student. The researcher wants to learn anything the study participants share about the study area (Alsaawi, 2014; Mack, 2005).

### **3.7 Matching the Research Objectives and Research Methods**

This study broadly has one primary purpose, from which five objectives have been derived (see Section 1.4). The prime purpose is to examine the lived experiences of women and girls trafficked into forced marriages from Afghanistan and Pakistan, from the perspectives of women and girls trafficked into forced marriages, the brokers involved in the chain of trafficking, the stakeholders involved in the prevention of trafficking, and also the laws and policies that address the issue of human trafficking for various purposes particularly trafficking into forced marriages.

### **3.8 Tool/Instrument of Data Collection**

The qualitative semi-structured interview guide was used for obtaining primary data from women and girls trafficked into forced marriages from Afghanistan and Pakistan, brokers involved in the chain of trafficking, stakeholders belonging to various government and non-governmental organizations working on the issue of human trafficking. For conducting semi-structured interviews, the interviewer prepares a list of questions before the interview to use as a guide during interview (Lune & Berg, 2017).

The interview guide helps in obtaining meaningful information from the participants to address the research questions (Kvale, 1996). With semi-structured interviews, it is more personable, and the researcher has the flexibility to deviate from an original question based on the response the participant provided (DiCicco-Bloom & Crabtree, 2006). The interviewers are often guided by set of general questions and themes loosely structured (Bryman, 2016), and the interviewer ask the later questions in detail to obtain deep information from participants (Mason, 2010; Lune & Berg, 2017). To ensure, I covered all aspects of trafficking of women and girls trafficked into forced marriages from Afghanistan and Pakistan, I prepared a list of questions beforehand. However, new questions were added based on the response of the participant. For this study, 24 in-depth interviews were conducted with women and girls who were trafficked into forced marriages from Afghanistan and Pakistan to dig out their lived experiences and consequences of human trafficking. Each interview lasted between one to two hours.

Moreover, 6 in-depth interviews with brokers involved in the chain of trafficking of women and girls trafficked into forced marriage from Afghanistan and Pakistan were also conducted. Each interview took 60 to 80 minutes. 13 in-depth interviews held with the

stakeholders affiliated with the governmental and non-governmental organization who worked for the prevention of human trafficking were also conducted. Each interview with the stakeholders lasted between 60 to 120 minutes.

Face-to-face interviews were used to have rich, and nuanced picture of each participant's experiences. It was not possible nor scheduled that each question would be asked in the order listed. The interview questions were increased during the interviews to encourage participants' conversation on the specific issue. In this study, some interviews were digitally recorded, while other were manually noted and transcribed. In addition, Afghan girls were comfortable with speaking Pashto and Persian, Pakistani girls were comfortable with speaking Pashto and Urdu, the brokers were comfortable with speaking Pashto, Persian, and Urdu, and the stakeholders were comfortable with speaking Urdu and English.

### **3.9 Categories of the Participants and Interview Location**

There were four categories of data collection from the participants for this study. First, women and girls trafficked into forced marriages from Afghanistan to Pakistan were interviewed at different places in Quetta, Pishin, and Killa Abdullah of Balochistan. Second, women and girls trafficked into forced marriages from other provinces of Pakistan such as Khyber Pakhtunkhwa, Sindh, and Punjab to Balochistan. They were interviewed in Killa Abdullah, Killa Saifullah, Loralai, Pishin, Quetta, and Zhob. Third, the brokers involved in the chain of trafficking of Afghan and Pakistani women and girls into forced marriages. They were interviewed in Chaman, Killa Abdullah, Quetta and Zhob. Finally, the stakeholders of various governmental organizations and non-governmental organizations were interviewed at Quetta the capital city of Balochistan.

### **3.10 Data Processing and Data Analysis of the Study**

The analysis of the qualitative data gathered from the in-depth interviews is based on two steps, first on a generic approach to coding, which is helpful for the organization and categorization of the collected data and second presenting the data under thematic synthesis (Lichtman, 2013); which means that the knowledge gained from the interviews is presented in a summarized form divided by themes. The generic coding enabled me to analyze the important aspects of the interviews which connect to the subject of this thesis, i.e., trafficking into forced marriages. Therefore, the reduced amount of central and meaningful concepts presented under this approach revealed the understanding of the topic of interest of this research (Lichtman, 2013). The analysis used an interpretive, descriptive approach that aimed to understand and report the view of those being studied (Ritchie & Lewis, 2003).

Qualitative research creates a large, cumbersome database (Bryman, 2016), and describes records of observation or interaction that are complex and contextual. They are not easily reduced immediately to the number (Richards, 2009). Analyzing qualitative data is a tough and challenging task of the study process. In this way, there are various techniques available for analyzing it (Punch, 2005). In this study, the data from interviews and documents were analyzed. First of all, thematic analysis technique was used, which generated the primary themes describing the data set. Besides, content analysis technique was also used as recommended by Hardling (2018) for qualitative data.

### **3.11 Thematic Analysis Approach**

Thematic analysis approach is widely used in social sciences. According to Braun and Clarke (2008) thematic analysis is a method for identifying, analyzing and reporting

patterns (themes) within data. It organizes and describes data set in detail. They further set out six stages of describing the basic process of thematic analysis including familiarization, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the analysis.

Braun and Clarke (2008) suggest that codes and themes may be derived from three sources: (i) a prior issue (thoughts that informed interview questions), (ii) emerging issues elevated by participants themselves or (iii) themes that raise from their opinions and experiences. The reviewing stage involves refining themes, discarding those that are unimportant or poorly supported, and merging similar themes. Reviewing should be by reference both to the content of the theme (the codes it contains asking if they form a coherent group) and to the rest of the data set (checking to see if the themes make overall sense). The description and nomination stage include identifying the core of the theme, and elaborate that what aspect of the information each theme captures in preparation for writing the analysis. As noted above, the goal of such an analysis is not (necessarily) to build a theory or theories that can explain the data. It is to provide a concise account of the salient themes that emerge from the data. I broadly adopted this approach in the analysis of my interview notes to drive the key themes within the theme and thus, organize my data.

### **3.12 Content Analysis Approach**

Content analysis approach is suitable for a study when there is a little theory or research on the topic to be explored. This allows the researcher to generate themes from the existing data on a particular subject (Clark & Adler, 2011; Hsieh & Shannon, 2005; Maxfield & Babbie, 2012). Qualitative content analysis allows the researcher for a more in-depth analysis of the data (Weber, 1999). In this research, laws related to trafficking in

persons were analyzed through a content analysis approach with a particular aim to examine whether the policies and laws address the needs and vulnerabilities trafficked persons, particularly women and girls trafficked into forced marriages.

### **3.13 Limitation of the Study**

The complex and sensitive nature of this research takes into account certain limitations in the planning and execution stages. The following are the limitations of this study:

Security was one of the biggest challenges for this research. Interviewing the victims of trafficking into forced marriages from Afghanistan and Pakistan was challenging task because of safety issues on both my part and my informants. It was dangerous, particularly having their husbands/buyers around. Besides, I also thought that the women and girls trafficked into forced marriages would not tell the truth in their presence. Taking these participants out would generate too much attention. I was able to this by gaining access to the safe and comfort location for interviewing the women and girls trafficked into forced marriage. Moreover, it is possible that the brokers as the participants of this study may have hesitated to discuss sensitive issues during the interview process due to the fear of arrest or their socially unapproved business. After making them sure about myself as researcher, it enabled me to have interviews with the brokers at comfortable zones. Furthermore, it was not easy for a PhD student to acquire permission from government and non-government institutions to interview their staff. To facilitate government approval for research access I explained to the gatekeepers that I do the research as PhD student at the International Islamic University Islamabad, with the purpose of helping Pakistan to overcome difficulties with social problems. This established some measures of credibility.

I also presented letter from the Department of Sociology, International Islamic University Islamabad which introduced me to key informants. Thanks to that information and the official role of the institution. Some leaders also encouraged their staff to provide high-quality information on the research areas. In those cases, participants were more willing to engage actively in the conversation.

### **3.14 Ethical Considerations**

Conducting interviews on sensitive issues can affect or harm the people being interviewed. Therefore, the moral and ethical reflections require to be considered before the interviews (Kvale, 1996). The following ethical considerations were adopted for conducting interviews in this study:

#### **3.14.1 Consent**

I took verbal consent from the participants before the interview. Each participant was informed in detail about the nature and purpose of the study. The participants were given the choice that they were free to withdraw at any stage from participating if they were uncomfortable.

#### **3.14.2 Confidentiality**

Confidentiality is perceived as a sensitive issue; therefore, participants were informed that their names and their views would remain confidential, and the information would only be used only for this thesis. Moreover, maximum efforts have been made not to ask or reveal the personal identifying information of the participants. Pseudonyms have been used to refer to research participants.

#### **3.14.3 Privacy**

The interviews were conducted one-on-one basis at safe places where the



participants felt comfortable.

#### **3.14.4 Validity and Reliability/ Trustworthiness**

Four criteria suggested by (Lincoln & Guba, 1985) to ensure valid interpretation of the data are neutrality, consistency, truth-value, and applicability. Neutrality is ensuring that the researcher is free of biases and is established by conformability (Diebel, 2008). If the research was repeated and the findings were consistent, this would prove the dependability of the data (Holloway & Todres, 2003). Truth-value is determined by the credibility, which is the conviction that the findings are authentic. Applicability is ascertained with transferability. To ensure transferability, I provided a detailed account of my work so that others can apply the same procedure to other situation and achieve the similar results (Shenton, 2004). As long as the instructions are detailed and very specific, the study can be repeated deeming the study to dependable since patterns can be identified.

#### **3.15 Positionality of the Researcher**

Conducting field research on the issue of human trafficking is a very challenging task as it involves the hidden population. I developed an interest in researching this particular issue when I observed in my native area that many women and girls are brought from other countries, especially Afghanistan, through purchase, coercion, and kidnapping for forced or fake marriages. Once they are married, they become more like domestic slaves and experience stigmatization, isolation, and abuse throughout their lives. Moreover, being considered as illegal immigrants, they cannot have access to public services, e.g., health, and are thus, deprived of their fundamental human rights. Although I have been observing such cases in my native area since my childhood, I never realized it as the exploitation of women and girls until I joined a human rights organization in 2011. During my Ph.D.

coursework, I studied this issue as a form of human trafficking and got opportunities to attend some academic meetings, seminars, and conferences. This exposure developed my interest to focus my Ph.D. research on exploring the lived experiences of women and girls trafficked into forced marriages—which is a little-studied form of human trafficking, especially in Balochistan. As I have served the government of Balochistan, and also voluntarily worked with human rights organizations in the province, I have established a network of friends and colleagues that helped me in accessing participants for this research. Moreover, being a resident of Quetta, I was very much familiar with the local languages, spoken by locals and Afghan migrants, culture, and particular areas which served as the main point of origin or destination for the trafficking of women and girls.

Description of appropriate research methodology is an important requirement for any study. The present chapter covers the introduction of the methodology used in this study. It explains in detail how the entire study was planned and executed, and the rationale of using particular methods employed to carry out the study.

## **Chapter Four**

### **Experiences of Afghan Women and Girls Trafficked into Forced Marriage**

In this chapter, I attempted to analyze the data obtained from women and girls trafficked into forced marriage from Afghanistan to Balochistan the province of Pakistan as well as the brokers involved in the chain of connecting the buyers and the sellers of Afghan girls. The chapter deals with the experiences of Afghan women and girls. The reasons involved in creating the vulnerabilities of women and girls that led to their trafficking into forced marriages have been discussed in detail. The chapter further highlights the processes of trafficking of women and girls into forced marriages and their everyday experiences in the continuum exploitation. The chapter also elaborates on the role of the brokers involved in the chain of sale and purchase of Afghan women and girls for trafficking into the forced marriages.

#### **4.1 Socio-Economic Background of the Participants**

Socio-economic background includes current age, age at the time of marriage, education, monthly family income, family type in which they are forced into marriages, and their experience in trafficking into forced marriages. According to Turner (2010), it is an appropriate practice in research to have knowledge about the age, gender, status, and role of the participants. The research data indicate that the age of women and girls was 22 to 32 years at the time of their interviews. Whereas, the age at the time of marriage ranged from 8 to 13 years. Furthermore, the participants revealed that they had never been to formal school and just had little knowledge of religious education obtained from the mosques. The research data indicate that 6 women were Pashtun Afghan, 4 were Turkoman

Afghan and 2 were Tajik Afghan.

The participants of the study stated that they belonged to economically poor families at their destination place. Therefore, they did not have a consistent amount that can be documented as proof of monthly income from different sources. Whereas, for their in-laws, the participants added that the monthly family income ranged from 60 thousand to 200 thousand Rupees. Moreover, the majority of the participants expressed that they live in joint families after forced marriages. Whereas, few explained that they were living in joint families and now in nuclear families after forced marriages. Furthermore, they said that they were involved in multiple works such as domestic work, labour work, and some of them were found to be working as sex workers. The participants elaborated that they were performing several works at the same time. Their husbands were landlords, businessmen or employed in private offices.

The age of brokers ranged from 34 to 41 years. They had never attended an educational institution and were illiterate. Their family monthly income ranged from Rs. 50 thousand to 60 thousand. The brokers belonged to nuclear families and were the breadwinners of their families. Furthermore, the brokers were engaged in trafficking in persons, smuggling of migrants and smuggling of goods from Afghanistan to Pakistan. Some of them also had private transport service.

#### **4.2 The Decision of Marriage, and the Right to Consent for Marriage**

Women and girls trafficked into forced marriages from Afghanistan to Pakistan shared their life experiences before the marriage, at the time of marriage, and the status of the right to consent for marriage. Looking into the lived experiences of women and girls, it is evident that women and girls had different experiences. Some of them were living with

their parents, while other were living with their blood relatives, one of the participants was adopted in early childhood by a family whereas, one of the participants added that she was kidnapped and forced into marriage.

However, the legal age for a girl to enter into marriage as a social contract according to the constitution of Afghanistan is sixteen years. Similarly, the constitution of Pakistan also ensures the age to enter into marriage and it is sixteen years for a girl. In many ways, early child marriage is a common practice in rural areas of Afghanistan. Many girls are married reaching to the puberty age. In this regard, the research data express that all the girls were forced to enter into marriages before reaching the legal age of marriage in Afghanistan and were trafficked to Pakistan.

It is observed in many countries that the choice of the marriage of a girl remains with her parents, blood relatives, or guardian. Women and girls are often not asked for their choice of marriage or consent to their marriages. Most of the women are not perceived as smart decision-makers. So, parents, blood relatives, or guardian decide the marriage of the girl. The research data reveal that women and girls interviewed expressed that they were not asked for their marriage choices and their consent was not taken at the time of their marriage. Therefore, they were trafficked without consent into forced marriages.

Political and economic instability and armed conflicts lead to gendered vulnerabilities that expose many women and girls to various forms of exploitation, including forced marriages (Leman & Janssens, 2008; Obokata, 2005; Warner, 2004; Warner, 2012). Over the last several decades, violent conflicts and unrest in Afghanistan have severely affected the lives of people living in the country. Due to violent conflicts many minors lose their family members and become vulnerable to exploitation in war-torn

countries, like Afghanistan. It becomes extremely difficult to provide socio-political and socio-economic securities to marginalized and vulnerable groups. Earlier studies have also documented that when families face serious crises or threats to their survival, female family members are the first to be sold (Timmerman, 2006).

#### **4.3 Socio-Political Instability, Armed Conflicts and Women's Vulnerability**

Socio-political instability, armed conflicts in Afghanistan ruined the lives of millions of people in Afghanistan. The conflict between the militant groups and foreign troops have left every Afghan at the risk of exploitation. Millions have migrated to various countries and millions remained in vulnerabilities to different kinds of exploitations, including trafficking into forced marriages. The destruction of human life and infrastructure also paved the ways for criminal groups to exploit vulnerable people for their interests. The research data extend that many women and girls were trafficked into forced marriages from Afghanistan to Pakistan. One of the participants, Naheeda, 29-year-old, shared her experiences as:

It was a terrible day when my home was hit by a bomb and my parents and other family members died at the spot. I was the only in my family who survived the blast. I was just a child, and a neighboring family adopted me. I was brought up by that family until I reached the age of 8 years. The family did not want me to keep in their home anymore as they already had so many people living in a small house. One day the head of the family informed me that he would hand me over to another family that according to him, was also my blood relatives. After a couple of days, I was taken to a place near the border of Pakistan where I stayed a few days with a family that

pretended to be my relatives. However, later on I came to know that they were not my relatives, but they had purchased me from the neighboring family. The head of that family was, in fact a broker who buys girls from Afghanistan and sells them to other agents or buyers in Pakistan for profit. Even after becoming aware of the situation, I could not resist because I had no home to live in or place to go. The broker brought me to Pakistan and sold me to another Afghan family residing in a refugee camp in Quetta. I spent 6 years with that refugee family working as a domestic servant after which I was forced into marriage with an old man of more than 60 years of age.

#### **4.4 Socio-Economic Insecurities, Patriarchal Norms, and Trafficking into Forced Marriage**

In traditional societies generally, it is considered that marriage provides social security to women; however, research indicates that for some women marriage leads to exploitation, especially when traffickers trap women through false, fake or forced marriage (McSherry & Kneebone, 2008). Socio-economic insecurities and gender disparities make women vulnerable to various forms of trafficking, including forced marriages (Deane, 2014; Elliott, 2011; Obokata, 2005). Many cultural practices contribute to the exclusion of women from mainstream society and push them into the trafficking industry (Gupta, 2010). The data of this research indicate that the victims were not allowed or did not have access to education. Due to the long war, it was really hard to find schools for girls in rural areas of Afghanistan. Nazia, 24-year-old, described the situation as:

I do not have any formal education. In my early childhood, I used to go to

a *madrassa* in a mosque for religious education which was not a degree-awarding institution. Girls' education in schools and colleges was restricted by the affluent warlords as they thought it against religion and culture. Like many other girls in the area, I could not go to school.

Due to deep-rooted gender disparities and patriarchal structures in many societies, the consent of girls at the time of marriage is considered unnecessary as the (male) family members are supposed to decide when and to whom the girls should be married (Alaleeli, 2015). When the participants of the study were asked about their marriage choice, they said that due to rigid patriarchal structures females are supposed to be submissive. Like other everyday matters, their marriages were also decided by heads of their families and they were not informed or asked while being forced or sold into marriages. Moreover, as the majority of the participants of this research were forced into marriages in their early childhood, the issue of consent becomes irrelevant. Nooria, 32-year-old, participant told:

The power to make decisions remains in the hands of male family members in our society. I was shocked when I heard the decision of my marriage. My mother reminded me that being a female, the refusal or denial of the decision of male family members means death. I cried, but there was no option available to me. I feel voiceless, and a commodity that is the property of my husband now.

Poverty, unemployment, corruption, and conflicts are the intersecting factors that produce social insecurity and expose individuals to exploitation (Sen & Nair, 2004; Touzenis, 2010). The participants of the current study expressed their concerns about the socio-economic insecurities of their families. The prolonged war in Afghanistan and



economic crises pushed many families to use their girls as commodities and sell them into forced marriages and earn some money in exchange for the survival of other family members. In conflict zones, private militia commanders are sometimes involved in the trafficking of women and girls (Jain, 2008). They abduct or kidnap women and girls for sexual exploitation and/or sell them to buy ammunitions (Chantler, Gangoli, & Hester, 2009). Sharing her experiences, one of the participants, Fariha, 24-year-old, said that:

The life of the people in my village was mainly associated with livestock. A small number of sheep and goats were the source of livelihood for my family. The movement of women and girls was restricted to the homes. Due to my poor family conditions, I had to go outside the home because I was responsible for animal grazing. The presence of warlords and private militia commanders made women and girls susceptible to abduction and kidnapping. One of my sisters was kidnapped by a militia commander and forcefully married her. When the commander was killed in a violent conflict, she was re-married to another commander of the same militia. Keeping in view the previous experience, my poor parents were worried about my protection from affluent militia commanders. Therefore, my parents themselves sold me into a forced marriage with an old man in Pakistan.

The practice of bride price is one of the contributing factors to forced marriages and trafficking of women and girls as they sacrifice their choice, consent, and rights on duress from the family (Anderson, 2007). Participants of the study repeatedly highlighted the patriarchal structure of bride price where girls are traded just like commodities and their

economic worth is determined by the male buyer and seller depending upon age, physical appearance, ethnicity, and geographical location. Furthermore, due to restricted women mobility in Afghanistan and very limited socioeconomic opportunities, many times they are only engaged in economic activities such as grazing livestock, embroidery work at home that are not enough to overcome dense poverty. Such a situation also contributes to the selling of women and girls into marriage. Salma, 22-year-old participant shared her experience as:

My father was a daily wage laborer. He goes out for the search of livelihood every day. Many times, he would come back without finding any work. It was really difficult for him to economically support the family. We did not have any brother that could help my parents supporting the family. We were two sisters and could only take out few sheep that we had for grazing. But this was not enough to overcome economic crises. The situation had reached a point where my parents had only two options, either to commit suicide or get some money in exchange for their daughter's marriage. Therefore, I was sold into marriage in the hands of an economically stable person and the money in exchange was paid to my father. I am dependent on my husband now because all my rights have been purchased in exchange for money and I can never return to my parental home.

#### **4.5 Internal Displacement, Migration, and Gender Vulnerabilities**

People living in politically and economically instable areas face severe threats to their human security. The participants of this study shared that even before their trafficking they were experiencing health insecurity, though different from the health insecurity they

encountered during the course of trafficking. Afghanistan has been experiencing violent conflicts and political and economic instability for the last almost four decades due to which the health infrastructure of the country has been severely damaged. Millions of people became the victims of war in Afghanistan and migrated to Pakistan, Iran, and other countries. A significant number of health professionals also migrated to safe areas within the country or migrated to other countries (Reilley et al., 2004). The brain drain decreased the number of health professionals in the country coupled with deteriorating health infrastructure. As a result, a significant number of people do not have access to proper health services.

Due to the lack of medical services, people frequently visit Pakistan for their treatment. After the treatment or consulting health professionals, people buy bulk of medicines before going back so that in future they might not need frequent visits. Moreover, other local people who cannot visit Pakistan for treatment, tend to use the medicine if they have similar symptoms without consulting any physician. Many times, such practices of self-medication make the conditions worse for the patients. Shagufta, 29 years old, shared as:

I lived with my parents in a rural area of Afghanistan. There was no health care center to receive health services. We often depend on the medicines used by other patients with similar diseases. Once a person would go to Pakistan for treatment, he would bring back full packs of medicines for use because other people could not travel frequently to Pakistan due lengthy travel and expenditures. Similarly, when I was suffering from typhoid, my parents gave me the medicines of another person. But the joint pain and

headache were not treated completely. Now I am a permanent patient of headaches and joint pain in the body.

People from Afghanistan frequently travel to Balochistan and Khyber Pakhtunkhwa provinces of Pakistan for the sake of treatment. They take appointment with physicians in Quetta or Peshawar at a particular time. However, for those who do not have prior travelling experience to Pakistan face difficulties in taking appointment or visiting health centers because of the language barrier and unfamiliarity with the area. Many people hire a guide or an agent in these cities who provide their services for taking the patient to relevant health provider in exchange for money. These agents or guides frequently travel to border areas in search for patients. Zara, 25 years old, highlighted as:

We have no healthcare unit in our area. Those people who received treatment bring many cartons of medicines from Pakistan. People like those physicians who prescribe more medicines and change the physicians if they do not prescribe any medicines. It is a common practice that other people who are suffering from similar disease buy the medicine from that person to get relief from the pain because they do not have any other options.

#### **4.6 Crossing the Border: Brokers and Smugglers in the Chain of Trafficking**

Like other forms of trafficking, several actors are involved in trafficking into forced marriages. Brokers and smugglers play a significant role in the chain of trafficking of Afghan women and girls into forced marriages in Pakistan. The participants of the study shared that brokers play a vital role in connecting the sellers and buyers. For transporting women and girls from Afghanistan to Pakistan, Afghan women brokers are also involved in human smuggling or they have connections with other networks of smugglers who are

involved in smuggling of goods and human beings. As elaborated earlier, due to prolonged violent conflicts, the industries have been collapsed in Afghanistan and very limited economic opportunities are available. Human trafficking and smuggling have emerged a profitable enterprise. Brokers operating from both countries take a commission from both the buyer and the seller. The brokers have their trained workers or recruiters, including women who identify and contact the vulnerable families and lure the male family members of economic security by marrying their girls in economically stable families in exchange of money. However, sometimes the parents contact the brokers for selling their daughters or other female members. Brokers are well aware of family crises and bargain the family to maximize their profit.

Pakistan shares a long border with Afghanistan approximately 1640 miles. Only the Balochistan province of Pakistan shares 950 miles, mainly consisting of the hilly and mountainous area. Due to the very difficult terrain, it is difficult for law enforcement agencies to monitor the irregular cross border movement. The government of Pakistan has started a project of complete fencing of the Pak-Afghan border mainly to stop the infiltration of terrorist groups. Human traffickers and smugglers transport women and girls from Afghanistan to Pakistan using irregular routes to escape law enforcement agencies involving episodes of the journey by motor cars, motorcycles, and foot. The participants revealed that several networks are involved in irregular cross border movement between Afghanistan and Pakistan for the transportation of humans and goods. The transporters guarantee the brokers or traffickers to deliver the trafficked women and girls at an agreed safe point in Pakistan and charge for their services.

However, in some cases, women and girls are brought to Pakistan through regular

check posts or entry points. The participants shared that they were already briefed by the brokers or smugglers to pretend to be family members at the check posts. Moreover, as they know that they have been sold by their family members they do not resist because they cannot go back to their families.

The victims of trafficking in various forms experience several forms of exploitation when they are transported or transited from the source to the destination country. The traffickers or smugglers often make them the victims of their cruelties. Similarly, the victims of trafficking also experience violence from security personals. In this respect, the data of this research highlight that women and girls trafficked into forced marriages remain in exploitation during transportation and transition. In this regard, they added that they experienced physical violence, harassment, and sexual violence from the traffickers and smugglers. Sobia, 27-year-old, expressed her experiences as:

The person purchased me in exchange for money handed over me to the third party (agents) for safe travel. The agents were drivers working as traffickers/smugglers and they were paid money for transportation and transition by the person who purchased me. I was picked up from Afghanistan at noon to travel to Pakistan. The travel took some six hours in internal Afghanistan reaching to Pak-Afghan border. During the travel, I was in the custody of these traffickers/smugglers. There were also some other persons who migrated to Pakistan through irregular ways with these traffickers/smugglers in this van. During the travel, the drivers played obscene songs and made obscene gestures. The travelers remain silent on their acts. The smugglers/traffickers also told that they would pick up some

other travelers from border to fill the empty seat of van but they could not have the van full seat by seat. Therefore, the departure was delayed for next the morning. In this period, the smugglers/traffickers brought me along with one other women on the pretext of dinner to a private room where they forced us for sex. The next day we were taken to destination and they departed me in Killa Abdullah. The buyer received me and due to strangeness I could not share the story or report the act of harassment and sexual act to the purchaser which I confronted from the agents.

Pakistan is one of the main destination countries for Afghan migrants—both regular and irregular. Those who migrated through proper channels and obtained refugee cards frequently travel to Pakistan for their business, health-related issues, and some also have their residence here. Whereas, irregular migrants are those people who migrate with the help of migrant smugglers or are trafficked by human traffickers. Smugglers receive payment in exchange for providing services for crossing the borders using illicit means or through irregular routes. Whereas traffickers use deception and/or force to recruit particularly young women and girls in Afghanistan and transport them to Pakistan for the purpose of exploitation generating profits. Among this stream of trafficking are also women and girls who are trafficked into forced marriages in Pakistan. Being trafficked, they do not own any legal document of migration to Pakistan and remain at the disposal of traffickers. As human smugglers and traffickers often follow uncommon deserted long and dangerous routes for travel to escape law enforcement agencies, victims of trafficking are exposed to serious health and safety risks under extreme weather conditions. During the process of migration, the victims cannot have access to any health care facility or medicine

when they are unable to bear the harsh conditions; some victims even die during the migration or develop lifelong health complications (Lori & Boyle, 2015; Pashkov, Liubchenko, & Liubchenko, 2019). Sabeera, 32-year-old participant, shared her experience of migration as:

We [girls] are never asked about the choice of marriage. The majority of us are forced against our will. I am a misfortunate girl trafficked into forced marriage in exchange for a little money. My parents and the purchaser decided to cross me the border through the chain of traffickers. Therefore, I was taken through an irregular route to a destination by the agents because I was an irregular migrant along with other men and women. Since my childhood, once in a year, I experience breath breaking (Asthma). Due to the long route and harsh travel, I suffered from breath breaking but none of them helped me and provide health facility for smoothing breath. I was between death and life.

The availability of clean drinking water is vital for life and maintaining health. Many diseases are associated with the drinking of dirty water. Women and girls brought from Afghanistan to Pakistan by traffickers, during the travel, faced several issues including the unavailability of clean drinking water. In this regard Nazia, 24-year-old participant, explained:

Clean water is very necessary for health. During my migration to Pakistan, we were offered clean water at the start but later on, we were given dirty water full of dust. On the request, I was refused to provide clean water and drunk uncleansed water throughout the way. I needed more water because



I was a kidney patient, and the agents did not provide me enough clean water. Therefore, I suffered from kidney pain throughout the way.

During the process of crossing border women and girls trafficked into forced marriage confront several harsh experiences. The participant those trafficked from Afghanistan elaborated that they have faced several issues including cruelties from the brokers, health issues. The fundamental rights of the participants were denied. They were refused for the provision of health facilities because some of the participants were in continuous illness and they were denied for provision of clean and healthy drinking water and protection from the abuses during the travel. In the case of trafficking of women and girls the traffickers mostly used uncommon routs where they could easily move from one place to the other and to transport and cross these girls from Afghanistan to Pakistan without any barricade. During the travel the participant revealed that they were physically abuses. In these routes, the availability of several need is impossible because of the long border. The efforts of government of Pakistan and Afghanistan on the fencing of borer are in progress but the traffickers and smugglers are still able to continue the illegal transport of migrants from Afghanistan to Pakistan for exploitations in different industries including trafficking into forced marriage.

#### **4.7 Forced Marriage, Violence, and Continuous Exploitation: Blurring the Boundaries**

Earlier research on human trafficking has documented how trafficking occurs on a continuum of exploitation, and people who become victims of trafficking often experience different forms of exploitation at the same time or a different stage of their lives (see for example, Yousaf & Purkayastha, 2015). The experiences of victims of forced marriages in

this study also unveil blurring boundaries between forced marriage and trafficking for labor and sex as the victim's experiences various episodes of violence and exploitation (Johnson, Ollus, & Nevala, 2007; Zimmerman & Watts, 2003).

Women and girls who are trafficked into forced marriages experience several episodes of violence and exploitation throughout their lives. They are forced to spend rest of their lives with their buyers i.e., husbands unconditionally. They are sold as a commodity and lose their relationships with their families in exchange for money. They are compelled to follow their husbands' instructions whether legitimate or illegitimate without resistance. The participants informed that they did not have voice in the families and are supposed to be submissive to their husbands and their family members. Although the men who had bought the women and married them most of the times did not give them the status of wives, the women still considered it their responsibility to take care of them as their husbands because for many there is no other option. For example, one of the participants expressed her feelings about her marital relationship as "He [husband] does not care about me and does not respect me as wife. But I have to take care of him because he is a man, has the power, and paid my price to my parents."

One of the main reasons that trafficked women and girls are not respected as the wives is that they are second or third as wives. All the participants expressed that they were sold into marriages to the people who already had one or more wives. They are responsible to take care of the children, other wives, serve their relatives and perform household chores. Despite working hard and serve the whole family, they are frequently abused by husbands and their family members. Zara, 25-year-old, told:

I am the second wife of my husband. The first wife is ill and unable to

perform household chores. Therefore, I was purchased and brought in this home. I do not have my own children but I take care of my husband's children from his first wife. I have to look after the children, clean the house, cook food, and feed the animals. Performing these tasks consume the whole day. I am forced to perform all these tasks by my husband and his family. I cannot resist their orders because they have purchased me.

In addition to marrying trafficked women and girls for cheap labor, sometimes they are forced into prostitution to earn income for their husbands. Nazia, 24-year-old participant stated:

I was only 13 years old when I was kidnapped by a person and his wife near Kabul. The man raped me several times when I was in his custody. Later on, he sold me into forced marriage to an old person with a white beard. I bore four children, one son and three daughters. My husband has been very cruel to me. He not only beats me but also threatens to kill me with knife if I did not obey him, just like what he did to his first wife. My husband forces me into prostitution and keeps all the money. He does not perform any work; I do the household work and prostitution to manage the household expenditures. My husband's brother and his wife are also involved in this shameful business. I am presented as a slave for sex in exchange for money to strangers because no one refuses the money.

#### **4.8 Outsiders: Stigmatization and Isolation**

Being outsiders, the participants of this study described that they were treated differently as compared to local women and girls. They were never called by their real

names, instead, they were called as *Muhajira* or *Chichgara* that stigmatizes them as outsiders. The word *Muhajira* literary means a refugee or immigrant woman. The word *Chichgara* is used for the lowest class women or girls. Local people use this word (*Muhajira*) because they perceive these trafficked women and girls the same as refugees. As local people are not aware of human trafficking neither is there any local word to define trafficking, therefore trafficked women and girls are treated as refugees. Women and girls forced into marriages continue to experience exploitation and violence, in different forms, throughout their lives. They do not have an identity or recognition. Even their children are also stigmatized as the children of *Muhajira* that marks their low status as compared to the children of other local wives. Nooria, 32-year-old, participant elaborated:

I was sold into marriage in Pakistan. Those girls who are purchased from Afghanistan and married in Pakistan are treated differently by the family members and the community. I am called a "*Mahajira*" by in-laws and other members of the community; nobody likes to call me by my real name. The title of *Muhajira* is given to those women who are purchased from Afghanistan or refugee camps and mark them inferior and not trustworthy. They repeatedly remind me that my family had sold me and I had done something wrong. My children are labeled as the children of a *Mahajira* and they are not called by their names. I feel, I live in strangers as I cannot share my feelings with anybody. They are different and cannot understand my problems.

Similarly, Sobia, 27-year-old participant was of the view:

I am not accepted in this house since my marriage. They behave like

animals. They beat and torture me time and again. They say, I was a burden on my parents and due to bad acts, I was sold.

Furthermore, Naheeda, 29-year-old participant added:

The behavior of in-laws is not fair with me. I am abused and physically tortured. I am blamed for all the bad lucks of the family and there is no one to defend me. Neither the family share anything with me nor encourage me to participate in family matters. They call me a purchased slave for labor.

Afghan trafficked women and girls expressed that they also have their problem like others. They said that they are not allowed outside or inside home to share their problems with other. They are not permitted to share personal problems. People are also not ready to listen to them. Sabeera, 32-year-old participant illuminated:

There is no one whom I could trust and share my problems because I live in strangers. They are different and cannot understand my problems. Moreover, people refrain to listen to the problems of poor women. It is considered that the poor women who are bought are born for exploitation.

Similarly, Fariha, 24-year-old participant told that "People from community are not ready to listen to my problems because they think it is interference in other family matters and it is not encouraged in this community."

The intersecting reasons, processes extended the life of women and girls trafficked into forced marriages to further exploitation. Ignorance of the people about the issue of trafficking in persons makes many women and girls different from local women. The behavior towards these women leads to their stigmatization and isolation due to which they are deprived of dignity and respect in the community

#### **4.9 Socio-Psychological Problems, Identity Issues, and Domestic Violence Against Women**

Women and girls said that women's half of life is full of illnesses. Work burden, health issues more often keep women in crises. Not only husbands, but also their mothers and other family members abuse them. Denial to mother-in-law and other old wives of husband lead to abuse and physical violence. Sabeera, illuminated:

There is much burden of work on me. None of the family members help me.

I spend the complete day in household work and night with husband. I do not have time to rest and I am mentally upset. If I refuse, I am beaten by all family members.

Similarly, Farkhanda, 25-year-old participant stated:

I face marital rape when ill because my husband does not care for my health.

He is only concerned to intercourse. If I refuse, he beats, tortures and threatens to divorce me. I am disowned, I do not have any other place to live in. My parents left me to the hands of wolves.

In the same way, Nooria, expressed:

I care for children, father-in-law, mother-in-law, livestock and perform other domestic chores. I am appreciated for these but frequently I am also abused physically. I don't have help in the family.

Besides other problems, women and girls trafficked into forced marriages experience several socio-psychological problems. The research data exposed that heavy work burden, ignorance from the family members, and domestic violence by husbands and in-laws were documented as everyday experiences.

Citizenship card is the most significant document for living in a country. Legal migrants have citizenship cards. Whereas, there are a large number of illegal migrants living in Pakistan without any documents. Similarly, women and girls trafficked do not have any document as they are forced into marriages without legal procedure. These women and girls trafficked from Afghanistan are deprived of all rights such as (health, education, etc.) because they do not have any proof of residence in Pakistan. Nazia, 24-year-old, participant explained:

I am neither Afghan nor Pakistani citizen. I do not have any proof to show others who I am because I was sold when I was unaware of the importance of having an identity. The control of my life is in the hands of others. I cannot prove my identity or have a life worth living. I am unable to receive necessary health facilities when I do not feel well.

Women and girls trafficked into forced marriages also suffer from identity crises in Pakistan. Many women and girls were trafficked and sold into marriages in childhood involving a chain of actors, including parents, relatives, brokers, traffickers, and buyers. When the young girls are trafficked, they do not know the whereabouts of their families. Being trafficked to Pakistan, coming to a different cultural setting and living without any documents to prove their identity, they are further marginalized as outsiders without any identity. It affects their daily lives as they are considered inferior and cannot travel elsewhere alone. Being unable to produce any formal identification document, they are unable to receive free health services in hospitals due to their illegal status in Pakistan. Salma, 22 years old participant who was trafficked in her early childhood shared her experience as:

I do not have any identity or any idea regarding the whereabouts of my family. I was sold in Afghanistan by my family and brought to Pakistan in childhood on the pretext of marriage...I cannot access hospital for treatment because I do not have any document to prove my identity...Even my husband could not prove my identity because I was purchased from unknown brokers. I cannot travel anywhere or leave the place of my husband...

Fariha, 24-year-old, shared her experiences as:

After my marriage, my husband refused to take me to a hospital for treatment. He told me to forget about hospitals and directed me to visit a spiritual healer for spiritual treatment. I cannot ask for anything even when I am in severe pain. The only thing that is good for me is patience to bear the pain and survive the disease.

The women and girls trafficked into forced marriages are irregular migrants. They are transited through illegal ways from Afghanistan to Pakistan for exploitation in marriages and other exploiting industries. These women and girls are out from the radar of the policies of government of Pakistan as well as Afghanistan. Due to illegal status, women experience identity issues and lack of access to basic services.

#### **4.10 Health Insecurities and Trafficking into Forced Marriage**

Freedom from slavery or servitude and access to basic health services are basic human rights. However, the experiences of women and girls trafficked into forced marriages indicate that they are deprived of these fundamental human rights. Trafficking in human beings exposes the victims to severe human insecurities, including health



insecurity. The women and girls trafficked from Afghanistan into forced marriages continue to experience exploitation during the course of trafficking and associated health insecurities. As their trafficking involves episodes of irregular migration, i.e. crossing of border through irregular means, they are considered as illegal migrants with fewer options to have access to public health services.

Working as forced labor is not uncommon among women and girls trafficked into forced marriages. They are directed by their husbands and in-laws for domestic work, caring and bearing children, and also taking care of livestock daily without any break. These women also face health problems and they are not allowed to get treatment. The identity issue is another problem and is a barrier in getting health facilities from public hospitals. The girls more often depend on the spiritual healing which is common in that area. They have four options. Firstly, they have to be patient. Secondly, they can take help from homeopathic medicines which are traditionally used. Thirdly, they to pay a heavy amount to a doctor as bribe for the treatment and lastly, they have to depend on spiritual healing through the recitation of holy verses to the patient which is very common in Afghanistan and Pakistan. Zara, 25 years old participant elaborated.

I work whatever is assigned to me but I suffer from health problems. My in-laws do not let me get rest for few days because they have paid for me and want the service in exchange.

Women and girls trafficked into forced marriages experience health issues in their daily lives. A significant number of the victims are trafficked at an early age for exploitation resulting in physical, sexual and psychological violence and trauma. The majority of these girls are transited and given in marriages through illegal means that make

them susceptible to further vulnerabilities living in situations of exploitation. These girls are sold into marriages through hidden channels. They face several health issues which are not taken care of by their in-laws. Their lack of documents also makes them vulnerable to health risks. Sobia, 27 years old participant, stated her experiences as:

I am forced into a marriage with an old man. Since I am sold into a marriage, I face physical and mental abuse from my in-laws every day. In this society, males consider violence as a dose of medicine for women to control them. After my marriage, I have never seen a healthy day. Headache, restlessness, difficulties in sleeping have driven my life to miserable conditions. My in-laws have no concern about my health issues.

Women and girls trafficked into forced marriages illuminated that being illegal they are denied health services in public hospitals because receiving free medicine and other health facilities require identity documents which they lack. When they face any health issue, they move to private hospitals for treatment. According to the participants private hospitals are very expensive and their families are not willing to spend money on them as they have purchased them. The participants added that most of the times they relied on homeopathic medicines and spiritual treatment because of lack of access to public health facilities and huge cost of visiting private hospitals. Nooria, 32 years old participant, said:

I have been experiencing health issues for the last so many years. However, I am not able to move freely and receive free health services like many local women. My in-laws do not like to spend money on my health. Therefore, I prefer homeopathic medicines because these are easily accessible and can be purchased with cheap prices as compared to other medicines. Though

these medicines are not very effective, I have no other option.

Women and girls trafficked into forced marriages had different experiences in their daily lives. Their illegal status made them vulnerable to different forms of exploitation and deprived them of health facilities. They were refused to avail health services in public hospitals and their families did not want to spend money on them for their treatment in private hospitals. Many of them had to rely on traditional homeopathic medicines and/or spiritual treatment. Otherwise, they had learnt patience to bear the pain and survive the disease considering it a matter of their fate.

#### **4.11 Brokers in the Chain of Trafficking of Afghan Girls into Forced Marriage**

Due to persistent conflicts and war like situation in Afghanistan over the last several decades, very limited economic opportunities are available to people. Amid such instability many illegal businesses have been thriving, including human trafficking and smuggling. The brokers who participated in this study informed that they were involved in irregular migration, including human trafficking and smuggling. However, the marriage bureau was apparently running car rental business. But for them this business was not enough to earn a good amount to meet their expenditures. Due to the lack of business and economic opportunities, they started to work in this hidden industry. Utilizing their transport service, they had made a network of drivers and transporters who were involved in the trafficking and smuggling of persons from Afghanistan to Pakistan. They knew the routes and ways to transport people from Afghanistan to Pakistan.

The participants added that women and girls in Afghanistan are in miserable situation due to violent conflicts. A large number of the men have become victims of the violent conflicts and left behind female family members. As men are the household heads

and breadwinners for their families, without them, it's very hard for them to survive. Many women and girls are dependent on charities from people or welfare organizations, and become susceptible to trafficking.

Another significant factor the participants shared was the practice of bride price widely prevalent in Afghanistan. Many people due to economic problems and issues use this as a source of survival. Many times, this practice also provided a meaningful space for trafficking into forced marriages from Afghanistan to Pakistan. The brokers would specifically approach those families that they knew were facing situations of crisis and needed money. Internally displaced persons, mainly due to conflicts or droughts in certain regions, were also a prime target of traffickers. When families leave their native areas and move to other areas, many times they are extremely vulnerable and are willing to sell their girls or marry them off in exchange of money. Being unable to find safe places for girls, and fearing of their kidnapping, some families are not shy to sell their girls in exchange of money. According to the brokers, even sometimes parents or other family members themselves approach them to make a deal for their marriage in return of money. Moreover, the brokers shared that sometimes women and girls are trapped through false promises of marriage and better future. They leave their families for trusting the persons they love, but they deceive them and sell them to other parties in exchange for money. Zareef 34-year participant added

Women are born to be used either in economic crises or tribal disputes. Most of the people involved in the sale of their daughters are passing through extreme poverty, displacement due to draught, armed conflicts and family and tribal disputes. They do not have another way without selling their

daughters for survival. Cultural practice of bride price is gateway for the promotion of the trend of selling and purchasing girls for marriage. Therefore, many people do not shy to sell their daughters or sisters. I have witnessed that once due to poverty one person sold his wife to other person in exchange for money. I have seen that once one person lost his wife to other person in gambling. In response he refused to hand over his wife to the winner and he was killed and his wife was taken with them. I have experience of transporting a girl for marriage who was run away from her exiting family due to the practice of violence and moved to Pakistan in the hands of other people. In continuation, the girl went to another episode of violence in the hands of strangers.

The data of this research reveal that women and girls trafficked into forced marriages were recruited by the traffickers involving their parents and /or blood relatives. The brokers involved in this field are very much expert to deal with parents and trap them through making lucrative offers. In many cases, the brokers shared, they bought the girls and keep with them for some time. They consider it as investment and then wait to receive good offers to further sell the girls and gain good profits. Once women and girls are in the hands of brokers then it was impossible for them to return to homes easily. Ishaaq, 39-year-old participant, stated:

Working alone in this field is not possible. I have to be in contact with other people/groups involved in the field. Finding women and girls for unconsented marriages is a difficult task. In this view, I take the help of other women to whom we pay some money for finding and identifying

women and girls for recruitment for forced marriage in Afghanistan. We mostly recruit women and girls from those families who flee from their towns due to drought, racial and political conflicts, and the girls unhappy with their living partners. We take the detail of the girls through some women smugglers and offer the girls happy life opportunities. In majority, the trafficked girls are illiterate and we sell them to Pakistani nationals or Afghans living in Pakistan. In some cases, parents contacted me to sell their daughters into marriage in exchange for money.

The widespread practice of polygamy in various parts of Balochistan, according to the brokers, is also linked with the issue of trafficking into forced marriage. In many areas, males are interested to have more than one wife, and they do not miss any chance if they could have another wife. The participant expressed that a large number of people in rural areas have demand for the second or third wife. The brokers identify these people with the help of local agents associated with marriage bureaus. The marriage bureau agents are dealing the marriage bureau as sideline business. They have safe places in refugee camps to keep women and girls and further sell them into marriages. These brokers are also involved in other forms of smuggling and trafficking. The people interested in other women for marriage would be contacted. The brokers would assure them of young beautiful girls for marriage in exchange of money. In many cases, the persons would be provided an opportunity to see the girls in a particular area near Afghanistan border or in refugee camps situated in various areas of Balochistan. If the persons like the girls, negotiation takes place between them and the brokers. The price varies according to the age, physical attractiveness of the girls and financial position of the persons. The price could range from fifty thousand

to one million rupees. Taimoor, 35-year-old, participant told:

Most of my friends also were involved in driving cars on border from Afghanistan to Pakistan. I had many economic issues within my family. I also moved to this business and started driving at border. Slowly and gradually, I got expert and my friends also gave me knowledge about people passing border in exchange for money. Then I started earning from this field and my work still continuous. I am expert in transporting people as I know how to cross border easily. I have my own car that helps me take people from Afghanistan to Pakistan and I also have cars in Pakistan through which I can transfer this people to various parts of Pakistan. I also have connection with people in the same field to get help from them and I also help them when they are in trouble.

The research data indicate that the brokers believed that women and girls trafficked into forced marriages were irregular migrants, they would have experienced safety issues, and documentation for crossing the border. They also highlighted that they most of the time used fake and false documents for these girls. They helped them cross the border through their generated documents. There is no system to check the documents at the border at Chaman. People can easily travel and cross the border. Moreover, in the hard and tough times, the brokers pay bribe to the security personals for crossing the border. Crossing Afghan border costs very less at Chaman. Documents did not make any difference because most of them (women and girls) did not have documents such as CNIC, domicile certificate or birth certificate. Recent making of CNICs is also giving them a chance to get CNIC. At border the brokers pay the bribe for male irregular migrants only whereas female is

exempted or unchecked at, security check posts due to the cultural and tribal code of conduct.

The brokers expressed that they have harsh experiences in this profession. This is a problematic profession. Persons brought as irregular migrants experience several episodes of violence and exploitation. During transportation from one place to the other the drivers, and brokers have to cross security check posts where these irregular migrants, if men, face physical and women, girls or young boys face sexual violence from security personals. Moreover, brokers exploit them too in different ways. The trafficked women and girls are at a greater risk of exploitation for sexual services as well as physical violence to keep them in control. After forced marriage role of brokers finish and now girls are at the disposal of their husbands. So, women and girls trafficked into forced marriages experience several episodes of violence, from brokers to security personals till to forced marriages.

Focusing on women and girls trafficked into forced marriages from Afghanistan to Balochistan the province of Pakistan, and the brokers involved in the chain of trafficking of women and girls, this study unveiled the reasons involved in making women and girls vulnerable to trafficking into forced marriages, the processes, in which the different actors were involved in the sale of women and girls, their transportation, transition from the source country to the destination country, and their everyday experiences. The data of this study revealed that there were several intersecting reasons such as armed conflicts, socio-economic insecurity, political unrest, cultural practices, and natural disasters that made many women and girls vulnerable to trafficking into forced marriages. Similarly, in the process of sale and purchase of women and girls for forced marriages, parents, blood



relatives, guardians, kidnappers, the traffickers, and smugglers played the role of the significant actors. The chapter concludes that Afghan women and girls trafficked into forced marriage and brought to Pakistan continue to experience physical, psychological, and sexual violence and are further marginalized due to their status as outsiders, depriving them of access to basic services.

## **Chapter Five**

### **Experiences of Pakistani Women and Girls Trafficked into Forced Marriage**

In this chapter, I analyze the data obtained from Pakistani women and girls trafficked into forced marriages from other parts of Pakistan to Balochistan province of Pakistan and brokers involved in the chain of trafficking. The chapter provides insights to the lived experiences of the internally trafficked women and girls, and processes involved in trafficking.

#### **5.1 Socio-Demographic Background of the Participants**

The socio-demographic background consists of the age of women and girls trafficked into forced marriages, their age at the time of marriage, level of education, monthly family income, and family type they were and are living in. The research data reveal that the minimum age of the participants was 19 year whereas, the maximum age was 28 years. Moreover, the minimum age at the time of marriage was 12 years whereas, the maximum age was 24 years. The participants were living in trafficking situation from 3 to 15 years. Furthermore, two of the participants had up to primary education while rest of the participants were illiterate.

As for as monthly family income is concerned, 8000 to 40000 rupees was documented income of parental family, whereas 20000 to 1 lakh rupees was documented income of the in-laws. The majority of the trafficked girls were trafficked from nuclear families to joint families. Two of the participants informed that they were trafficked from joint families to joint families. Whereas, only one participant was trafficked from the nuclear family to the nuclear family.

About the brokers' demographic information, it is revealed from the data that the participants aged from 34 to 39 years. All the participants were illiterate. Moreover, they were involved in the trafficking of Pakistani women and girls from other parts of Pakistan such as Khyber Pakhtunkhwa, Sindh and Punjab to Balochistan as primary work. All the participants worked in groups. The participants usually profit 40000 to 50000 rupees in each case.

## **5.2 Consent for Marriage, Family Composition, Polygamous Marriage**

The legal age of marriage in Pakistan for girls is sixteen years or above (Abubakar, 2019). Marriage before reaching the legal age is violation of the law. Some women and girls trafficked internally to Balochistan were forced into marriages before reaching the legal age of marriage and some were forced without consent into marriage. Among the participants of this study who were trafficked internally, the lowest age at the time of forced marriage was twelve years. Whereas, the highest age at the time of forced marriage was twenty-four-year. Likewise, the lowest age of the participants at the time of the interview was nineteen years and the highest was twenty-eight years.

The constitution of Pakistan guarantees the right of consent to marriage to every citizen including girls. They may enter in a marriage contract with free and full consent when they reach the legal age of marriage defined by the law. Without consent a girl's marriage is unlawful. Women and girls trafficked into forced marriages expressed that they were forced into marriages in exchange for money/bride price without their consent. Looking into the legal age of girls as well as the consent of the girls, the study found that the marriage contract was unlawful and women and girls trafficked into forced marriages were exploited.

Five participants shared that they were living with their parents along with siblings. Two participants were living with their mothers along with their sisters, one participant was living with her father. Moreover, one of the participants was living with her husband while one of the participants was widow living at her in-laws' home. Currently, all the participants were living in forced marriages. These women and girls took care of husbands and their families. The children born from these marriage(s) were perceived as the heirs of their husbands. Women and girls trafficked into forced marriages were not free to have or have not children.

The experiences of the participants indicate that some of them were forced into marriage more than once. In most of the cases, there was a huge age gap between them and their husbands—even more than forty years. Besides, polygamy was common and all the participants elaborated that they were trafficked into forced marriages with persons who already had more than one wife.

The prevalence of trafficking into forced marriage has series of reasons that make women and girls vulnerable to exploitation. Women and girls trafficked into forced marriage reported that several intersecting reasons that led to their trafficking into forced marriages from Khyber Pakhtunkhwa, Sindh, and Punjab to Balochistan. The stories of the participants were little or more different from each other. These intersecting factors included civil and political instability, social and economic insecurity, and cultural and environmental disharmony. Various factors intersect each other and enhance women vulnerabilities to become the victim of trafficking into forced marriages within Pakistan. Following is the detail of reasons involved in the trafficking of women and girls into forced marriages.

### **5.3 Social Insecurities, Family Conflicts, and Gendered Vulnerabilities**

Social insecurities, family, and class conflicts have an effective role in the growth of gendered vulnerabilities for exploitation in various industries including trafficking into forced marriages. However, social security remains at the top to maintain stability in society. It is observed that men's mobility is not questioned. Whereas, women's mobility is restricted. When women and girls move from one place to other for education, food or health, they are harassed, stared eyes, and kidnapped for exploitation and self-pleasure. Education for economically stable people is a source of self-esteem. Whereas, education for poor women and the girl is considered a curse. Therefore, women and girls from the low economic class were the target of traffickers and kidnappers. The participants of this study shared their experiences of vulnerabilities that how they were trafficked into forced marriages. Laiba, 24-year-old, revealed her experiences as:

I was living in a village with my family. My father was a wage worker and my mother also earned a little from sewing the cloths. I with my younger sisters and brothers would go to school and madrassa daily. Some young boys from influential families of the area would pass vulgar comments to us daily. I asked my parents to protect us from the harassment. My parents visited their homes and complained elders. The elders ignored the complaint and did not take any meaningful action against their children. The boys threatened us to leave the house and get away from the area. We did not paid head to this. Later, they kidnapped me in front of my home. I spent 4 months in their custody. During this period, I was raped multiple times and physically abused. After that they sold me to strangers. Young girls of poor

parents are not secure here.

Women and girls are perceived as the recipient of orders to obey the parents and in-laws in society. When women and girls are widowed at a young age, they are remarried according to the decision of parents and in-laws. However, many times the women and girls are not convinced for remarriage. Therefore, conflicts emerge in the family. These conflicts, most of the times ruin the life of women and girls. Conflict in the family enhance women's gendered vulnerability. Asia, 28-year-old, told her experiences as:

My husband died in a road accident in Sharjah where he worked for several years. After the death of my husband, my parents and in-laws suggested me to marry with my brother-in-law. I refused to marry him because I never thought of him to be in this contract. In response, I experienced emotional abuse, torture, and physical abuse from my parents and in-laws. My father-in-law took gold and cash from me in the pretext of securing those. They forced me into marriage with my brother-in-law. My brother-in-law also did not want marry me but he was pressurized by his parents. He was interested to marry somewhere else. I also refused to marry him. In resistance, I demanded gold and cash from the in-laws which they refused to return. The brother-in-law tried to kill me to finish all this and marry the girl of his choice. He took me to a far-flung area to kill me but later sold me to strangers. My family and in-laws thought I had run away with somebody with whom I had an affair. Therefore, I could not return to my home. My parents did not listen to me. I was forced into marriage and now living as a slave. I cannot go anywhere.

In this society, women are not encouraged to raise voice at the activities of her husband. Many times, husband is involved in illicit activities and require his wife to keep quiet. These activities include extramarital affairs, drug addiction, etc. In the following excerpt, it is clearly unveiled that a husband forced his wife to provide sexual services to those teenagers who were in homosexual relationship with her husband. On the refusal, the conflict emerged between the wife and husband and the wife was sold by the husband himself. Sadia, 26-years-old, shared her experiences as:

I was living with my husband along with my children. My husband was a van driver involved in homosexuality. He would bring teenage boys in home from other parts of the city. He had sexual relations with those boys and in return, he forced me to provide them sexual services. On resistance, conflict started between us. One day I was asked to company his friend to consult a spiritual healer for treatment. I left the children with the neighbors and went there. Husband promised to be there with his car. I reached that place in another city where some women and girls were residing. I was informed that I was sold by my husband. I was told that I am bound to be there until I return money to them. I had no money to return. Later on, I was sold into forced marriage.

Conflict breaks families down and undermines social security. Women pay the price for separation between the spouses. The data of this research indicate that when a mother is divorced and remarried to another person, her daughters are susceptible to exploitation. Like in the following case, step-father used the step-daughters as commodity and source of income. In this regard, Hawa, 21-year-old, revealed:

My mother was a job holder and my father worked at a private shop. My mother was a dominant person and my father was economically weak and dependent. Due to this imbalance, the marriage was broken. Mother took us in her custody and became our custodian. My father was from weak background and could not take us in his custody though he made many attempts. After some time, my mother decided to marry another person who was an influential in the city. They married. We started living into the new house with step-father. He became the guardian of the family. After some time, my step-father developed sexual relations with my elder sister. He stopped my mother from going to her job and abused her physically and mentally. He had taken a loan from somebody and could not return it. To settle his loan, he forced me to marry an old man. My mother was helpless and could not protect me.

#### **5.4 Socio-Economic Disparities, Structural Inequalities and Women's Vulnerability**

Socio-economic disparities, and structural inequalities contribute to the vulnerabilities of women and girls trafficked into forced marriages. Women have relatively very few economic opportunities available to them. Structural inequalities move women away from business and other economic activities. In many societies, women are restricted to four walls and are given the roles to bear children and take care of the household activities. Besides, women in the economic fields are discouraged due to the structure of society. Due to economic problem, women are used as a commodity for economic benefits/gain to run financial matters. Sometimes, families sell women and girls for financial benefits. Furthermore, women and girls might become the victims of their parents'



business loss, gamble or drug addiction. Therefore, the above factors interest in making women and girls vulnerable to trafficking. Mahnoor, 26-year-old, expressed her experiences as:

Our family migrated to a city for better economic opportunities. My father worked the whole day and run a pushcart. We could not afford a rented house; therefore, rented two rooms in a shared house. One day my parents were not at home and the owner of the house forced me into sex and raped me. I could not resist due to threats and fear to be killed. I did not share the incident, but was upset. My mother noticed my behavior and signs of fear on my face. She asked me and I shared with the parents. My parents struggled to launch a FIR but failed to have justice for me because the influential families are half of the decision-makers. The police also refrain to knock their doors. My father told me that you are a raped girl and no one agrees to marry a raped girl knowingly. Therefore, my father forced me into marriage.

In the same way, Tanzeem, 25-year-old, depicted her experiences as:

My father earned a modest from the business. We were living a respectable life. After some time, he fell ill. We took him to the hospital for medical tests. He was identified with cancer. We tried hard to recover his health but could not do so. Our limited economic resources could also not help his proper treatment. As a result, he passed away. We were left with a responsibility on mother as head of our family. The business of father collapsed because women were not encouraged in business and workers

were not honest. Therefore, the business declined. My father in his life had taken loans from different people. After his departure, people visited our homes on a daily basis and demanded their money back. My mother faced extreme social, economic, and psychological problems. People pressurized my mother to sell her daughters if she cannot return the money. My mother resisted, but ultimately, she did not have any other choice. I and my sister were married in exchange for money.

Similarly, Rukhsar, 19-year-old, explained:

I belonged to an economically poor family. My two brothers were wage workers and the breadwinners of the family. My father was critically ill and we did not have money to provide him proper treatment. The treatment required huge money. People also did not help us during the difficult time. My brothers with the consent of my parents agreed to sell me into forced marriage. My brothers got money in exchange for marriage and directed me to follow the instructions of my husband. As a result, I am here as a victim of forced marriage.

Moreover, Anum, 27-year-old, shared:

My father was a gambler and drug-addict. He did not work other than birds fighting, including cock, partridge, and brown partridge, in different villages and cities. Many times, after losing the game, he did not have enough money to pay to winner and offered his precious things such as a watch, silver rings, precious stones or motorbike. Once he bet that if he loses the game, he will offer his daughter in exchange for marriage. He lost the

game and lost his daughter too. He forced me into marriage with a person who won the bird fight.

The participants of this research indicated that they did not have information and knowledge about trafficking into forced marriages. Besides, they had the sense that they were sold as commodity. In this regard, the participants of the study highlighted diverse reasons that led them to trafficking into forced marriages. The contributing factors included socio-economic disparities in the society that kept many families susceptible to be exploited in various exploiting industries. Lack of economic opportunities for families was one of the reasons for selling their daughters into forced marriages. Similarly, some families were involved in social evils and they kept the life of women and girls to danger. In this respect, many participants shared their stories that how socio-economic disparities and structural inequalities became the reasons for their trafficking into forced marriages.

### **5.5 Socio-Political Instability, Cultural Practices, and Gendered Vulnerabilities**

Socio-political instabilities, and cultural practices prevailing in society are contributing factors that enhance women's and girls' vulnerabilities. In many societies it is witnessed that the victim of political instability is women. Similarly, cultural practices are men centered, and decision-makers in the society are men. Whereas, women are the recipient of decisions. Women are not allowed to give input in the decision making. Women and girls tend to remain vulnerable to political unrest and patriarchal cultural practices. Zaitoon, 21-years-old, highlighted her experiences as:

I lived in a society where the law-and-order situation was very critical. The majority of the people left their homes due to militant conflicts and economic decline. Since the situation of the area is bad, people could not

return to their homes. Our community was also broken. My father was a wage worker. We faced severe economic problems.

Moreover, Shabana, 25-year-old, revealed her experiences as:

I was trafficked into forced marriage when I was living with my parents in a joint family. The reason behind my marriage was that my paternal uncle had sexual relations with a neighboring girl. The family killed that girl due to illicit relationship with my uncle. They also tried to kill my uncle but luckily, he escaped from the area. During this period, many attempts were made by my family to resolve the tribal conflict with the victim's family. A third-party as a mediator with tribal elders was formed. The decision of giving a girl as compensation was announced from the elders and my name was given in exchange for the settlement of the tribal dispute. My male family members warned me if I refused or resisted then I would be killed as the decision has already been taken. I was forced into unconsented marriage with an old man. This practice is not a new.

Women and girls trafficked into forced marriages were interviewed at different spots. These women and girls shared the reasons for their vulnerabilities that brought them to trafficking into forced marriages. They highlighted that women and girls tend to be the victims of practices justified in the name of culture. The participants stated that the society is male dominant and the culture prevailed in this society is patriarchal and all the political decisions taken are also the men centric. Therefore, the decisions taken against women are based on exploitation and violation. According to a participant, the tribal nature of society left everything in the hands of male members of the society. Moreover, the uprising of

militant groups in various areas also keep many people in a miserable condition.

Following are the processes involved in the trafficking of women and girls into a forced marriage. Women and girls trafficked into forced marriage from other parts of Pakistan to Balochistan were interviewed. During the interviews, women and girls shared their experiences that how they were pushed in trafficking into forced marriages. The participants were encouraged to share their stories. I was in the search of understanding the issue from the victims stand points. Women and girls trafficked into forced marriages explained different experiences when they were brought from Khyber Pakhtunkhwa, Sindh and Punjab to Balochistan province of Pakistan. In all the narratives, it was common that they did not have any choice or decision to select the spouse.

#### **5.6 Actors Involved in the Process of Trafficking of Women and Girls into Forced Marriage**

The experiences of trafficked women and girls showcases a number of actors involved in the process of trafficking. Parents, husbands, in-laws, other blood relatives, and agents/brokers are the key actors involved in this process. As the data of this research indicate that women and girls trafficked into forced marriages had different experiences. Bride price remains a cultural practice in some areas of Pakistan. In this practice, the girl's family receives a specific amount from the groom's family. This amount is supposed to be spent on the marriage of the girl e.g., ornaments, furniture, utensils, and becomes the property of the girl. However, in trafficking cases, the money is received by the family members and girls are sold into marriages, usually with unmatched spouses who are aged or already have wives. In one case the girl was raped and the raped girl was not accepted socially. Therefore, her parents made a contact with the brokers to find a person to whom

the girl might marry for money. In this regard, the girl was forced to marry in exchange for money and the amount was received by father who invested this in his own business and did not transfer to the girl. Mahnoor, 26-years-old, added her experiences as:

My father explained to me that he cannot afford me for a long time. He told me that girls are born to marry. For them life is about getting married. He told me that I was a raped girl, and raped girls are socially rejected for marriage. Second, the blood relatives also demand that such girl must be killed or leave the area. My father also told me that punishment for the raped girl is death but he is still giving her relief. My parents contacted agents for selling me into forced marriage. Few days later, they had made the deal of giving me into forced marriage and I was sold into forced marriage in exchange for money. The person I was sold to, came and took me to Quetta and then shifted me to his native home where I am still in this forced contract. He was much older than me. He tried to convince me during the travel that if I did not like him then he will let me free from the contract but after reaching home, the entire scenario changed and I was told that if I disobey him or his family, strict lesson would be taught to me.

In this case, the research data reveal that the father of a girl was a gambler. He did not have cash. Instead of using cash he used his daughter as a commodity in exchange. The father lost the game and gave his daughter into a forced marriage. The girl was pushed and forced into marriage without her consent. Anum, 27-years-old, expressed:

My father informed me that I am giving you into a marriage with a particular person. Therefore, you have to go with him. I refused his decision and told

him that I am not a commodity for sale. My father warned me of killing otherwise. Resultantly, I was helpless and was trafficked into forced marriage.

In the following case, the research data explain that the girl had a single parent as her mother died. She was raised and remained in the custody of her father. Later her father and maternal uncle decided to give her into marriage in exchange for money. In this way, the father and maternal uncle would receive some financial assistance from the person to whom the girl was given into forced marriage. They learned from others that during economic crises, a daughter can be sold. The person was called to the home and the girl was promised for marriage and the girl was not asked for her consent. Even the girl did not know the meaning of marriage till that time as she was a minor. However, the girl was forced into marriage by her father and maternal uncle directly to the person. Zaitoon, 21-year-old, stated her experiences as:

My father and my maternal uncle were wage workers. They had learned from other people to sell their daughters into forced marriage in exchange for money or bride price. Father and uncle bargained with one of the persons who had come from other provinces in the search of a young girl for marriage. He visited our home and choose me as his wife. The religious scholar was called for the sermon of nikah. The religious scholar came and did not ask for the legal age of marriage. He recited the sermon of nikah and did not bother to ask my age. I was not asked for the consent. I resisted, made requests, cried, and appealed to father but none of my appeals were listened to. They received the amount from the person who purchased me.

I was directed to go with him. Before commencing the journey, the husband made some fake promises and also threatened me of consequences in case of escape and said the rebel women are hit in the head with bullets, so I should not dare to disobey him or make any attempt to escape.

In this case, mother of the girl took divorce from her first husband and remarried to another person. She took the daughters in her custody and moved to a new home. The person to whom mother entered into the second marriage, was an influential person. He was living separately due to some family issues. The step-father gave money to people and charge an amount from people living in interest on this money. There were many people involved in this business. They give goods or cash on interest and then receive that back in installments. The step-father was compelled to return the money and did not have a sufficient amount at that time. Therefore, the step-father made a deal with a person to whom the girl was forced into marriage. The girl was transited, transported and trafficked into forced marriage. Hawa, 21 years old, explained her experiences as:

My step-father was an influential person of the area. He developed incest taboo relations with me and my elder sister in the absence of my mother. One day on the return of my mother from the job, I shared her the complete story. She inquired from the husband. The husband apologized and said that he might have done this when he was drunk and said that he would never do that again. It did not stop. The clash between mother and step-father increased. He sold me into forced marriage. The person took me in his custody and said to me that girls are not asked for marriage in this society. If she is happy or not, she has to obey the social rules. I was taken in a



private car to the destination place, we reached and he introduced me to other family members including his first old wife. He also advised me to follow the domestic rules. Language difference kept me away from other family members. Though I have learned very little language but still unable to convey my message to people for any help.

In this case, the research data point that the family of the girl was passing through economic problems. The father was ill and do not have a sufficient amount. Therefore, brothers and other family members decided to sell the sister into forced marriage in exchange for money. The brothers made contact with people who could provide the sound amount in exchange. One of the persons made an attempt and convinced the brothers and paid them a good amount. The girl was forced into marriage with that person. Rukhsar, 19-year-old, shared her experiences as:

One day my husband directed me to dance before other family members. I could not because I did not dance in my entire life. I informed my brothers but they excused that they could not do anything for me. I have to deal this at my own. On the refusal, my husband cut my hair and warned if I made any excuse next time I would be killed or feet would be cut off. Resultantly, I was forced to enter in the dance. During this period, my husband and brother-in-law made my nude videos by force. Now I am in their custody and dance in private parties of people in different areas of Pakistan particularly in Balochistan.

In this story, the data reveal that the decision regarding women and girls remain in the hands of male members of society. The family had a tribal dispute. One of the family

members (paternal uncle of the girl) was in a relationship with the young girl of another tribe. The girl was killed by her family and the person involved with her escaped from the eve. The dispute extended. The third part played the role of mediator and conclude the dispute by giving girls as the compensation. The girl first went to the custody of the third party and then forced into marriage. Shabana, 25 years old, discovered her experiences as:

I worked in agriculture fields for several years with other members of the family. I am forced into a marriage. We (girls) are the commodities for dispute resolution. My family ignored my rights being a human

In this case, the research data stated that a woman was living with her husband and children. Her husband was addicted to homosexuality and frequently bring teenage boys for sex. He directs his wife to provide them sexual services in exchange. Conflicts emerged between wife and husband. The husband deceived his wife and concluded with the selling of his wife into forced marriage to the group of people as punishment. Women have to be submissive and passive in every aspect of life. Sadia, 26 years old, elaborated her experiences as:

I was sold to brokers by the husband. I was used for sex work for several months by the buyers/brokers and later sold into another marriage. I was brought to Balochistan into a forced marriage. Similarly, some women were also involved in this dirty work. They got married to people and take money and runaway after some time. I was also told to do this work but I had completely broken due to separation of my children.

In this case, data share that the influential people of the area most of the time exploit people who are of weak social and economic backgrounds. The influential people

perceived them their servants. Women and girls were at great risk of exploitation and violence in society. This is the case of a girl who was kidnapped by an influential family from her home for exploitation. She was exploited for several months. She experienced, physical, mental, and sexual violence. Furthermore, she was trafficked into forced marriage to Balochistan. Laiba, 24 years old, illuminated her experiences as:

I was pressurized to marry their drug-addicted brother. I refused to accept their proposal. So, they sold me to a broker for marriage. The brokers further sold me into a forced marriage to another person. The purchasing party received me took me with them by a private car to the destination.

Women and girls trafficked into forced marriages revealed that they have experienced several episodes of exploitation during and after trafficking into forced marriages. Some of the participants were forced into marriages for one time. However, some of the participants expressed that they were trafficked into forced marriages for two times. Whereas, one of the participants trafficked into forced marriage from Sindh to Balochistan stated that she was trafficked into forced marriage for three times. Women and girls trafficked into forced marriages from other parts of Pakistan to Balochistan viewed that their fundamental human rights were completely violated by their respective families, brokers, and agents involved in the trade of trafficking of women and girls for forced marriages. Women and girls trafficked into forced marriages also elaborated that marriage is not the ultimate purpose but in fact, marriage is used as a mean and women and girls are intended to be exploited further in several exploiting industries such as labor, sex, and domestic servitudes.

### **5.7 Experiences of Women and Girls Internally Trafficked into Forced Marriage(s)**

Women and girls trafficked into forced marriages have experienced diverse forms of continuum exploitation. There is very little understanding of the phenomena of trafficking into forced marriages in Balochistan. A large majority of the people are unaware of this emerging phenomenon. The trafficking has spread in different areas of Balochistan but as per the hidden nature of the crime the term trafficking in persons for exploitation in various forms of trafficking including trafficking into forced marriages in making it minor. Women and girls trafficked into forced marriages hailed from different parts of Pakistan such as Khyber Pakhtunkhwa, Punjab, and Sindh, and they were trafficked into forced marriages to Balochistan through different routes, and methods. Similarly, women and girls shared that all of them were forced into marriages with the person who already had two or more wives.

### **5.8 Forced Marriage: Domestic Servitudes, Forced Labour, and Sexual Exploitation**

Women and girls trafficked into forced marriages were exploited in domestic works. Many women and girls elaborated that they were forced to perform domestic work at their in-law's homes. They are seen as domestic slaves responsible for doing all domestic chores. Women and girls trafficked into forced marriages, in particular, have been emphasized to do more because they are specifically purchased as commodities to serve their buyers. Due to their status as purchased girls, they are informed to perform every duty assigned to them by the husbands and in-laws irrespective of time and consent. In this regard, the participants of this study shared diverse experiences. Mahnoor, 26-year-old, expressed her experiences as:

I wake up early in the morning. I make breakfast for the whole family. I

sweep the house and clean wash rooms. I feed the animals and help other family members in milking. I am responsible for cooking and also bake pieces of bread two times a day. I wash clothes alone and I also bring water from the tube well for home and animals. Due to a heavy work burden, I remain on duty for day and night.

Similarly, Hawa, 21-year-old, said:

Women are voiceless in the society. Many women who have chanted slogans against the cruelty of man have gone to the graves. Girls are of no significance. Illiteracy, ignorance, traditional practices of early marriage are very much common. A large number of girls are not asked for their consent for marriages. I am taking a breath in such a typical society, I have a lot of concerns about my life, marriage, and rights. I am a purchased girl, my stepfather used me as a commodity, and my husband bought me as a slave. I have to obey all their legal and illegal demands. I do not dare to register complaints against their cruelties and inequalities. I am perceived as a machine, bearing and caring children, domestic work, and also caring animals. I face violence from husband and in-laws.

Likewise, Laiba, 24-year-old, explained as:

In this house, I am doing a lot of works. I take care of elders, animals, and children. I wash cloths, cook food, clean the house and spend all day with cows, and sheep. In the day I work and in the night I provide service to my husband.

In the same way, Sadia, 26-year-old, pinpointed that:

My work starts in the morning and lasts till night. My husband is a 70 years old person. He is a landlord and does nothing. I serve my husband and his old wife. Both are ill and require help.

The data of this research indicate that women and girls trafficked into forced marriages had bad experiences in several episodes. The research also reveals that women and girls who were trafficked into forced marriages were pushed into multiple forms of labor exploitation such as working in the agriculture fields and business fields. They are forced to perform all the assigned duties without resistance. The following participants stated their experiences with me. Zaitoon, 21-year-old, described her experiences as:

Women and girls are vulnerable when they are born as females. The decision power always remains in the hands of male members of society. Most of the time women and girls are used as commodities in this society. I was trafficked into a forced marriage for the first time to a person residing in Karachi. He already had two wives. He had a small business of *Kabari* [used cloths and garments] in Karachi. I along with his other wives wash the used material imported from foreign countries. In spite of working as a business labour, I also work as domestic servant because the responsibility of preparing food and tea also lie on my shoulders being a young and purchased member.

In the same way, Shabana, 25-year-old, elaborated:

I was trafficked into a forced marriage as the outcome of the tribal dispute. I have experienced two marriages in my life. In the first marriage, I was forced into marriage for the settlement of a tribal dispute in which my family

was involved. I worked in the field and the house of my husband. My husband was killed in a violent clash. Soon after his death, in-laws asked me to go to my parent's home. Few months later, my father again sold me into a marriage with another person in exchange for money. In this society, the second marriage is done for two things; free labor, and for sex. I am purchased for these two reasons which I perform in routine without any break. I perform domestic work, in agriculture field to earn for the family, and provide sexual services to my husband.

Anum, 27-year-old, sold three times in to forced marriage, depicted her experiences as:

I was brought back home when my husband was killed in a dispute. I was sold to another old man by my father. He directed me to go with him. I spent some time there. My second husband died due to a heart attack. My father again took me to his home. He again sold me to a person for the third time into a marriage. I am trafficked into forced marriage for three times by my father. During these marriages I have to work at home and in the field. In this society women and girls are not only responsible for domestic works but also work outside the home to earn livelihood for family and maintain the agriculture fields.

The research data obtained from women and girls trafficked into forced marriages depict that women and girls have experiences diverse forms of exploitation. The participants revealed that marriage was used as a mean for the promotion and protection of sex industry, provision of sexual services, and participation in the dancing parties. Women

and girls expressed that they were first of all brought into forced marriages and later on were pushed into the sex industry for exploitation. Tanzeem, 25-year-old, narrated her experiences as:

My mother told me that she cannot kill all of us and was left with only option to sell me into a forced marriage. I live in a nuclear family with my husband. He is a chain smoker and a drug addict. He sells milk and spends all the money on hashish smoking. He does not provide money for the household and refused to bear household expenditures. I am responsible for maintaining household expenditures. There is no way to maintain expenses. I was pushed into prostitution for earning. I earn from prostitution this is not a job of my choice. Women are discouraged to do a business in this city. People refrain from sale and purchase from women. I have the only option to be in prostitution which is a hidden job. I tried to get a divorce but I am not able to return the money that he paid to my mother.

In the same way, Asia, 28-year-old, stated:

My husband is doing nothing. He has three wives including me. All these women are purchased from vulnerable or broken families. We all are involved in prostitution in different places; prostitution is seen very immoral activity in this society though. We live in a rented house. We provide sexual services to people. People directly come to our home or we go to their places for them. Sometimes my husband makes a deal with people and we provide sexual services to them at their places. My husband keeps all the money.

Rukhsar, 19-year-old, share the similar experiences as:



I was forced into marriage to this home. My husband pushed me into the dancing industry. My husband and in laws arrange dancing parties. I was taught dancing and forced to dance before family members and outsiders. The family is known dancers. My husband and brothers-in-law take us to different place for performances. I was the daughter of a respectable father and family. Due to our poor economic position, I was sold into a marriage and today I am a dancer, sex slave and addict. I experience sexual exploitation and harassment from my brothers-in-law in routine.

### **5.9 Discrimination, Violence, Health Insecurities and Human Rights Exploitation**

The data obtained from the interviews conducted with women and girls trafficked into forced marriages uncovered that they were living their lives in continuous exploitation. The participants of the study frequently experienced violence from the brokers during the process of trafficking into marriages, husbands and in-laws. The participants further explained that they have also received violence from people they were directed to provide sexual services or during dance parties. Majority of the participants documented that they have experienced mental, psychological, physical and sexual violence from their partners and in-laws.

The participants also said that they were passing through various health problems. Also, the participants viewed that they were restricted to specific places and their social mobility was also restricted by the husbands and in-laws. Therefore, they were at the disposal of their husbands and did not have access to health services. In majority cases, women and girls did not receive health security from their in-laws and from the government hospitals. In the majority of the areas, women and girls trafficked into forced marriages

could not have access to the government hospital. Except Quetta city, health dispensaries and health units were missing and in some area's health units were available but doctors and health practitioners were missing.

#### **5.10 Legal Insecurities, Marginalization/Stigmatization, and Human Rights Violation**

The participants further told that they do not have legal assistance by security agencies such as Police in the cities and Levies in the rural areas. They elaborated that when the participants report violence to Police station or Levies station, they refused to provide legal aid or support against violence. The Police Force blamed the participants as prostitutes involved in the prohibited business. About Levies Force, when the participants visited Levies station for the registration of First Investigation Report (FIR) against the perpetrators, usually husbands or in-laws, the Levies Force refused the legal aid and suggested them to solve their problems within their family because the Levies Force do not involve in domestic issues in rural areas. Levies Force also did not have women Levies personals to help the women as the victim of domestic violence.

Women and girls trafficked into forced marriages highlighted that that they were treated differently by their in-laws. Many local women come and make fun of them and also pass their free time with them. In this respect, these women and girls did not receive respect from the society as well as from the family as local women receive from their male and female members. Several things make them different from local women, for example when local women and girls face violence at their in-laws' home, their parents come up with help and defend their daughters whereas, women and girls trafficked into forced marriages did not have family support. Moreover, these girls are often called with different names that make them different and inferior in society as *Swatai*, *Chahchai*, *Changarai*,

*Chichgara, Gujarai, and Bagrai* [These terms are used for those people who belong to lower class. The people of these classes are stigmatized and marginalized due to their poor social and economic conditions]. It is concluded that women and girls trafficked into forced marriages were treated differently and did not have a respectable position. Their human rights were violated at multiple levels as they are forced into marriage without consent, work as slaves, and are also stigmatized.

### **5.11 Brokers in the Chain of Trafficking: Identification and Recruitment of Women and Girls**

All the broker participants of this study revealed that they were involved in other professions such as coalmines and timber work. Those professions were less profitable and it was hard to manage monthly expenditure. Wages are low in such types of work in Balochistan due to political and economic instability. Consequently, they changed their professions as marriage brokers or have it as a sideline business. The brokers in the start work in individual capacities and establish links with other brokers involved in this field. Therefore, they moved from individual to group work. About the experience of the brokers in this fields, the participants revealed that they had 3 to 10 years' experience. Moreover, the participants revealed that the amount they have obtained per marriage ranged from fifty thousand rupees to three hundred thousand rupees. The commission is obtained from both parties but the purchaser was charged more than the seller of the girls. Liaqat 35-year-old participant expressed

I was wage worker in a timber depot. I would pass through economic issues.

I would see some people demand for marriage and would offer me some commission to find for them a girl for marriage. When I would find any girl

for those people and in reward, they would give me some money. In this way, I made an idea about this work and it proved to be lucrative than the wage worker.

The research data indicate that there were prescribed criteria for the recruitment of women and girls for forced marriages. Most of the girls they recruited for forced marriages were young, beautiful, and healthy. Sometimes the language also matters as those girls are preferred who can speak or understand the language of the buyer. Furthermore, the broker expressed that age, beauty, physical fitness help determine price. The prices varied from case to case. According to the participants, the price of a girl usually ranges between Rs. 0.8 to 1 million rupees. Women and girls trafficked into forced marriages to Balochistan from Khyber Pakhtunkhwa were more valued as compared to Sindh and Punjab because of language. Furthermore, young girls have more demand than older as they can easily be controlled and have more energy to perform work for a longer time. Obaid 38-year-old told

As per my experience most of the people are interest to have young and beautiful girls. They have demand for girls between the age of 16-25 or maximum 30 years. Above the age of 30 women and girls are discouraged. These people are interested in virgin girls, unmarried girls. In some cases, some people show their interest about young widow women as well.

The participants of the study were asked about the identification of the vulnerable families from where the girls could easily be recruited for forced marriages. The participants stated that several identifying factors facilitate this business. It included the zones of economic difficulties, and socially marginalized families who were less connected with community. Economically poor families that could not afford dowry, families

depending on charities, illiterate and less exposed families, areas with bride price as cultural practice, and areas where the girls are at high risk of kidnapping are the most suitable areas for recruitment. Sometime the brokers pay money to local women for identification of families where the women and girls can easily be recruited or they ask information from the local shopkeepers about such vulnerable families.

### **5.12 Bargaining and Transportation**

The participants of the study expressed that bargaining is one of the difficult processes in the field of marriage brokering. The recruitment of women and girls for marriages requires to establish conversation with their parents or guardian. The participants said that they start conversation on different issues and draw them to the economic issues. They also engage them in the discussions on the problems due to cultural practices of dowry. In the end, they motivate them to force their daughters into marriages outside the local area and also make them convince that they will have money in exchange as well as the girls would be settled. The only thing that they find bit difficult is to convince them to marry the girl with aged persons who already have wives. But in such cases they offer more financial incentive to the families to lure them of overcoming their hardships and better future of the other family members. Similarly, sometimes the participants take help of local men and women to settle negotiation about marriage with the parents/guardian/custodian of the girls. Fahim 40 years old explained

In our society most of the people who contact with us (brokers) are those people who could not find any girl for marriage or maybe they are refused in their area or maybe they are of the over age. Therefore, they come to us and take our help for getting girl into marriage. Local people in Balochistan

refuse them for giving their daughters to these people in marriage and then they contact us. I rely on Swat, FATA and other parts of Pakistan. I contact with the other people of the same business to find a girl for a party. When they find a girl and then contact me for further bargain. I make bargain with buyers as well as with the sellers. I take money from both parties the sellers and the buyers and also distribute among my network workers. I charge more money from the buyers because of their demand for specific girls. Every year we bring women and girls for sell into marriage in different areas of Balochistan. We inform the parties and they see and short list the girls for marriage.

Furthermore, all the girls recruited for forced marriages come up with no consent because the decision power remains in the hands of male members. The decisions are often made by the fathers or other male guardians/custodians. Women do not consent for sale into forced marriages. These girls are forced to accept the decision taken by the heads of the families. The girls have been taught from early childhood that they are dependent creature and less wise to decide. The decision taken by women and girls is seen as immature and unnatural and is perceived to be socially unapproved.

The data of this research indicate that women and girls trafficked into forced marriages are transported from other provinces to Balochistan. The participants highlighted that women and girls who are transported from other places to Balochistan are often calm and obedient. These girls belong to socially and economically deprived families. These girls also move to a culturally different place and they are completely ignorant of the people and culture. Previously they were living in difficult situation. Transporting does not make

a difference to them. They are the victims of sexual abuse and harassment by the brokers/drivers and agents. If the purchaser is with the girl than she may be safe otherwise brokers also sexually exploit the girls before handing them over to the buyers. The girls are generally submissive and those who are trafficked into forced marriages have no education and exposure therefore, they do not know how to seek help from others or security agencies.

Mostly, people unable to manage marriage in Balochistan contact the brokers for girls. They tell their choices of girls. The brokers using their networks identify the girls according to the demands. Once they identify the girls, they invite the buyers to see the girls and make a deal. In case of a successful deal, the buyer has to pay the money to the agent/broker before handing over the girls. During the deal, brokers assess the financial situation of the buyer and negotiate accordingly.

The participant of the research study elaborated that women and girls trafficked into forced marriages are transported from other parts of Pakistan to Balochistan. These women and girls forced into marriages come up with no documents. In the majority of the cases, the parents, custodians, and guardians do not provide legal documents as proof of citizenship or proof of guardian/custodianship. Moreover, the girls trafficked into forced marriages are generally recruited from rural areas where people do not know the importance of legal documents e.g. birth certificate, national identity card. Similarly, the parents or custodians also feel fear that those documents might be used against them. The participants of the study also added that many times marriages are not registered because of non-availability of legal documents and hidden transaction. As part of the deal, brokers shared, sometimes parents or families of the girls are told that they will not keep any contact

with their daughters and will not visit them after the marriage.

The participants of the study indicated that brokering of women and girls into marriages is not a socially approved profession. A large majority of the people refuse to involve in this business. This industry is seen as a form of prostitution and people involved in this industry as pimps. People meeting these brokers in routine make fun of them and crack jokes on their lives and livelihood practices. Most of the people avoid relationship with the brokers.

The chapter explained in detail the lived experiences of twelve Pakistani women and girls trafficked into forced marriages from Khyber Pakhtunkhwa, Sindh and Punjab to Balochistan and also three brokers involved in the chain of trafficking. The data indicate that there were several reasons, such as family conflicts, socio-economic instabilities, and cultural practices of dower and dowry, tribal disputes, patriarchal norms and structure of society, and political and civil instability that make many women vulnerable to trafficking into forced marriages. The major players in the sale and purchase of the girls were parents, uncles, husbands, in-laws, kidnappers, and brokers. Moreover, women and girls in forced marriages continue to experience exploitation for labor and sex throughout their lives.



## **Chapter Six**

### **Interventions of Stakeholders and Existing Laws on Human Trafficking**

In this chapter, I analyze the data obtained from the stakeholders i.e., officials of Balochistan Levies Force, Balochistan Police Force, Bureau of Emigration and Overseas Employment, Federal Investigation Agency, Law and Human Rights Department, Prosecution Department, Social Welfare Department, Women Development Department, and the representatives of a nongovernmental organization, including Aurat Foundation, Human Rights Commission of Pakistan, International Organization for Migration, United Nations High Commissioner for Refugees, United Nations Office on Drugs and Crime, and the UN Women. The chapter comprises of the primary data obtained from the above-mentioned stakeholders regarding their interventions how they address the issue of trafficking, and women and girls trafficked into forced marriages in Balochistan. The data were obtained from fourteen stakeholders of different government departments and non-governmental organizations mentioned above. Moreover, the policies and laws were also analyzed through content analysis. This chapter highlights the interventions, including their information of trafficking and trafficking into a forced marriage, prevention of trafficking, protection of the victims of trafficking and trafficked into a forced marriage, prosecution of the traffickers and brokers, collaboration among institutions, and awareness campaign regarding anti-trafficking in Balochistan. Furthermore, the chapter also explains the prevention by legislation, and policy related to trafficking in persons in Pakistan and how these laws address the issues of women and girls trafficked into forced marriages.

Pakistan, in collaboration with UN international organizations has made meaningful efforts to combat human trafficking. The country has produced legislation and

policies to counter the menace of human trafficking. Various government departments, local and international NGOs are engaged in the fight against human trafficking. The interventions by stakeholders of government institutions, national and international non-governmental organizations were asked during the interviews. Answers were recorded and documented from the stakeholders about interventions for addressing the issue of trafficking in persons, particularly trafficking of women and girls into different forms, including forced marriages. The participants shared their knowledge about trafficking in persons and smuggling of migrants, prevention of trafficking in persons, protection of the victims, especially women and girls, prosecution of traffickers and the implementation of legislation to counter trafficking in persons, particularly trafficking of women and girls for several forms of exploitation including forced marriages.

### **6.1 Knowledge and Information: Conflation of Trafficking in Persons and Smuggling of Migrants**

The data reveal about the level of participants' knowledge and information regarding the issue of trafficking in persons. The participants shared their knowledge about the issue of trafficking in persons. The participants from the Levies Force and Police expressed that they had very little information about the issue of trafficking in persons and smuggling of migrants. They were of the view that trafficking in persons and smuggling of migrants are the same. They could not differentiate among various types. Participants from the Department of Law and Human Rights, Prosecution Department, Social Welfare Department, Women Development Department added that they had little knowledge of the issue of trafficking in persons. They said the issue has roots in history, but it has come to surface in a new form in current time. Therefore, there has been little focus on the issue in

Balochistan and the participants further stated that they do not have any training on the issue of trafficking in persons, especially the trafficking of women and girls. The participants from the Bureau of Emigration and Overseas Employment and the Federal Investigation Agency had more knowledge about the issue of trafficking in persons and smuggling of migrants. They had attended some conferences/workshops on the issue of human trafficking and had a clear description of the issue particularly the trafficking of women and girls.

Similarly, participants from non-governmental organizations such as Aurat Foundation, Human Rights Commission of Pakistan, and the International Organization for Migration, the United Nations High Commissioner for Refugees, the United Nations Office on Drugs and Crimes, and the UN Women stated that trafficking in persons and smuggling of migrants are major issues that the world is confronting now. They stated that there was very little understanding and information about the issue of trafficking in persons and smuggling of migrants among the institutions in Balochistan. The participants had knowledge about human trafficking and smuggling, but they do not have any particular interventions in Balochistan to directly counter trafficking into forced marriage as a form human trafficking.

The data revealed that understanding of women' and girls' vulnerabilities by the various institutions was ignored or the attention was not paid to address the issues of women vulnerabilities to trafficking. The participants expressed that due to the cultural practice of forced marriages of women and girls in Balochistan, the issue of trafficking and smuggling of women and girls is blurred. Women and girls trafficked into a forced marriage, thus remain in continuous exploitation since women's oppression, and in society

are considered a normal activity.

## **6.2 Funds and Resources: Response to Internal and External Trafficking**

Data were obtained from stakeholders on preventive measures, allocation of funds, provision of resources, and effective response from institutions and organizations to prevent trafficking in persons, particularly women and girls. All stakeholders emphasized the proper and adequate provision and allocation of funds to respective department to effectively address the issue of trafficking in persons, especially women and girls in Balochistan.

The participants from government departments expressed different views about the state of funds and resource allocation. The FIA participant clarified that the department was not given funds for trafficking prevention. The funds granted were invested in maintaining Anti-Trafficking Units (ATU) established at regional offices. Moreover, the department is more concerned with international trafficking than internal trafficking. Due to the complex nature of trafficking and the prevalence of forced marriage as traditional and cultural practice, cases of trafficking in women are rarely entertained. Limited funds and resources hamper probing and investigation process of trafficked persons or smugglers. The funds are not enough to affectively check the complex issues of trafficking and smuggling alongside the widespread border with Afghanistan and Iran.

Moreover, the participants from the Bureau of Emigration and Overseas Employment stated that the department is responsible for the safe and informed migration of people from Pakistan to other countries. Limited funds and resources were allocated by the department to address the issue of irregular migration including human trafficking. The department is not extending an effective function in Balochistan. It deals the issues of

people at the national level. In response to the trafficking of women and girls trafficked into forced marriages, the participants added that due to limited funds and resources, department is not very effective. The department has also not received any case related to women and girls trafficked into a forced marriage. The focus of the department is on labor migration only.

The participants from the Balochistan Police Force highlighted that the cities in Balochistan are congested due to over population. The police jurisdiction is limited to city areas, also known as A-Areas of Balochistan only. In this respect, the department needs an adequate fund for dealing with issues such as human trafficking and related crimes. The department receives minor funding and resources from the provincial and federal governments to combat human trafficking. All that the department has come from annual budget. There are no specific allocated funds for the prevention of human trafficking in the department.

Likewise, the Balochistan Levies Force has jurisdiction in the Balochistan B-Areas. In this regard, the Balochistan Levies Force participant elaborated that no funds or resources had been granted to the force to prevent trafficking. The department is engaged in the fighting against trafficking in persons and smuggling of migrants in Balochistan on entire borders with Afghanistan and Iran. Regarding the funds for the prevention of the trafficking of women and girls, the participant replied that they had no policy or funds to prevent the trafficking of women and girls.

The provincial government departments including Social Welfare Department, Women Development Department, Law, and Human Rights Department are key departments working for the rights of marginalized, isolated, handicapped, and deprived

people of society. They were contacted to obtain information about the funds allocation and resources allocation for the prevention of trafficking. The participants from these departments revealed that they did not have funds, financial aid, and resources allocation to specifically design interventions for the prevention of trafficking.

The participants from national level non-governmental organizations such as Aurat Foundation, and the Human Rights Commission of Pakistan stated that the organizations are more often dependent on the donations by donor agencies. In this regard, they allocate their financial aid and funds for specific projects already approved by the experts. Moreover, the allocation of funds and resources is more often dependent on the donors who invest their donations where they want to. In this regard, participants from NGOs expressed that they have not received any funds or financial aid for Balochistan to prevent trafficking in persons, particularly women and girls.

The participants stated that the government intend to implement the legislation with the help of local and international non-governmental organizations, but organizations are already running projects designated by the donor agencies' direction. The participants revealed that they had not seen any project in Balochistan that deals with the preventions of the trafficking in persons or women and girls trafficking prevention. Forced marriage is perceived simply as marriage. Trafficking of women and girls for forced marriages involves the violation of the freedom of women and girls. In this regard, the participants added that there was no allocation of funds and resources to their organizations for the prevention of human trafficking, particularly the trafficking of women and girls into forced marriages.

Research data show that international NGOs in Balochistan are working for social

welfare, but they are not directly working on the issue of trafficking into forced marriages. The stakeholders from the international nongovernmental organizations briefed about the financial aid or funds allocation and resource provision for the prevention of trafficking in persons, particularly women and girls trafficked into forced marriage. The participants said UNODC is opening its regional office in Quetta and has not commenced its operation. The organization would gradually be initiating its operation and function in the province.

Participants from UNHCR stated that the organization had been involved in welfare activities. It deals with issues affecting migrants and refugees residing in various areas in Pakistan. The participants also added that there are several issues faced by refugees and migrants. Migrant trafficking is one of the biggest issues. Participants said there is a limited allocation of funds and resources to prevent trafficking in persons, particularly women and girls.

Furthermore, the participants from IOM elaborated that the organization is involved in the issues of regular and irregular migrants. The IOM has allocated funds and resources to prevent the trafficking in persons in Pakistan. The organization had vowed to eliminate human trafficking with the help of Government of Pakistan. The participants described that trafficking into a forced marriage of women and girls is of the prime significance, but the IOM generically targets the overall trafficking in persons. Funds and resources for women and girls trafficked into forced marriages have therefore not been allocated. Women and children are at the main focus of protection as the victims of trafficking in the trafficking legislation. UN Women participants revealed that the organization has not released the funds in Balochistan to deter trafficking of women and girls.

Research data indicate that stakeholders' intervention included trafficking

prevention through official, effective responses to internal and external trafficking, and particularly women and girls trafficking. Several departments of government and non-governmental organizations reported that human trafficking in persons is viewed as the movement of people from outside the country. A large number of people are moving to Pakistan from other countries especially from Afghanistan.

FIA is responding to this problem. FIA officials have been found most of the time to be involved in the fight against the trafficking in person's problem. The FIA perceives the issue of human trafficking as a security issue faced at the border between Pakistan and Afghanistan, Pakistan and Iran, and the western coastal line between Pakistan and Arab countries. The FIA is a government security agency fighting for the prevention of human trafficking. Many people were found in trafficking in different countries. The FIA treated them the perpetrator of irregular migration using Pakistan's territory as a source or transit country.

People captured or found by Balochistan Levies and Balochistan Police were handed over to FIA for further investigation. Many of them had been silent on the issue of internal trafficking. Most of them viewed internal trafficking as a normal migration from province to province. Consequently, the reaction to internal trafficking in Balochistan was miser. Particularly when asked about the internal and external trafficking of women and girls for forced marriages, the participants revealed that they do not have effective measures to discourage trafficking of women and girls within and outside. Preventive measures to combat the trafficking of women and girls, particularly the trafficking of women and girls, was absent in Balochistan. The participants clarified that there is internal and external trafficking, and external trafficking is a security issue, while the internal



trafficking of women and girls is a cultural practice and has not been taken into any account.

The stakeholders that were interviewed by government departments, local NGOs and foreign NGOs shared that very little support has been given by their respective departments to deter the trafficking in persons. There was no funding and resource allocation mechanism that could be seen as an effective measure to fight against human trafficking. Trafficking in the forced marriages of women and girls was perceived as a traditional and cultural practice, rather than violation of women's and girls' human rights. The participants concluded that their respective departments are not enthusiastic to allocate funds and resources to deter the internal and external trafficking of women and girls in Balochistan.

### **6.3 Information Raising Campaign, Literature Production, Economic Opportunities for Vulnerable Persons, and the Prevention of Trafficking in Persons**

The data also reveal trafficking preventions through the social awareness raising campaign. Relevant departments have been interviewed regarding their awareness campaign in Balochistan as a preventive measure to address the issue of trafficking in persons in general, and women and girls in particular. As part of awareness campaigns, the participants were further asked about their initiatives to produce literature. Besides, participants were also asked for creating economic opportunities for vulnerable people to avoid the issue of trafficking in persons, particularly women and girls.

The participants from FIA said that the department has run a campaign in specific areas such as Quetta the capital city of Balochistan. The participants shared that because Balochistan is a widespread province and the population is scattered in rural and urban

areas, it was not effective campaign in the region. In this regard, very little effort has been made by higher educational institutions. Moreover, rest of the departments lack awareness raising campaigns to prevent trafficking. The FIA is the only organization/agency that tackles the issues of human trafficking and migrant smuggling in Balochistan. The majority of population of Balochistan is illiterate and unaware of the issue of trafficking in persons. Unemployment, and uncertainty make many people vulnerable which cause human trafficking and migrant smuggling in Balochistan. Trafficking and smuggling is prevalent in Balochistan as the province is a host or destination place for Afghan migrants for the last many decades, that is why awareness campaigns in Balochistan to prevent trafficking was not effective to address the issue of trafficking in persons, particularly women and girls.

Similarly, UNHCR has worked with UNODC and IOM to prevent trafficking in persons at different places. The participants from UNHCR described that UNHCR has completed more than 1100 projects with Afghan migrants to enhance their standard of living. The participants added that in Balochistan no information raising campaign for the trafficking of women and girls has brought into effect. The organization is engaged in refugee issues, and the issue of irregular migration is viewed as a security issue. So, UNHCR has not initiated an information campaign on human trafficking and migrant smuggling. The participants further said no literature has been produced in Balochistan for awareness of people. The UNHCR has not initiated action to address the problem of trafficking of women and girls into forced marriage in Balochistan. And same is true for other UN organization in Balochistan.

About the information-raising campaign as a preventive measure to eliminate

trafficking in persons in Balochistan, participants from other departments, institutions, and organizations reported that their departments, institutions, and organizations did not take any measures for the information-raising campaign, aimed at preventing trafficking. All participants said that their departments have not launched awareness campaigns, literature development, and preventive actions are missing in the print, electronic, and social media. The participants added that only few people from other organizations are invited at the federal level to understand the issue of trafficking in persons and smuggling of migrants, but at large the masses are unaware of the threats and dangers of this crime. Consequently, the measures are unable to prevent people being trafficked and smuggled to other places for exploitation.

The data of this research study indicated the economic opportunities provided to vulnerable people to prevent trafficking in persons. Most of the participants said no action has been taken by their departments to provide economic opportunities to trafficked people. The trafficked persons were perceived as the perpetrator of crime rather than the victims of trafficking. None of the participants from government institutions, non-governmental organizations, and international non-governmental organizations pointed initiative of economic opportunity to prevent the issue of trafficking in women and girls in Balochistan.

#### **6.4 Permanent or Temporary Shelter Houses, Rehabilitation and Protection of the Victims of Trafficking of Women and Girls, and Anti-Trafficking Units**

The research study discusses the construction of temporary and permanent shelter homes to protect victims of human trafficking. The participants revealed the protective measures taken by departments, institutions, and organizations for the protection of victims of trafficking particularly women and girls. Participants from law enforcement agencies

such as the Balochistan Levies Force, the Balochistan Police Force, and the FIA stated that they have not constructed temporary or permanent shelter for the protection of trafficked persons including women and girls trafficked into forced marriages.

The participants from national and international NGOs were of the view that they do not have temporary or permanent shelters for the protection of trafficked persons including women and girls. Participants from Department of Women, Law and Human Rights told that they are fully dependent on social welfare for shelter houses. The Department of Social Welfare has the only generic shelter house called *Dar-ul-Aman* in Quetta, where only fifty people could be given shelter facilities. The victims of other forms of exploitation occupy the space in Dar-ul-Aman and it becomes difficult to accommodate trafficked women and girls in Balochistan. Department of Women Development has three women's centers in Quetta, Sibi, and Khuzdar but they were not functional. There is no specific center or shelter for trafficked women and girls.

The research data further extend the rehabilitation of the victims of trafficking. In this regard, the participants of this study elaborated that the sensitivity, hidden nature of crime, the government agencies and departments are not aware of the threats and dangers of this crime. For the rehabilitation of the victims of trafficking no effective measures are taken. The participants shared that human trafficking and smuggling are seen mainly as a security threat in Pakistan and Afghanistan. The victims are generally perceived as violators of the state law and, therefore, are put in prisons. The study found that departments in Balochistan have failed to pay attention to first identify and then rehabilitate victims.

FIA has established anti-trafficking units (ATUs) across the province to prevent

trafficking in persons and human smuggling. However, the centers are experiencing shortage of trained staff and lack of resources to affectively counter human trafficking, and identify and protect victims. Moreover, the issue of women and girls trafficked into forced marriages is still considered different from trafficking. Another issue is that FIA and its ATUs only deal with the cases of trafficking across national borders, and addressing the issue internal trafficking is the mandate of the Levies force or Police force who do not have any formal training or knowledge of human trafficking. The participant further shared that UNODC is arranging a few trainings for the officials of law enforcement agencies to build the capacity to affectively address the issue of trafficking in persons.

The protection of trafficked persons, especially women and girls, is an important aspect of the intervention process to protect the lives of trafficked persons. In this regard, many of the participants replied that there is no temporary or permanent shelter house for the victims of trafficking in persons including women and girls. The only department that had the shelter house had limited space and the victims of trafficking were not accommodated there. The gatekeeper of the house did not have training on dealing the cases of human trafficking. Furthermore, the participants concluded that their departments, institutions, and organizations have not established any center for the rehabilitation of the victims of trafficking. The victims were perceived as the criminals or perpetrators. Besides, the anti-trafficking units were only established in FIA regional offices and and were not aware of trafficking into forced marriage. Also, internal trafficking was not considered as a form of trafficking, so the interventions were not adequate to prevent, protect, and rehabilitate trafficking cases.

## **6.5 Implementation of the Legislation, and the Prosecution Process**

Pakistan remains the origin, transit, and destination country for trafficking in persons and smuggling of migrants. Many people from several countries such as Afghanistan, Bangladesh, India, and Myanmar use Pakistan as a transit and destination country for the irregular migration (UNODC, 2019). In this regard, the issue of trafficking is deeply rooted in society. Many people from Pakistan are the victims of trafficking and irregular migration. Many times, they want to move to other developed nation for better lives. Many national and international governmental and non-governmental organizations are involved in the prosecution of the traffickers and people involved in this business.

The research data of this study show that the Balochistan has not taken effective measures despite hosting a large number of marginalized, internally displaced persons and regular and irregular migrants. The participants from various departments, and organizations viewed that they have not given proper resources for the prosecution of trafficking in persons in Balochistan.

The participants from the Balochistan Levies Force, Balochistan Police Force, and the Federal Investigation Agency highlighted that the traffickers were rarely prosecuted in Balochistan. Due to the lack of the resources and the legislative procedure the traffickers more often were not penalized by the courts. The protection of witness is not ensured by security agencies and this is a big challenge in prosecution. Once in Turbat district of Balochistan, eighteen smugglers were arrested and their case is still on trial because there is no clear procedure for the prosecution in Balochistan.

The study further elaborates on the implementation of the laws for the prosecution of traffickers and addressing the issues of trafficking of women and girls. In this regard,

the participants viewed that the laws have been made by the legislative bodies. For instance, an ordinance was promulgated in 2000 to address the issue of trafficking in persons and the law was refined in 2018 for the second time in the shape of an Act to address the issue of trafficking in persons and smuggling of migrants. The participants explained that there were many obstacles in the way of the implementation of the laws to address the issue of trafficking in persons.

The participants said that limited awareness and little cooperation among the organizations was the main hurdle in implementation that is why the prosecution is ineffective. Participants from government departments, national and international NGOs claimed that the enforcement of the laws falls within the jurisdiction of security agencies and they do not consider their departments and organizations as partner in the process of implementing. Consequently, the problem of trafficking of women and girls has not been resolved in an effective way and trafficking into forced marriages in Pakistan.

#### **6.6 Departmental Competency, Capacity Building, and the Prosecution Process**

The research data reveal the departmental competence, and capacity in the prosecution process. In this regard, different views were recorded from the participants regarding their departments. The participants from the Balochistan Levies Force stated that the force worked in traditional ways for prosecuting traffickers and protection of the trafficked persons. Modern technology was not used by the department. Very few Levies personals were aware of the use and operation of modern technology. Moreover, the Levies force investigate the local issue adequately, whereas the traffickers use modern technology for their business.

Besides, the Balochistan Levies Force has no women personal in force to deal with

women clients. Very few women levies at provincial level, investigation by male levies make this more difficult in a traditional society. Moreover, the marriage is seen as a domestic issue, therefore, the force does not bother to probe marriage related issues. Marital issues in a tribal society are very private. To deal with the trafficking women and girls into forced marriages required deep insight which the Levies personals lack.

The participant from Balochistan Police told that the force was restricted and limited to city only. The police have very little access and little concerned with the border or rural areas of Balochistan. Police is limited to A-Areas (urban area) whereas, the trafficking is more often practiced in B-Areas (rural areas) which is not the jurisdiction of Police. Therefore, the limited access and coordination makes it difficult to prosecute, protect, and prevent trafficking in persons. Furthermore, FIA was working in collaboration, but due to some issues they are not dealing efficiently with the issue of trafficking in persons. These issues include bureaucratic hurdles, non-availability of prosecution resources, fewer financial resources, and long border between Pakistan, Afghanistan, and Iran. From Quetta to rest of Balochistan, it was difficult to operate and deal with diverse population.

The participants from the Bureau of Emigration and Overseas Employment were restricted to the federal level only. The department had very little role in eradication of trafficking in persons. The department works only for the informed migration and do not have preventive, protective, and prosecution measures to address the issue of trafficking in persons. Other governmental and non-governmental agencies were also not involved in addressing the issue of human trafficking.

Furthermore, the data indicate capacity issues in the prosecution process. The



participants reported differently. The data show that their departments and organizations do not receive formal training, workshops, seminars, courses, conferences and literature at the provincial level in Balochistan. The participants revealed that the majority of the people were ignorant of the issue of trafficking in persons. No funds or resources are provided to the departmental or organization to build the capacity of personals. The participants further added that media campaigns, literature production was one of the most important segments that could strengthen public awareness. The participants clarified that, for several reasons, their departments have not formed such units in their departments for the eradication of human trafficking and the smuggling of migrants from and within the country.

#### **6.7 National and International Partnership Efforts for Cooperation, Coordination, and Collaboration**

The research explains the efforts made at the national and international level to tackle the issue of trafficking in persons, particularly women and girls trafficking. In this regard, the participant from UNHCR revealed that the organization was working along with other UN-based organization working against trafficking and smuggling. Moreover, participants from UNODC and IOM reported that their respective departments were engaged in anti-trafficking operations, in Pakistan, and at the global level. According to the participants the organization believed in cooperation, coordination, and collaboration among the state's institutions, and international nongovernmental organizations for the eradication of trafficking. Moreover, the participants from UN Women believed in the protection of women and girls from the exploitation in trafficking and smuggling industry, but the organization does not have any measure to document the efforts for the women and girls trafficked into forced marriages in Balochistan.

Furthermore, the participant from FIA believed in cooperation, coordination, and collaboration at the national and international level. In this regard, the participant revealed that the cooperation, coordination, and collaboration for the persons from their respective countries was required, which was entirely missing due to long and cumbersome process. In this regard, the process addresses the issue of victims as well as the persons involved in the trafficking and smuggling of migrants is very long. The participant also revealed that the coordination, cooperation, and collaboration is also mandatory with Interpol to address the issue of trafficking. The participant further added that the Passport Act of Pakistan and the Customs Act of Pakistan is also required to be reformed or amended according to the need of time. In this regard, the missing international cooperation, coordination, and collaboration made this issue complex. According to the participants, FIA and UNODC worked well, but there are still some limitations that needed to be resolved to lessen the risks of people trafficking and migrant smuggling.

The study further indicates that the participant from the Bureau of Emigration and Employment explained that they receive cooperation, coordination, and collaboration from the international community, but their jurisdiction is limited to the federal level rather than the provinces. In this regard, the department did not have any effective measures at national or international level and efforts made in partnership to combat trafficking in persons. Moreover, the Balochistan Levies and the Balochistan Police did not have cooperation, coordination, and collaboration among the institutions at the national level and international level.

Furthermore, the other participants elaborated that their respective departments were engaged in addressing the issue of trafficking in persons. But there were many things

to do. The participants believed that the cooperation, coordination, and collaboration was seen a significant in combating the issue of trafficking, but their respective departments were not interconnected with each other to eradicate this issue. At the international level it was merely a project to be completed in a limited time and did not address the issue at grassroots level. The cooperation, coordination, and collaboration were, therefore, missing from the whole scenario on trafficking in women and girls for various forms of exploitation including forced marriages.

### **6.8 Challenges Encountered while Implementing the Interventions**

The research data describe the views of the participants about problems faced by their departments and organization in dealing the issue of trafficking in persons. In this regard, the participant from FIA revealed that the department has limited resources and issues could not be addressed properly. The department do not have any mechanism to investigate, recover, or rehabilitate trafficked women and girls. Lack of funds, financial aid, and knowledge about the issue of trafficking are major challenges. The department also has capacity issues and unable to provide victims health, food and other important facilities and this could again push them to trafficking situation. With limited resources, it was not possible to run campaigns to raise awareness about the consequences of the issue.

The Balochistan Levies Force participants reported that they did not have sufficient resources to deal with the trafficking problem, so their involvement was less successful in rehabilitation of the trafficked persons from, within, and outside Pakistan. The Balochistan Levies have not recruited women in the force for investigation. Training, courses, seminars, and awareness campaign are missing regarding the issue of trafficking. Therefore, the Balochistan Levies is not able to affectively address the issues of trafficking. The

participants of Balochistan Police stated that the department is restricted to urban areas in Balochistan, but the issue of trafficking occur more frequently in rural areas which are not police jurisdiction.

Participants from the Bureau of Emigration and Employment, Law and Human Rights Department, Department of Social Welfare, and the Department of Women Development claimed that literature on the subject was inaccessible and the people concerned with policy-making were more frequently unaware of the issue. Therefore, more resources are required for the eradication of this crime from the society. Many participants perceived the smuggling of migrants and trafficking in persons as the same. Therefore, a clear understanding of the issue is very essential to affectively deal with the problem.

The participants from national and international NGO believed that the issue has been existing in society for a long time, but very little attention has been paid to it. In this regard, the organizations have often been concerned with projects borrowed from the national and international level. The governmental organizations are more concerned with the projects but not with real issues. In this respect, addressing the issue of trafficking in persons was much difficult in Balochistan.

About the trafficking of women and girls for forced marriages, the participants said that forced marriage is protected by cultural practice. But the issue of trafficking into forced marriages is different from other forms of exploitation. Women and girls trafficked into forced marriages remain at the disposal of husbands and in-laws. All forms of forced marriages include the exploitation of women and girls, but the trafficking of women forced into marriages is like making them slaves and the victims are deprived of their fundamental rights. Therefore, the participants believed that trafficking into forced marriage exist, but

there was very little information about this issue

## **6.9 Legislation on Human Trafficking in Afghanistan**

In 2008, the Islamic Republic of Afghanistan promulgated “Law on the Campaign against Abduction and Trafficking in Human Rights”. The law is about abduction and human trafficking. In this law, the forms of human trafficking are not properly addressed. It is more focused on abduction in which emphasis is given on child and woman’s abduction leading to trafficking. This law includes organ trafficking, labor trafficking, trafficking for sexual exploitation, trafficking in armed conflict, however, it is silent on the issue of trafficking of women and girls into forced marriages. The country has certainly taken concrete measures to eliminate human trafficking, but the law does not include forced marriage as a form of human trafficking.

Similarly, Afghanistan promulgated “Law on Anti-Human and Emigrants Trafficking” in 2017. The new law focuses on some forms of human trafficking such as organ trafficking, trafficking for sexual exploitation, and trafficking for forced labour. The punishment has been fixed for the offenders, facilitators and the commission against anti-human and immigrant trafficking has been set up at the national and provincial levels. The law emphasized the rights of the victims of trafficking whether they would be returned to their legal guardian or kept in shelters established in Afghanistan. In the above laws on trafficking in Afghanistan, the trafficking of women and girls into forced marriages has not been discussed. Despite the fact that various reports of international organizations (e.g. TIP Reports) have been consistently indicating that women and girls in war torn Afghanistan remain extremely vulnerable to trafficking through the conduit of forced/fake marriages, this form of trafficking is ignored in anti-trafficking legislation. There is a huge gap in law-

making, defining terminology and illustrating the forms of human trafficking. It is, therefore, required to amend the law in Afghanistan, and include all types of trafficking, including forced marriage, which lead to the abuse and violation of women' and girls' fundamental human rights.

#### **6.10 Legislation on Human Trafficking in Pakistan**

Pakistan acknowledged the presence of human trafficking in the country by taking the first step towards framing human trafficking legislation in 2002 (Yousaf & Purkayastha, 2015). According to the TIP reports published by the United States' State Department annually, Pakistan is a source, transit, and destination country of human trafficking (see, TIP Report 2019). In this regard, the government of Pakistan framed the Prevention and Control of Human Trafficking Ordinance (P & CHTO). It was the first-ever legislation in the history of Pakistan to combat human trafficking. In this context, the P&CHTO was promulgated and immediately entered into force in October 2002, and its rules were introduced in 2004. The rules included the provision of shelter, food, health, legal assistance to the victims, and rehabilitation of the victims of trafficking. Moreover, the legislation also focused on the cooperation of non-governmental organizations in the implementation of the law in Pakistan to eradicate human trafficking.

Although P&CHTO was a commendable first step to acknowledge the existence of trafficking in the country and take interventions to curb the menace, the analysis of the legislation highlights many limitations that have several implications. One of the implications is the blurred definition of human trafficking and human smuggling in the P&CHTO. Moreover, the presence of internal trafficking is entirely ignored in the ordinance, because the focus was on the movement of people across national borders. In

this view, internal trafficking was not covered in the anti-trafficking legislation in Pakistan. Also, the P&CHTO was silent regarding traditional practices such as the forced marriages of women and girls in Pakistan, where women and girls are trafficked into unconsented marriage, and marriages is used as a means to exploit women and girls for labor and sex.

The P&CHTO emphasized on the role pf NGOs in the provision of shelter, food, health, and legal assistance to the victims of trafficking. The analysis of legislation depicts weak coordination between the NGOs and the government institutions which produced a considerable gap in the implementation process. Furthermore, except shelters, the ordinance and its rules did not specify any interventions to protect and rehabilitate victims of trafficking, particularly women and girls. But as mentioned earlier, before 2002 there was no particular law that could deal with trafficking of the human being. The problem of trafficking in human being was addressed in Pakistan from 2002 to 2018 through Prevention and Control of Human Trafficking Ordinance (2002).

Keeping in view the limitations of the P&CHTO and to improve the ranking of Pakistan from Tier 2 watch list, the Government of Pakistan passed two important laws “The Prevention of Trafficking in Persons Act (PTPA) 2018” and “The Prevention of Smuggling of Migrants Act (PSMA) 2018”. The laws are seen to be an effective measure for the prevention and combat of human trafficking and human smuggling in Pakistan as there are separate laws now to address human trafficking and smuggling.

“The Prevention of Trafficking in Persons Act 2018” deals with the issues of trafficking in persons. In this respect, persons trafficked to Pakistan from other parts of the world or persons trafficked for exploitation within Pakistan are considered trafficked persons. According to the PTPA trafficking in persons involves "any person who, through

the use of force, fraud or intimidation, hires, harbors, transports, supplies or obtains another person or attempts to do so, commits an offense of trafficking in persons" (The Gazette of Pakistan, 2018). The Act further specifies the punishment of the traffickers that the person involved in the trafficking in persons "shall be punished with imprisonment which may extend to seven-year or with fine which may extend to one million rupees or with both" whereas, if the offense was committed against a child or a woman "the person who commits the offense shall be punished with imprisonment which may extend to ten years and which shall not be less than two years or with fine which may extend to one million rupees or with both" (The Gazette of Pakistan, 2018).

The Act further explains that if the crime involves a serious injury, life threats, illness or death, organized crime, confiscation, or destruction of the travel documents and repetition of the offense by the same offenders against the victims of trafficking in persons, the perpetrators shall be punished with imprisonment which may extend to fourteen years and which shall not be less than three years and fine which may extend to two million rupees.

According to the PTPA, the Federal and the Provincial Governments must take appropriate measures to ensure that adequate security is provided to a victim, the witness of an offense or any other related individual if the safety of the victim, witness or person is at risk. Moreover, the Federal and Provincial Governments may, in the prescribed manner, take necessary measures to relocate victims or witnesses or to limit the disclosure of the name of the victim or witness, address and other identifying personal information or both.

Unlike the previous legislation i.e. P&CHTO, the PTPA deals with both cross



border and internal trafficking. FIA is mainly responsible to deal with the issue of cross border trafficking whereas according to the new legislation provincial governments and police are responsible to deal with the cases of internal trafficking. However, police yet do not have any capacity and understanding of human trafficking.

Similarly, this law is not enough to address different forms of trafficking, including trafficking into forced marriage. The focus of the “Prevention of Trafficking in Persons Act 2018” is to criminalize trafficking in persons. The Act particularly deals with the trafficking of persons for forced labor and commercial sex only. Many women and girls are trafficked into forced marriages from Afghanistan to Pakistan and within the country. The majority of these girls trafficked inside Pakistan and outside Pakistan lacks documents due to their irregular status. They entered into or taken out of Pakistan without any legal documents. Moreover, women and girls are forced through traditional practices into marriages. They are deprived of their free and full consent that is a violation of the constitution of Pakistan and basic human rights. In this regard, the absence of forced marriage in the PTPA enhances the vulnerability of women and girls to further exploitation. In fact, because of the close relationship between human trafficking and human smuggling, trafficked women and girls in forced marriages are viewed as irregular migrants rather than the victims. The law is more often focused on punishing the offenders of trafficking rather than focusing on security or the rehabilitation of the victims of trafficking.

As for as the position of women and girls trafficked into forced marriage is concerned, they are coerced without their free and full consent. Traditional practices of bride price, settlement of family and tribal conflicts, the kidnapping of women and girls for exploitation could lead to their trafficking. In this regard, women and girls trafficked into

forced marriages live in the situation of slavery. Their fundamental human rights are refused, ignored, and not recognized. The PTPA is silent on the issue of forced marriage and the issue of forced marriage is trialed under other laws in the provinces. Balochistan is still lacking law against forced and early marriage of girls.

Another significant issue with the PTPA is that the legislation is not yet implemented because its rules have not been framed. The delay in the framing of rules is making the legislation unfruitful. After the rules are drafted, the prescribed manners recommended could be easily understood how they could protect the victims of trafficking. Moreover, provincial government need to adopt PTPA through legislation in their respective provinces to design and implement strategies to counter trafficking at provincial level.

The chapter highlighted in detail the interventions of stakeholders working to combat human trafficking and the status of existing legislation. In this view, the data pinpointed that the participants had very little knowledge about trafficking in persons and they do not consider forced marriage as a form of human trafficking. Preventive and protective measures were not affective due to the little attention paid to the availability of funds and resources allocation, information campaign, production of the literature on the issue of human trafficking. The officials of concerned agencies have still very limited knowledge of human trafficking and tend to conflate it with human smuggling. The chapter also explained the laws to address the issue of human trafficking. In this regard, the existence of forced marriage as form of human trafficking was entirely absent in the laws both in Afghanistan and Pakistan. Moreover, the laws are focused on punishing the perpetrators ignoring the protection and rehabilitation of victims. Hence, the interventions

are not able to address the vulnerabilities and needs of trafficked women and girls.

## **Chapter Seven**

### **Discussion, Conclusion, and Recommendations**

Chapter 4, 5, and 6 presented the experiences of Afghan, and Pakistani women and girls, the interventions of stakeholders and reviewed existing laws with reference to trafficking in persons. In this chapter, I attempt to explain how this study addressed the research questions. The chapter includes the conclusion drawn from the study and offers recommendations to address the issue of women and girls trafficked into forced marriages from Afghanistan and Pakistan.

Forced marriage is any situation where individuals, regardless of age, and gender are forced to live in a marriage to which they have not consented, experienced the loss of autonomy, and moreover have provided other forms of labor under the guise of marriage (ILO, 2017; Qiu, Zhang, & Liu, 2019). Whereas, in arrange marriage, the parents, older family members or trusted third party of the person concerned take the lead in introducing them to a prospective spouse, and the choice to agree or disagree with the choice of the match is always present (Pande, 2015; Arif & Fatima, 2015).

This exploratory research thesis was designated to showcase trafficking into forced marriage as a form of trafficking on a continuum of exploitation that cannot be separated from other categories of trafficking i.e. trafficking for labor and sex which remain the focus of academic studies on human trafficking. In this study, I have applied thematic analyses and qualitative content analysis to analyze the primary and secondary data. The research study is focused on analyzing the lived experiences of women and girls trafficked into forced marriages using gender and human rights lenses.

This research study unveils the lived experiences of women and girls trafficked into

forced marriages from Afghanistan and Pakistan, the reasons and processes involved in the trafficking of women, the role of the brokers in the chain of trafficking, the interventions of stakeholders, and the efficacy existing laws to address the issue of human trafficking in Pakistan.

### **7.1.1 Vulnerabilities of Women and Girls Trafficked into Forced Marriages**

The current study highlights that women and girls trafficked into forced marriages from Afghanistan and Pakistan had varied experiences. The data of this study found that there were several factors that created the gendered vulnerabilities to trafficking such as armed conflicts, socio-economic insecurities, political unrest, harmful cultural practices, and natural disasters exposing many women and girls into forced marriages. Similarly, the data obtained from Pakistan women and girls found that there were multiple reasons such as family conflicts, socio-economic instabilities, cultural practices of dower and dowry, tribal disputes, patriarchal norms and structure of society, political and civil that made many women vulnerable to trafficking into forced marriages. This study was built upon human trafficking literature, for example Weitzer (2014), who highlighted that the lived experiences of the persons living in human trafficking vary from each other. This study supports the arguments of the scholars that there are several other structures or social hierarchies such as age, race, class, ethnicity, nationality, sexuality, geographical location, religion, which intersects with gender, and result in their suppression, violence and exploitation (Carbado, Crenshaw, Mays, & Tomlinson, 2013; Crenshaw, 2014; Viruell-Fuentes, Miranda & Abdulrahim, 2012). This research study further supports the findings of several studies and reports (see Gupta, 2010; Hall, 2013; IOM, 2008) that socio-economic insecurity, political conflicts, and natural disasters play a vital role in the trend

of human trafficking. The authors further add that marginalized status in societies, gender-inequality, ethnicity differences, and caste are intersecting reasons for the huge number of women and girls as the victim of human trafficking. This study also supports the argument of scholars (e.g., Attane & Guilmoto, 2007) that demographic reflection, inflation of brides and economic insecurity enhance women's vulnerabilities to trafficking for forced marriage. Butt (2010) believes that besides economic and poverty issue there are several social and cultural practices which fuel the trafficking of women and girls. Some scholars (e.g., Blanchette & Da Silva, 2012; Figueira, 2012) argue that poverty, unemployment, illiteracy, and social inequalities have risen the prevalence of human trafficking. Matlabi et al., 2013 highlighted that cultural and traditional practices contribute to the prevalence of forced marriages in a society. Moreover, conflict, loss of lives, livelihood practices, socio-economic insecurity, deteriorating security, common practices of violence against women including forced marriage in Afghanistan, are the reasons of the vulnerabilities of women to trafficking (IOM, 2008). In another study, Jain (2008) elaborates forced marriages as an associated feature of armed conflicts around the world. The prevalence of marriage as cultural practice and kinship exchange are directly involved in the trafficking of women and create the precondition for the contemporary forms of sexual exploitation across the national and international boundaries (Rubin, 1975). Seelinger (2010), for example, describes a Chinese girl detained for one year in the USA. She was given in forced marriage in exchange for pay off her father's gambling debt. She was refused help by security agencies and was returned to her husband. As a result, she escaped with traffickers who promised her safety and work in the USA.

### **7.1.2 Processes Involved in the Trafficking of Women and Girls into Forced Marriages**

Current study illuminates that in the process of sale and purchase of Afghan women and girls for forced marriages, parents, blood relatives, guardians, kidnappers, and the brokers (traffickers and smugglers) played the role of the significant actors in the chain of trafficking. The study found that the process of human trafficking frequently involved cross-border irregular movement from Afghanistan to Pakistan. In this view, the brokers played their role in transporting women and girls from source to the destination country. The brokers earned, transited, and transported the girl through fake and false deals and agreements. In some cases, the trafficked women and girls were also abused physically and sexually by the brokers. Pakistani women and girls, were transited through formal routes and it did not require any such necessary documents for travel because these girls were internally trafficked into forced marriages. This study supports the findings of the previous studies conducted by some scholars, such as Hossain & Turner, 2001; Mohajan, 2012 that there is a huge demand for women and girls as trafficking is a highly profitable business. The organized gangs of traffickers often lure young women and girls with false promises of a better job or marriage. Moreover, Traffickers exploit traditional practices such as bride price, for trading women and girls as commodities in different parts of the world. It is like enslaving the girl for life because the buyers have so-called legal, cultural ownership over her (Rogers, 2004). Also, women and girls are sold into marriages to settle outstanding family debts or disputes (Mikhail, 2002; Seelinger, 2010). Other studies conclude that marriage and travel bureau are more often used as a recruitment agency that covers up the selling of girls from the source country to the destination country for traffickers (Van Impe,

2000). Similarly, economic and political stress, violence against women, inequalities, and corruption fuel human trafficking (Clark, Johnson, & McArthur, 2011; Tiano & Murphy-Aguilar, 2016).

### **7.1.3 The Role of the Brokers in Trafficking**

This study unveils the role of the broker in the chain of trafficking of women and girls into forced marriages from Afghanistan and Pakistan. The study revealed that the brokers were involved in the chain of trafficking of women and girls from Afghanistan and Pakistan and explained the processes in which they were involved in the recruitment, transportation, transition of women and girls from the source to the destination country. The brokers involved in the sale and purchase of Afghan women and girls would visit vulnerable places like conflict-affected where people were passing through the social and economic insecurities. The study found that the brokers were involved in the recruitment, transportation, and transition of Afghan women and girls through fake documents, bribe, and fake promises to the girls and their families. The brokers were found exploiting the cultural practice of bride price for the recruitment of women and girls into forced marriages. The study unveiled that parents, blood relatives, and guardians of the girl were the mostly involved in the sale and purchase of women and girls into forced marriages. The brokers were particularly interested in the sale and purchase of young Pashtun and Tajik girls due to their high demand. The study also highlighted that Pakistani girls were internally recruited for forced marriage and transported to Balochistan. The brokers involved in the trafficking of Pakistani girls for forced marriage informed that they attracted parents through lucrative money offers. The parents and families passing through hard times used their daughters as commodities and traded them in exchange for money.



The study supports the results of other studies that young girls are high in demand to be traded as commodities and many times their parents and other family members are found involved in their exploitation (Piper, 1999; Timmerman, 2006). Similarly, many parents sell their daughters mainly because of poverty, illiteracy and poor socio-economic conditions (Matlabi, Rasouli, Behtash, Dastjerd & Khazemi, 2013). The study also supports the findings that trafficking of women and girls across borders many times requires multiple sets of fake and false documents. The brokers and traffickers arrange for required documents to transport girls at the destination place. Traffickers may keep the documents of the victims in their custody to prevent them from escaping (Hodge, 2008; Piper, 1999; Richard, 1999). The common practices that lure victims into trafficking are promises of lucrative job, false or forced marriage that turn into slavery or slavery-like practices by parents, husbands, or boyfriends and traffickers (Limoncelli, 2009; Polaris, 2014; Poulin, 2004). In the same way, an individual is more likely to be trafficked in the same community by the traffickers regardless of whether the victim is trafficked to transnationally or regionally (Denton, 2016). According to the scholars the intersection of multiple social axes, such as race, class, and of course gender is very vital in terms of exposing an individual to the situations of trafficking (Collin, 1998; Crenshaw, 1989; Davis, 2006; Hancock, 2007; Shields, 2008).

#### **7.1.4 Lived Experiences of Afghan and Pakistani Women and Girls Trafficked into Forced Marriage**

This study highlighted that women and girls trafficked into forced marriage continue to experience multiple forms of exploitation. In this regard, several intersecting factors exposed women and girls to continuous human rights violations. Meanwhile, from

the source, destination, and current everyday life women and girls from Afghanistan and Pakistan have been experiencing physical violence (punching, slapping, hit by objects, beaten with sticks), psychological, and mental violence (torture, abuse, threaten), sexual violence (rape, harassment, prostitution, extramarital relation) from brokers and buyers, husbands, and in-laws. The study found that women and girls trafficked into forced marriages were in continuous exploitation in domestic work, forced labor, and sexual exploitation. As Yousaf and Purkayastha (2015) indicate, their experiences of trafficking can be situated on a continuum of violence.

A study revealed that traffickers recruit women and girls into the trafficking industry using the conduit of marriage to safely cross international borders and further push them into prostitution (Angathangelou, Agathangelou, & Ling, 2003). It was further highlighted in a study previously conducted that forced marriage persists in many countries e.g. Bangladesh, Nepal, Indonesia, Pakistan and Afghanistan (WEF, 2016). The current study supports the findings of Mohajan (2012) that South Asian women commonly suffer multiple forms of violence including domestic violence, rape, gang rapes, dowry death, sexual harassment, and suicides due to domestic physical and mental torture or stigma after rape, forced marriage, trafficking, and other psychological and financial oppression. Moreover, the study elaborates that the purchase of girls into forced marriages, without their consent, strengthens the dominance of men to use them for labor, sex, and domestic servitude. Force marriage, however, is not a separate category of exploitation. It intersects with other forms of exploitation such as domestic servitude, forced labor and sexual exploitation of girls (Yousaf & Purkayastha, 2015).

The study confirms the findings of other studies that women and girls were

subjected to various forms of gender-based violence including sexual slavery, domestic slavery, kidnapping, rape, and forced marriage. Many of these girls were raped before reaching to the puberty age (Bunting & Quirk, 2017; McKay & Mazurana, 2004). Similarly, the study revealed that forced marriage as a form of human trafficking often involves the elements of rape, sexual violence, and enslavement (Jain, 2008). This study also reflects the findings of studies conducted previously that forced marriage in early age causes physical and emotional harm to the girls due to their age, experience, and associated vulnerabilities depriving them of their fundamental human rights (Clark, 2003; Mibenge, 2010; Warner, 2011).

Similarly, women in forced marriages are at high risk to several harms related to their lives. They may be raped, beaten, threatened, insulted and/or experience other forms of violence (Seelinger, 2010). This study also builds upon trafficking into forced marriages literature that has noted that forced marriage can involve threatening behavior, abduction, imprisonment, physical violence, rape, and in some cases murder (Britain, Ahmed, & Uddin, 2000; Mikhail, 2002). Consistent with the findings of earlier studies, this study also highlights that trafficked women experience several episodes of violence from the traffickers, pimps, and consumers when they would make any mistake. It included punching, slapping, being hit by objects, beaten with sticks, belts, bats, and fists, being coerced to drink alcohol, sexual violence, rape, solitary confinement and mental violence (Dzuhayatin & Silawati, 2002b; Stewart & Gajic-Veljanoski, 2005; Rosenberg, 2003; Warner, 2004; Warner, 2012). The present study also supports the argument of Yousaf and Purkayastha (2015) that situating trafficking amidst intersecting vulnerabilities and exploitation showcases that trafficking cannot be considered as a discrete form of violence

unrelated to women's oppression and violence in other spheres. Hence, trafficking needs to be conceptualized as a form of exploitation of the continuum of violence that women and girls encounter in their everyday lives.

The experiences of women and girls trafficked from Afghanistan to Pakistan and those trafficked internally within Pakistan highlight common gendered vulnerabilities and contributing factors that lead to their exploitation. For Afghan women, the vulnerabilities to trafficking into forced marriages were the outcome of armed conflicts, socio-economic insecurity, political unrest, harmful cultural practices, and natural disasters. In the context of Afghanistan, in the process of sale and purchase of women and girls for forced marriages parents, blood relatives, guardians, kidnappers, and the traffickers and smugglers played the role. Whereas, in Pakistan, women's vulnerabilities to trafficking into forced marriages were the outcome of family conflicts, socio-economic instabilities, cultural practices of dower and dowry, tribal/family disputes, patriarchal norms and structure of society, political and civil instabilities. In the context of Pakistan, the major players in the sale and purchase of the girls were parents, uncles, husbands and in-laws, the kidnappers, and the brokers. Besides, women and girls from internal and external trafficking experienced physical, psychological, mental, sexual violence from the brokers in the way to the buyers, husbands, and in-laws. Moreover, women and girls in forced marriages were in continuous exploitation in domestic work, forced labor, and sexual exploitation.

The study explored that women and girls trafficked into forced marriages from other Parts of Pakistan were called with different names but still they had little recognition. They were called with names that would remind them that they were from lower economic class and associated their names with the profession of their families that make them

inferior in the host community. The study further revealed that women and girls trafficked into forced marriages from Afghanistan to Balochistan were stigmatized by their in-laws, and people living nearby them. They were also called with different unethical names which distinguished them from the local women. Afghan women and girls were called as “*Muhajira*” or “*Chichgara*” being irregular migrants and having no legal documents. The children of these women and girls were also perceived as different and inferior from the children of local women. Because of their inferiority, children were discouraged to join schools and were pushed into local *madrassas*. There were several hurdles in the issuance of legal documents for children due to the lengthy procedure which these irregular migrant women and girls were unable to fulfil. As a result, Afghan women and girls along with their children experience extreme human insecurities and are denied access to basic services violating their human rights.

Diverse experiences of Afghan and Pakistani women and girls trafficked into forced marriage depict gendered vulnerabilities and exploitation. Many of these marriages involved women and girls who were forced, coerced, deceived, abducted, kidnapped by parents, blood relatives and the criminal groups involved in the sale and purchase of women and girls. The trafficked women and girls were sold into martial unions where they endure years of exploitation, isolation, and lack of the fundamental human rights. The enormity and gravity of the situation of trafficking of women and girls across the border was due to the open and unregulated border that Pakistan and Afghanistan share. The environment of violence in conflict area breed and brought with its gender-based violence in Afghanistan. A large number of Afghan women and girls were trafficked for exploitation and human rights violation. The trafficking of Afghan women and girls was linked with conflict-

induced displacement, socio-economic insecurities, and natural disasters. The data of this study uncovers that lack or the deprivation of legal documents i.e., birth certificate, CNIC, or local/domicile certificate restricted women and girls to avail fundamental legal, social, political and economic rights. Moreover, these Afghan women and girls were stigmatized with immoral names in the society and the society did not recognize them as common citizen. Similarly, one should not underestimate the trafficking of women and girls within the boundary of Pakistan that involves their trade and recruitment for various purposes including forced marriage. The trafficking of Pakistani women and girls was linked with low economic and cultural statuses, social exclusion of families, tribal disputes and girls were considered an additional economic burden as parents must provide a dowry upon marriage. This drastically restricted their life opportunities and increased their vulnerabilities to exploitation and abuse into forced marriage.

Notably, gender intersectionality and human rights provided the premise for this research study by framing the problem of trafficking into forced marriages through a new theoretical lens that has not previously been associated with the issue. With the theory of gender intersectionality, the present research study argued that Afghan and Pakistani women and girls who have experienced trafficking into forced marriages are the victims of trafficking in that they are vulnerable to trafficking into forced marriages through several intersecting factors such as family conflicts, socio-economic instabilities, armed conflicts, political unrest, cultural practices of dower and dowry, tribal disputes, patriarchal norms and structure of society, and natural disasters that intersected with the gender and made many women and girls vulnerable to exploitations for trafficking into forced marriages at the hands of brokers (traffickers, and smugglers), the kidnappers, parents, blood-relatives,

husbands, and in-laws.

Similarly, from the human rights lens it is evident that women and girls trafficked into forced marriages lack civic, political, social, economic rights, cultural, and environmental rights. Therefore, the trafficking of women and girls involved the violation and exploitation of the fundamental human rights of women and girls in Afghanistan and Pakistan. The study unveils that trafficking into forced marriages involves the violation of the right to consent, legal, health, and education. The study findings suggest that intersecting factors were involved in the violation of women's human rights and women and girls trafficked into forced marriages were in the continuum of exploitation. Marriage was used as a mean to further force them into domestic work, forced labor, forced prostitution. With reference to policies and existing laws, the study shows that forced marriage is absent in the laws of Afghanistan, and Pakistan as a form of human trafficking which contributes yet another factor making women and girls vulnerable to trafficking into forced marriage.

#### **7.1.5 The Interventions of Stakeholders, and the Preventions of Existing Laws**

Focusing on the interventions of stakeholders and the legislation, this study highlighted in detail the interventions of stakeholders working to combat human trafficking in different government institutions and non-governmental organizations. The data pinpointed that the participants had very little knowledge about the trafficking in persons and for many forced marriages are not assessed as a form of human trafficking. The data further indicate that there are no concrete prevention and protection measures to address human trafficking in general and trafficking into forced marriage in particular. There is only a generic shelter house run by the government mainly for cases for domestic violence

and was not designed or has capacity to deal with trafficking related cases. Moreover, due to lack of awareness, resources, shortage of staff, and inert-agency coordination identification of trafficking cases and prosecution system are very weak.

The study pinpoints that Afghanistan and Pakistan have established human trafficking laws for the prevention of the victims of trafficking in their specific boundaries. Human trafficking in Afghanistan and Pakistan has not been affectively addressed because the focus of the current anti-trafficking laws and intervention is only on some aspects of human trafficking based on the specific or lack of understanding of the phenomenon. In this regard, the existence of forced marriage as a form of human trafficking remained absent from the laws of both the countries. Therefore, the women and girls trafficked into forced marriages remain outside the radar of anti-trafficking laws and interventions. Particularly in case of Afghan women and girls who are trafficked into Pakistan through irregular migration, they are considered as criminals who have violated the immigration laws rather than victims of trafficking. Moreover, the issue becomes more complicated as in this particular form of trafficking most of the times parents or family members are directly involved in their trafficking. Under such situation, trafficked women and girls cannot approach law enforcement agencies to seek any assistance. Hence, they continue to experience violence and exploitation throughout their lives and remain deprived of fundamental human rights.

## **7.2 Conclusions**

This research study was intended to respond to five main research objectives as how women and girls become vulnerable to trafficking into forced marriages, what processes are involved in the trafficking, how the brokers are involved in the chain of sale



and purchase of women and girls into forced marriages, document the experiences of women and girls trafficked into forced marriages from Afghanistan and Pakistan, and to describe the interventions of stakeholders and existing laws to address the issue of human trafficking in Pakistan.

The current study revealed the experiences of women and girls trafficked into forced marriages. The data obtained from Afghan and Pakistani women and girls trafficked into forced marriages highlight that there were several intersecting factors including armed conflicts, socio-economic insecurity, political unrest, harmful cultural practices, and natural disasters in Afghanistan that made women and girls vulnerable to trafficked into forced marriages from Afghanistan to Pakistan. In Afghanistan, the process of sale and purchase of women and girls for forced marriages involved multiple actors including parents, blood relatives, guardians, kidnappers, and traffickers and smugglers. The brokers made contacts with these actors for the recruitment of women and girls for forced marriages and bargain with the buyers in Pakistan through their organized network.

The study also showcases the experiences of women and girls trafficked from other parts of Pakistan to Balochistan and unveils several intersecting factors including family conflicts, socio-economic instabilities, cultural practices of dower and dowry, tribal/family disputes, patriarchal norms and structure of society, political and civil instabilities which exposed women and girls to trafficking. In the context of Pakistan, women and girls were not only sold into forced marriages by the brokers but in some cases, their parents were directly involved in the sale of their daughters into forced marriages.

The women and girls trafficked into forced marriages experience physical, psychological, mental, sexual violence from the brokers, traffickers, husbands, and in-laws.

The study elaborates that women and girls in forced marriages were in continuous exploitation in domestic work, forced labor, and sexual exploitation. The study pinpoints that women and girls trafficked into forced marriages are treated as outsiders in the host communities and are denied basic facilities.

Moreover, the study demonstrates that the stakeholders (government and nongovernmental) have not yet taken any significant interventions to affectively address the issue of human trafficking in general and trafficking into forced marriages in particular. Overall, the stakeholders had limited understanding of human trafficking. Due to the lack of resources and inter-agency coordination, there were very few interventions to prevent trafficking and protect and rehabilitate victims of trafficking. Similarly, the study indicates that the existing laws define trafficking only in terms of exploitation for labor and sex. Other forms of trafficking, including forced marriages, are not considered as trafficking. Moreover, the laws are more focused on the punishment rather than the human security or rehabilitation of the victims of trafficking. Therefore, keeping in view the results of this study it is suggested that several human-centric measures are required to address the needs and vulnerabilities of trafficked persons.

### **7.3 Recommendations**

Based on the findings of this study, in the following I present a few recommendations to address the issue of human trafficking.

Although the United Nations has clearly defined that trafficking could be conducted for diverse forms of exploitation, including forced marriage, the focus of anti-trafficking interventions remains on sex trafficking and forced labor ignoring other forms of trafficking. It is important to realize that trafficking could be organized for the purpose of

forced marriages so that specific interventions should be designed to prevent its happening and protect and rehabilitate victims of this form of trafficking as well granting them rights as trafficked persons. Hence, there is a need to broaden the definition of trafficking in the legislation. Moreover, as the experiences of trafficked women and girls reveal, different forms of trafficking are interrelated. The victims of forced marriages also experience labor and sexual exploitation.

Human trafficking does not care the boundaries of developing, and developed nations. It is present within countries in the form of internal trafficking, and cross borders as a form of transnational crime against humanity. The trafficked persons need special attention and should be treated as the victim of human trafficking rather than the perpetrator of crime or irregular migrants. In this regard, it is recommended that it is necessary to understand the overall nature and modus operandi of human trafficking rather than attaching it with irregular migration only. Treating victims of trafficking as criminals further makes them vulnerable to exploitation and denies their rights as victims of trafficking.

Human trafficking is generally perceived as a state security issue or border issue and the measures are focused on the prosecution of the traffickers. This ignores the needs and vulnerabilities of trafficked persons. Anti-trafficking interventions should also focus on protecting the victims and designing concrete interventions for their rehabilitation in the mainstream society. As urged by the United Nations, human rights of the trafficked persons should be the core of anti-trafficked persons.

There is a dire need to build the capacity of relevant stakeholders, provide them resources, and develop inter-agency coordination to affectively implement anti-trafficking

interventions. International organizations could help the government by providing technical and financial assistance. It is important to realize that without adequate resources, even well-designed cannot be implemented and fail to achieve the desired results. As the study indicates, traffickers target vulnerable families that could be easily trapped. Therefore, special attention should be paid on conflict zones or socioeconomically disadvantaged areas to extend social security system for the vulnerable groups, especially women and girls.

To address the issue of internal trafficking, provincial governments need to adopt the federal legislation. As police is now responsible to deal with internal trafficking cases, special courses/training sessions should be arranged for them to provide them awareness about the issue of human trafficking and their role to counter this menace. Moreover, involving all the stakeholders (government and nongovernmental) a comprehensive provincial strategy should be designed to prevent trafficking and protect and rehabilitate all victims of trafficking. Academics, civil society organizations, and communications media should play their significant role to create awareness about this issue which is still little understood in the society and report potential cases of human trafficking.

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## Appendices A

### DEPARTMENT OF SOCIOLOGY

### INTERNATIONAL ISLAMIC UNIVERSITY, ISLAMABAD

### INTERVIEW GUIDE FOR WOMEN & GIRLS

### Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan

1. Age of the participant (in completed years) \_\_\_\_\_
2. What is your family monthly income? Rs. \_\_\_\_\_
3. What is the type of family you are living in? (i) Nuclear (ii) Joint (iii)  
Extended
4. What is your educational level? (in completed years of schooling)

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16+
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5. What is the occupation of your husband?
6. How many members are there in your family?
7. How many children do you have?
8. Is your marriage endogamy or exogamy? Were you able to speak and understand the language of your spouse at the time of marriage? If not, then how did you learn the language?
9. What was your age when you were sold into marriage? What was your husband's age at the time of marriage?
10. What was your age at the time of marriage?
11. How many times have you been sold? How and Why?
12. How many wives your husband has? Were they also purchased? How do other wives treat you?
13. Who sold you? What were the reasons of your selling?
14. How much amount was paid for your marriage? Who received the amount?
15. How did your marriage take place? Was there any broker involved in it? What was the role of the broker?

16. Who performed your Nikah? Was the Nikah performed in your presence? Did the person who performed the Nikah asked your consent? Was your marriage properly announced?
17. Did you know about your husband and his family before marriage?
18. How did you travel to Quetta/Pakistan? Did anybody help you to cross the border? Since how long have you been living in Quetta/Pakistan?
19. How does your husband treat you?
20. How does your in-laws treat you?
21. What do you think about your marriage? Did you get respect as a wife?
22. Did your husband or in-laws beat you? If yes, on what issues and how frequently?
23. If you have any problem, with whom you can discuss it?
24. Do you have national identity card, muhajir card, passport, or any other legal document to prove your identity? What do you think about your legal status in Pakistan?
25. How many times did you visit Afghanistan or your native area after your marriage? Do you have any contact with your parents/family?
26. What type of problems you face in your everyday life? How do other members of society treat you?
27. What would you do if your husband disowns you?
28. Do you have any health-related issues? Do you face any problem in seeking treatment?
29. What is your daily routine? What type of work do you perform? How many hours do you work daily?
30. How do you think about the practice of selling girls into marriage? What are the problems in this practice? What should be done to address this issue?



## Appendices B

### DEPARTMENT OF SOCIOLOGY

### INTERNATIONAL ISLAMIC UNIVERSITY, ISLAMABAD

### INTERVIEW GUIDE FOR BROKERS

#### Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan

1. Age of the participant (in completed years) \_\_\_\_\_
2. What is your marital status? (i) Single (ii) Married (iii) Divorced (iv) Other \_\_\_\_\_
3. What is your monthly income? How much you earn from this work?
4. What is your occupation? Do you have any other occupation beside this work?
5. What is your educational level? (in completed years of schooling)

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16+
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6. Since how long have you been working as a broker?
7. How did you involve in this work?
8. How do you manage this work? Do you have connections with other brokers in Pakistan or Afghanistan?
9. What do you think about this broking activity? For what purposes do you provide services?
10. How many girls have been married until now through your contact?
11. For what areas/countries do you provide services? How do you identify families in Afghanistan or Pakistan? Do you prefer any particular areas? Why? What are the main areas for selling and buying?
12. Do you think people have any particular preference to marry or buy girls from Afghanistan or Pakistan?
13. How do you convince the families for bride price? How is the price settled? What is the process of deal?
14. What factors determine the price of a girl? What type of girls you look for?
15. How does the marriage take place?

16. Who are your clients? How and why do they approach you? How do the men select the girls they want to marry or buy?
17. How much money do you receive for your services from both parties? Does the many vary for Afghani and Pakistani girls?
18. How do the girls travel to Pakistan or within Pakistan? Do you pay anybody to help crossing the border? What is the legal status of girls who are brought from Afghanistan to Pakistan?
19. Do you have any experience of selling a girl two times or more? If yes, how and why?
20. Do you think the girls who are sold into marriage are more vulnerable to exploitation/abuse? What are the vulnerabilities associated with Afghani and Pakistani girls?
21. What happens to the girl if and when her husband disowns her?
22. Why do families sell their girls into marriage in Afghanistan?
23. Why do families sell their girls into marriage in Pakistan?
24. How does the society perceive your work as a broker? Do you openly perform the work as a broker?
25. What are the problems you face in your work?

## Appendices C

### DEPARTMENT OF SOCIOLOGY

### INTERNATIONAL ISLAMIC UNIVERSITY, ISLAMABAD

### INTERVIEW GUIDE FOR STAKEHOLDERS

#### Lived Experiences of Women and Girls Trafficked into Forced Marriages from Afghanistan and Pakistan

1. Age of the participant (in completed years) \_\_\_\_\_
2. What is your educational level? (in completed years of schooling)

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16+
---	---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	-----

3. What is department/ organization you are working for?
4. Since how long have you been working in this department/ organization?
5. What is your responsibility in the department?
6. Do you have knowledge about trafficking and smuggling?
7. Have you ever attended any training session on trafficking and smuggling?  
What do you think about the difference between human trafficking and human smuggling?
8. What are the intervention(s) of your department/ organization to address trafficking? How do you identify trafficked persons?
9. For what type of victims of trafficking do you provide services?
10. In your opinion, what are the main purposes for which people are trafficked in Balochistan?
11. How many cases of trafficking have been dealt by your department/ organization until now or have been protected through your department/ organization?
12. How many protection centers are available for trafficked persons in Balochistan?
13. Do you know any cases of in which women were trafficked repeatedly?
14. What do you think about the current legislation on human trafficking in Pakistan?

15. How does your organization work in collaboration with other organizations to address the issue of human trafficking? What are the main challenges in collaboration?
16. What are the measures of your department/ organization for the rehabilitation of the victims of trafficking?
17. How do your department contact with the family of victims?
18. How does your department/ organization deal with the basic needs of victims?
19. What are the problems you face in your work?
20. How do you know or identify trafficked person?
21. Does your department have any proper framework for implementation to control human trafficking?
22. What are the efforts of your department and where does the victims are placed until the solution?
23. Have your department or you ever interacted the traffickers and what is their perception about human trafficking?
24. How much fund your department has kept for the issue of human trafficking? or any other organization donated fund for issue to scup.
25. Does your department have proper coordination or management cell for the issue of human trafficking?
26. What do you think about the existing laws/interventions on human trafficking? What do you think in an effective strategy to combat trafficking?

## **Appendices D**

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

**AN**

## **ORDINANCE**

### **to prevent and control human trafficking**

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

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

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

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

1. Short title, extent and commencement.---(1) This Ordinance may be called the Prevention and Control of Human Trafficking Ordinance, 2002.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once

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

(a) “benefit” includes monetary profit, proceeds or payment in cash or in kind;

- (b) “child” means any person who has not attained the age of eighteen years;
- (c) “Code” means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (d) “coercion” means the use of force, violence, physical restraint, deception, fraud or acts or circumstances not necessarily including physical force but calculated to have the same effect, such as the credible threat of force or of infliction of serious harm;
- (e) “document” related to human trafficking includes a passport, a travel documents and any identification document used by law enforcement authorities;
- (f) “exploitative entertainment” means all activities in connection with human sports or sexual practices or sex and related abusive practices;
- (g) “Government” means the Federal Government;
- (h) “human trafficking” means obtaining, securing, selling, purchasing, recruiting, detaining, harbouring or receiving a person, notwithstanding his implicit or explicit consent, by the use of coercion, kidnapping, abduction, or by giving or receiving any payment or benefit, or sharing or receiving a share for such person’s subsequent transportation out of or into Pakistan by any means whatsoever for any of the purposes mentioned in section 3;
- (i) “inhuman sports” include all sports involving, as a matter of normal course, infliction of physical or mental injury on a person against his will, intention or reasonable expectation;
- (j) “organized criminal group” means a structured group of two or more persons, existing for a period of time and acting in concert with the aim of committing any offence under this Ordinance, in order to obtain, directly or indirectly, any financial or other material benefit and includes a person knowingly receiving or disbursing benefits accruing from the commission of any offence in relation to human trafficking by an organized criminal group; and
- (k) “victim” means the person who is the subject of or against whom any offence under this Ordinance has been committed.

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

- (i) Whoever knowingly plans or executes any such plan for human trafficking into or out of Pakistan for the purpose of attaining any benefit, or for the purpose of exploitative entertainment, slavery or forced labour or adoption in or out of Pakistan shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine:

Provided that in case of an accused who, in addition to committing an offence as aforesaid has also been guilty of kidnapping or abducting or any attempt thereto in connection with such offence, the imprisonment may extend to ten years with fine:

Provided further that whoever plans to commit an offence under this clause but has not as yet executed the same shall be punishable with a term of imprisonment, which may extend to five years and shall also be liable to fine.

- (ii) Whoever knowingly provides, obtains or employs the labour or services of a person by coercion, scheme, plan or method intended to make such person believe that in the event of non-performance of such labour or service, he or any other person may suffer from serious harm or physical restraint or legal proceedings, shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine:

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

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

- (iii) Whoever knowingly purchases, sells, harbours, transports, provides, detains or obtains a child or a woman through coercion, kidnapping or abduction, or by giving or receiving any benefit for trafficking him or her into or out of Pakistan or with intention thereof, for the purpose of exploitative entertainment by any person and has received or expects to receive some benefit in lieu thereof shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine:

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

Provided further that plea, if any, taken by the biological parents of the child shall not prejudice the commission of offence under this clause.

- (iv) Whoever knowingly takes, confiscates, possesses, conceals, removes or destroys any document related to human trafficking in furtherance of any offence committed under this Ordinance or to prevent or restrict or attempt to prevent or restrict, without lawful authority, a person's liberty to move or travel shall be punishable with imprisonment which may extend to seven years and shall also be liable to fine.

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



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

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

- (i) the competent authorities of the Government, at any stage of the trial to allow or extend the stay of the victim in Pakistan till such time, as the court deems necessary;
- (ii) payment of compensation and expenses to the victim in accordance with section 545 of the Code;
- (iii) Government to make arrangements for the shelter, food and medical treatment of victim being an unaccompanied child or a destitute woman.

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

8. Offences to be cognizable etc.---All offences under the Ordinance shall be cognizable, non bailable, and non-compoundable as construed by the Code.

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

10. Cognizance of offences etc.--- No court inferior to that of a Magistrate of the First Class shall try an offence punishable under this Ordinance.

(2) Notwithstanding anything contained in section 32 of the Code, it shall be lawful for a Magistrate of the First Class to pass any sentence authorized by this Ordinance.

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

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

GENERAL

PERVEZ MUSHARRAF,

President.

Mr. JUSTICE

# The Gazette of Pakistan



EXTRAORDINARY  
PUBLISHED BY AUTHORITY

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ISLAMABAD, SATURDAY JUNE 2, 2018

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

*Islamabad, the 1st June, 2018*

No. F. 22(14)/2018-Legis.—The following Act of *Majlis-e-Shoora* (Parliament) received the assent of the President on the 30th May, 2018 is hereby Published for general information:—

ACT NO. XXXIV OF 2018

*An Act to prevent and combat trafficking in persons especially women and children*

WHEREAS it is necessary to provide for effective measures to prevent and combat the trafficking in persons especially women and children; to promote and facilitate national and international co-operation in this regard; to protect the trafficking victims; and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

(699)

Price : Rs. 5.00

[5977(2018)/Ex. Gaz.]

1. **Short title, extent and commencement.**—(1) This Act may be called the Prevention of Trafficking in Persons Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) “child” means a person under eighteen years of age;

(b) “Code” means the Code of Criminal Procedure, 1898 (V of 1898);

(c) “Government” means the Federal Government;

(d) “Penal Code” means the Pakistan Penal Code, 1860 (XLV of 1860);

(e) “prescribed” means prescribed by the rules made under this Act;

(f) “Provincial Government” means the Government of a Province; and

(g) “victim” means a person against whom an offence under this Act is committed regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted.

3. **Trafficking in persons.**—(1) Any person who recruits, harbours, transports, provides or obtains another person, or attempts to do so, for compelled labour or commercial sex acts through the use of force, fraud or coercion, commits an offence of trafficking in persons and shall be punished with imprisonment which may extend to seven years or with fine which may extend to one million rupees or with both.

(2) If the offence of trafficking in persons under sub-section (1) is committed against a child or a woman, the person who commits the offence shall be punished with imprisonment which may extend to ten years and which shall not be less than two years or with fine which may extend to one million rupees or with both.

(3) In this section:

(a) “coercion” means use or threat of use of force, or other forms of non-violent use of force including—

- (i) threat of harm to or physical restraint of any person;
- (ii) any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint of any person;
- (iii) threat due to the vulnerable position of a person; or
- (iv) psychological pressure; and

- (b) "compelled labour" includes involuntary servitude, slavery or practices similar to slavery, or debt bondage and forced labour.

4. **Aggravating circumstances.**—Where an offence under section 3 involves:

- (a) serious injury, life-threatening illness or death of the victim or another person;
- (b) activity of an organized criminal group;
- (c) confiscation or destruction of any travel document of the victim; or
- (d) repetition of the offence by the same offender;

the offender shall be punished with imprisonment which may extend to fourteen years and which shall not be less than three years and fine which may extend to two million rupees.

*Explanation.*—In this section, 'organized criminal group' means a structured group of two or more persons, existing for a period of time and acting in concert with the aim of committing any offence under this Act, in order to obtain, directly or indirectly, any financial or other material benefit.

5. **Abetment and criminal conspiracy.**—(1) Any person who participates as an accomplice, aids, or abets an offence under section 3 or section 4, shall be punished in accordance with Chapter V of the Penal Code.

(2) Any person who is a party to a criminal conspiracy to commit an offence under section 3 or section 4, shall be punished in accordance with Chapter V-A of the Penal Code.

6. **Victims of trafficking in persons.**—A victim shall not be criminally liable for an offence under this Act but may become witness in the case.



7. **Presumption in case of child victim.**—Where the victim is a child, the prosecution may not prove actual use of force, fraud or coercion and the Court may not consider the consent of the victim, his parent or guardian as a defence.

8. **Investigating agency.**—(1) Subject to sub-section (2), the police shall investigate an offence under this Act.

(2) If the offence involves transportation of the victim into or out of Pakistan and it constitutes part of the transaction constituting the offence, the Federal Investigation Agency shall investigate the offence.

9. **Cognizance.**—An offence under this Act shall be cognizable and non-bailable under the Code.

10. **Cognizance of offences.**—Notwithstanding anything contained in the Code, a Magistrate of the First Class shall try an offence punishable under this Act and may impose any punishment provided under the Act.

11. **Safety of victims and witnesses of offences.**—(1) The Government or a Provincial Government may, in the prescribed manner, take appropriate measures to ensure that a victim, witness of an offence under this Act or any other related person is provided adequate protection, if safety of the victim, witness or the person is at risk.

(2) When it is necessary to safeguard the physical safety of a victim or witness of an offence under this Act, the Government or a Provincial Government may, in the prescribed manner, take necessary measures to relocate victim or witness or to limit the disclosure of name of the victim or witness, address and other identifying personal information or both.

12. **Protection of victims and witnesses by the Court.**—(1) The rules made under this Act may specify circumstances in which the Court may—

- (a) conduct the Court proceedings in camera;
- (b) seal or restrict access to record of the Court proceedings;
- (c) permit evidence of a victim or a witness behind a screen or similar adequate means out of view of the accused, or through a video link or the use of other communications technology; or
- (d) use a pseudonym of a victim or a witness.

13. **Compensation to victims.**—Where an offender is convicted of an offence under this Act, the Court may direct payment of compensation to the victim under section 545 of the Code.

14. **Awareness raising and prevention.**—The Government may—

- (a) develop and disseminate information programmes to increase public awareness regarding offences of trafficking in persons and dangers to victims;
- (b) promote and strengthen development programmes and national and international cooperation in order to address the root-causes of trafficking in persons, and the special vulnerabilities of women and children;
- (c) establish procedures to collect data and to promote research in relation to trafficking in persons, the factors that cause trafficking in persons, and on the best practices to prevent trafficking in persons, prosecution of offenders, and protection of victims.

15. **Power to make rules.**—(1) The Government or a Provincial Government may, by a notification in the official Gazette, make rules to carry out the purposes of this Act.

(2) If the rules made by a Provincial Government are inconsistent with the rules, at any time, made by the Government, the rules of the Government shall prevail over the rules of the Provincial Government.

16. **Repeal.**—(1) The Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002) is hereby repealed.

(2) Notwithstanding repeal of the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002), any act done, prosecution or proceedings undertaken or the rule made under the repealed Ordinance shall deemed to have been done, undertaken or made under this Act.

(3) In the Penal Code, section 369-A shall be omitted.

TAHIR HUSSAIN,  
*Secretary.*

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

**Bill**

*to prevent the smuggling of migrants*

**WHEREAS** it is necessary to provide for effective measures to prevent the smuggling of migrants by land, sea and air, to promote and facilitate national and international co-operation in this regard and to protect the smuggled migrants and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows,—

**1. Short title, extent, and commencement.**— (1) This Act may be called the Prevention of Smuggling of Migrants Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(4) This Act shall apply to any person who commits an offence under section 3, 4, 5, 6 or 7 where —

(a) the offence is committed within the territory of Pakistan;

(b) the offence is committed on board a vessel or aircraft that is registered under the laws of Pakistan at the time of commission of the offence; or

(c) the offence is committed outside the territory of Pakistan by a citizen of Pakistan.

**2. Definitions.**— In this Act, unless there is anything repugnant in the subject or context,—

(a) 'benefit' includes monetary profit, proceeds or payment in cash or in kind;

(b) 'Code' means the Code of Criminal Procedure, 1898;

(c) 'Government' means the Federal Government;



- (d) 'illegal entry' means crossing borders through any port or place other than the designated port or place or without complying with the legal requirements for entering into Pakistan or another country;
- (e) 'harbour' shall have the same meaning as in section 52-A of the Penal Code;
- (f) 'migrant' means a person who travels or intends to travel from one country to another;
- (g) 'organized criminal group' means a structured group of two or more persons acting in concert for benefit, with the aim of committing any offence under this Act;
- (h) 'Penal Code' means the Pakistan Penal Code (Act XVI of 1860);
- (i) 'smuggling of migrants' means the facilitation, for benefit, of illegal entry of another person who,—
  - (i) is a foreigner, as defined in clause (a) of the Foreigner's Act, 1946 (XXXI of 1946), into Pakistan or from Pakistan into a country of which the person is not a national or a permanent resident; or
  - (ii) is a citizen of Pakistan, as specified in the Pakistan Citizenship Act, 1951 (II of 1951), into another country of which the person is not a national or a permanent resident; and
- (j) 'smuggled migrant' means any person in relation to whom an offence under section 3,4,5,6 or 7 is committed irrespective of the fact whether or not the perpetrator is identified, apprehended, prosecuted or convicted.

**3. Punishment of smuggling of migrants.**— Whoever intentionally engages in or attempts to engage in the smuggling of migrants shall be punished with imprisonment which may extend to five years but which shall not be less than three years and with fine up to one million rupees.

**4. Offences in relation to documents.** — (1) Whoever intentionally, for the purpose of getting benefit,—

- (a) produces or attempts to produce a document for the purpose of enabling the smuggling of migrants; or
  - (b) procures, provides, or possesses, or attempts to procure, provide, or possess a document for the purpose of enabling the smuggling of migrants,-
- commits an offence.

(2) Whoever commits or attempts to commit an offence under sub-section (1) shall be punished with imprisonment which may extend to three years but which shall not be less than one year and with fine up to one million rupees.

**5. Offence of harbouring illegal residents for benefit.—**Whoever intentionally, for the purpose of getting benefit, harbours or attempts to harbour a person who is not a citizen or permanent resident of Pakistan and who has not complied with the necessary requirements for legally remaining in Pakistan commits an offence and shall be punished with imprisonment which may extend to three years but which shall not be less than one year and with fine up to one million rupees.

**6. Aggravated offences.—**The offences under sections 3, 4, and 5 shall be punished with imprisonment for a term which may extend to fourteen years but which shall not be less than five years and with fine up to two million rupee in any of the following circumstances,—

- (a) where the offence involves serious injury, life-threatening illness, or death, or other circumstances that endanger, or are likely to endanger, the life or safety of the smuggled migrant or another person;
- (b) where the offence involves cruel, inhuman or degrading treatment of another person; or
- (c) where the offence was committed as part of the activity of an organized criminal group.

**7. Offence of abetment and criminal conspiracy.—(1)**Whoever abets any of the offences under section 3,4,5 or 6, shall be punished in accordance with Chapter V of the Penal Code.

(2) Any person who is party to a criminal conspiracy to commit an offence under section 3,4,5 or 6 shall be punished in accordance with Chapter V-A of the Penal Code.



**8. Non-criminalization of smuggled migrants.**— Without prejudice to the applicability of other laws establishing criminal offences, smuggled migrants shall not become liable to criminal prosecution under this Act for the fact of having been the object of conduct set forth in section 3,4,5,6 or 7 and may be a witness in the case.

**9. Offences to be cognizable offences etc.**— All offences under this Act shall be cognizable, non-bailable, and non-compoundable as construed by the Code.

**10. Cognizance of offences.**— Notwithstanding anything contained in the Code, a Magistrate of the First Class shall try an offence punishable under this Act and may impose any punishment provided under the Act.

**11. Investigating agency.**— The Federal Investigation Agency, or such other agency as may be specially empowered by the Government through notification in the official Gazette, shall be responsible for investigation of offences under this Act.

**12. National and international cooperation.**— The Federal Investigation Agency, or such other agency notified under section 11 may,-

- (a) co-operate with relevant authorities in Pakistan and in other countries of origin, transit and destination of smuggled migrants and make reciprocal arrangements after due administrative process to share, request and receive information relating to smuggling of migrants; and
- (b) maintain liaison with all relevant national or international authorities, organizations, bodies, associations and societies and represent Pakistan.

**13. Applicability of Code.**— The provisions of this Act shall have effect notwithstanding anything contained in the Code or any other law but, save as expressly provided in this Act, the provision of the Code shall, in so far as they are not inconsistent with the provisions of this Act, apply to the proceedings under this Act.

**14. Power to make rules.**— The Government may, by a notification in the official Gazette, make rules to carry out the purposes of this Act.

**15. Indemnity.**— No suit prosecution or any other legal proceedings shall lie against the Government or any other person exercising any power or performing any function under this Act or the rules made thereunder for anything done in good faith.

**16. Act not in derogation.**— The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

**17. Repeal.**— The Prevention of Smuggling of Migrants Ordinance, 2018 (VII of 2018) is hereby repealed.

### **STATEMENT OF OBJECTS AND REASONS**

The primary purpose of this Act is to prevent and combat smuggling of migrants. Since smuggling of migrants involves multiple international jurisdictions, cooperation between agencies within and among countries is necessary. Migrant smugglers take advantage of desperate people, many of whom endure unimaginable hardships in their bid for a better life. Migrant smugglers place the lives and safety of smuggled migrants in grave danger. This makes it incumbent upon the Government to ensure that those who engage in this inhuman crime are punished and that the rights of smuggled migrants are protected. The Act has three important purposes: (a) prevention and combatting of smuggling of migrants; (b) promotion and facilitation of national and international cooperation; and (c) protection of the rights of smuggled migrants.

Minister for Interior  
**Minister-in-charge**