



Minutes of meeting

Consultative Meeting on Women Trafficking Issues, Held on 10 July 2021 at 10 PM, in Ramada Hotel, Islamabad.



Participants: Twenty-four (24) participants, including parliamentarians, members of women parliamentary caucus, duty bearers, lawyers, and GDP team. The attendance sheet is attached as an annexure.

Proceedings:

The meeting was chaired by Ms. Madiha Nasir, MPA, and administered as per the agenda. (Attached as an annexure)

1. Prevention of Trafficking in persons Act 2018

GDP Legal Expert, Advocate Sharafat Ali, explained and discussed the law on prevention of trafficking in persons, act 2018 so that the audience could acquire a legal background before further proceedings. Under this law, he presented and explained the following points:

- Definition of child and victim.

- Definition of trafficking.
- Women trafficking law 2002 converted into Prevention of trafficking in persons act 2018.
- Three types of punishment.
- Abetment and criminal conspiracy.
- Victims and criminal conspiracy.
- Victims and liability.
- Child victim.
- Investigation agency.
- Safety of victims and witnesses; and other features of the law.



2. Legislative update regarding women trafficking in KP

Ms. Nudrat did not attend.

3. Update on the under-age children trafficking in KP

Deputy Chief, KPCP&WC, Mr. Ijaz Muhammad Khan, shed light on the legislative updates and progress of on the KP Child Protection and Welfare Act. He explained



that the KP government and the state had been very active to improve child protection and child justice in the province. Out of 13 Child Protection Courts in Pakistan, 8 are in KP and the current budget allocation to establish 2 child protection complexes in Bannu and Peshawar which will include observation homes, rehabilitation centers and CPIs is an unprecedented historical achievement not only in the province but in the entire country.

He reiterated the need to use full institutionalization as a last resort and rather improve safe and inclusive community-based & family-based support solutions for children.

KP Child Protection Welfare Commission reviewed the KPCPWA, the trafficking laws pertaining to children and proposed relevant amendments in line with the Constitution of Pakistan; while doing so, different expert stakeholders were consulted. The proposal has now been submitted to the cabinet and hopefully would

get approved soon. The KPCPWC has reviewed and incorporated all aspects related to the protection of children including but not limited to child labor, anti-beggary, etc.

Mr. Ijaz Muhammad Khan further shared that the KP Child Protection Welfare Commission is also involved in the sensitization of community, upholding law while trying to prevent any such incident.

Addressing the queries of the participants, Mr. Ijaz apprised that some of the lower staff from hospitals are linked with Child-trafficking gangs and they are involved in selling newly born babies or replacing them with dead babies. Sometimes, the couples abandon their offspring in the hospitals right after giving birth to them. There is no adoption law in Pakistan, but the court can allow the custody of the child for his/her wellbeing.

4. The issue of women trafficking and human rights perspective.

Executive Director GDP, Ms. Valerie Khan started off her session by recognizing and appreciating efforts of the state (the government and judiciary) along with efforts of Ejaz Khan in collaboration with GDP and other CSOs and media in pushing for the child protection & child justice agenda in KP.

She added: “we need to be aware of intersections: children in conflict with the law, child trafficking, child marriages, child abuse and exploitation, and forced employment”. She further added that child domestic labor should be fully banned as it is a worst form of child labour and usually entails internal child trafficking. “When we talk about CDL as a worst form of child labour, we then talk about a modern form of slavery and slavery is absolutely forbidden under the Constitution of Pakistan. Hence CDL should be fully banned”.



She encouraged everyone to unite and make an action plan to address women and child trafficking via a holistic approach.

5. Group discussion

Based on participants' feedback, an open discussion was initiated instead of group activity. The topic of the discussion was “how will we eradicate child trafficking in KP?”. The Following recommendations were formulated:

- Home Department: to address child and women trafficking, the Government of KP uses the Federal law in collaboration with police to eradicate child-trafficking. Furthermore, many trafficked children are also children in conflict with the law. We need dedicated place for child offenders in line with the JJSA. Rules of the anti-trafficking law have not been notified anywhere as well.
- Capital City Police: SP Investigation. Mr. Aslam made the following



recommendations: 1) we should start from more visible places where child labor is a common practice, i.e., factories, workshops, etc., before targeting child domestic labor. Child Domestic Labor is a difficult nut to crack; it's hard to know who employs a child labor in their home, going door to door is not a viable option. Therefore, before targeting child domestic labor, we must have a detailed survey backed by valid statistics that will aid in

developing a more applicable law and supervised field operations by the police. 2) as far as rules are considered, they are missing. For police, it doesn't really matter if its federal or provincial law, we only see which law is more applicable and effective to protect everyone. 3) police officers should be sensitized on the new laws so that they are aware of them and ensure its effective implementation. We need capacity-building which enable us to deliver in a practical manner.

While addressing a query of Ms. Madiha Nisar, Mr. Aslam said, we have the data of internal trafficking cases except the ones solved or being solved by the Jirga or arbitrary parties. Availability of data was confirmed by Mr Ejaz Khan.

- FIA: Deputy Director FIA, Mr. Tariq Masood, shed light on processes to counter trafficking and few shortcomings of these processes. He apprised the audience that FIA blacklist the passport of the person involved in trafficking either by choice or force/deception to keep them from fleeing the country until the verdict is passed, yet some of the offenders manage to fly abroad. Often the cases of trafficking are reported from the same area and family. He recommended 1) the FIA should use SMS services, social media, and other

means to sensitize the community at large on trafficking especially in the areas identified with high rates of trafficking 2) We should increase the capacity building activities of the individuals involved in countering-trafficking: FIA+police 3) The trained person should be publicized in the department so that other may know of it to seek advice from subject matter expert.

- Commission on the status of women: Ms. Riffat Sardar shared her personal experience of bringing back 300 trafficked children from Dubai: “When they sent those 300 trafficked children back to Pakistan, we realized we don’t have proper systems to facilitate them all. We didn’t have rehab centers, or places to accommodate them.” She also wanted to use the same platform and strategy to bring back the trafficked girls from foreign countries, but she got transferred. She suggested that:
1) we must review the rules of Federal and provincial laws related to trafficking and link them with sexual violence, child marriages, forced child labor. Subsequently work to promulgate these laws. 2) The conditions at Afghan border will be changed, and we must be prepared for that. The risk of child trafficking would escalate. 3) **we must come up with a plan to counter and prevent selling of newly born babies that go missing from the hospitals. She also highlighted the need to link with the health commission to ensure access to relevant medical support services**
- MPA, Ms. Ayesha Naeem, identified that the street children now use the disguise of students for begging at signals where they display their fee vouchers. Upon inquiring, she came to know that they don’t even know the name of their school nor their roll number. She further added, the students who go to abroad for higher education get misled by the travel agents. Sometimes they are shown pictures of well-known universities abroad to deceive them while their admissions are enrolled in local universities.



- It was suggested by MPA Sajida hanif, government to send official notification to all government and private hospitals regarding infants Trafficking or exchange.

6. Note from BHC representative

BHC representative expressed regrets

7. Closing remarks

KP MPA, Ms. Madiha Nisar concluded the meeting with a vote of thanks and the next meeting will take place at the end of July 2021.



Action points:

1. Prepare an action plan to end trafficking in persons in KP.
2. Review the policy of KP Labor Department to include child domestic laborers and to this end, organize a meeting with Mr. Shaukat Yusufzai.
3. Ms. Madiha Nisar will work on the laws pertaining to minorities and forced conversions as it is also often a form of trafficking.
4. Ms. Madiha Nisar will bring the issue of Child Domestic Labor and Anti Beggary measures, their intersection with trafficking to the attention of the worthy members of the KP assembly. She will also request that CDL should be added in the list of hazardous labor and that liaison with Ehsaas program & Bait-UI-Mal should be ensured for families of child laborers.
5. **KP Women Parliamentary Caucus should be linked with health care commission to ensure their oversight role over health sector for protection of abandoned babies or other irregularities such as exchange of babies.**
6. A consultation will be organized with prosecutors and judges as well to assess what impedes prosecution and conviction.

7. Data to be shared with the group in the next consultation, by FIA and police and KPCPWC.
8. Awareness against child trafficking to be included in the action plan of the SWD and the KPCPWC.
9. GDP to continue its capacity-building program in collaboration with the SWD as child trafficking already included.
10. Create a what's app group to facilitate coordination.
11. Include mental health as a priority point to address trafficking.
12. Devise a referral mechanism

Annexure

Agenda:

https://gdpak-my.sharepoint.com/:w:/g/personal/muhammad_umair_gdpakistan_org/EYE3tvCJV15Fm3FJz1-qmP8BgY-b74StS6zcRCGysgiTgQ?e=Y05621

Attendance Sheet:

https://gdpak-my.sharepoint.com/:f:/g/personal/muhammad_umair_gdpakistan_org/EvyjWE3jWFjBh64ADcl5234BM76U_imG8yX3G1_RDsfBpA?e=JeomWn