

AS
[TO BE INTRODUCED IN THE SEANTE]

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BILL

further to amend the Prevention of Trafficking in Persons Act, 2018

Whereas it is expedient further to amend the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018), for the purposes hereinafter appearing;

It is hereby enacted as follows: -

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

(2) It shall come into force at once.

2. Amendment of section 3, Act XXXIV of 2018. - In the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018), hereinafter referred to as the said Act, in section 3,-

(i) in sub-section (1), for the words, "**seven years**" the phrase, "**imprisonment for life or which shall not be less than fifteen years**" shall be substituted; and

(ii) in sub-section (2), for the words, "**ten years and which shall not be less than two years**" the phrase, "**imprisonment for life or which shall not be less than fifteen years**" shall be substituted.

3. Amendment of section 4, Act XXXIV of 2018; - In the said Act, in section 4, for the phrase, "**fourteen years and which shall not be less than three years**" the phrase, "**imprisonment for life and which shall not be less than five years**" 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 disaster 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.

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.

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.

The Bill has been designed to achieve the aforementioned purpose.

SENATOR SAMINA MUMTAZ ZEHRI
MEMBER-IN-CHARGE