

AS
[TO BE INTRODUCED IN THE SEANTE]

**A
BILL**

*further to amend the Prevention and Control of Human Trafficking Ordinance,
2002*

WHEREAS it is expedient further to amend the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002) for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title and commencement. - (1) This Act may be called the Prevention and Control of Human Trafficking (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment of section 3, Ordinance No. LIX of 2002. - In the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002), hereinafter referred to as the said Ordinance, in section 3,-

- (i) in sub-section (i), for the expression "to seven years" occurring in the last line, the expression, "for life but which shall not be less than fifteen years", shall be substituted;
- (ii) in sub-section (iii), for the expression "to ten years" occurring in the last line, the expression, "for life but which shall not be less than fifteen years", shall be substituted; and
- (iii) in sub-section (iv), for the expression "seven years" occurring in the last line, the expression, "fifteen years but which shall not be less than seven years" shall be substituted.

3. Amendment of section 4, Ordinance No. LIX of 2002. - In the said Ordinance, in section 4,-

- (i) for the expression "ten years" the expression, "fifteen years" shall be substituted; and
- (ii) for the expression "fourteen years" the expression, "twenty years" shall be substituted.

4. Amendment of section 5, Ordinance No. LIX of 2002. - In the said Ordinance, in section 5, for the expression "to fourteen years and the offender" the expression, "for life and" shall be substituted

STATEMENT OF OBJECTS AND REASONS

Every year, thousands of young Pakistanis embark on perilous journeys attempting to enter Europe without proper documents in search of a better life. Human trafficking seems to be going on with impunity in our country. Between 30,000 to 40,000 Pakistanis annually, attempt illegal passage to Europe as well as Turkey, Russia, and the Middle Eastern countries through land route as well as by air. In a recent Greece Boat Drowning tragedy being one of the worst disasters of this year, apparently nearly 400 people on board in a boat carrying refugees to Greece were from Pakistan with more than 298 reported dead. The appalling conditions in which people were transported, resulting in the tragic loss of life of men, women and children on board this boat is macabre and shocking.

2. This is an unfortunate and bitter reality that criminals as well as their perpetrators involved in such a heinous crime against human lives are often get off scot-free during trials in such cases and even those who are proceeded against in court and convicted, seldom face anything more punitive than a fine. As per the FIA's own record, until October 2017, out of a total of 1,898 individuals convicted for human smuggling, 1,245 or 65 per cent were only fined, and that too meagre amounts. Of the remaining 653, a whopping 97pc, were sentenced to imprisonment for less than a year. In fact, for the last several months, there has not been a single individual convicted of human smuggling behind bars in the region's four jails.

3. Keeping in view of this dismal state of affairs, offences under the existing laws, for example, when the process of smuggling endangers life and limb, or "is committed as part of the activity of an organized criminal group", need to be countered with more punitive sanctions and exemplary punishments.

4. The Bill has been designed to achieve the aforementioned purpose.

SENATOR SAMINA MUMTAZ ZEHRI
MEMBER-IN-CHARGE