



Research Article

Forced Labour in Pakistan: Legal Frameworks, Institutional Gaps, and the Role of Civil Society

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Abstract

This study investigates the issue of forced labour in Pakistan through a qualitative doctrinal legal analysis, aiming to assess the effectiveness of the country's legal and institutional frameworks. Drawing on national laws, judicial decisions, and international conventions, the research identifies significant gaps in implementation, monitoring, and victim support mechanisms. The study adopts a comprehensive national-level design, utilizing document-based sampling and a systematic analysis of legal texts, case law, and academic literature. Findings reveal that despite the presence of constitutional safeguards and legal provisions, forced labour remains widespread due to poor enforcement, outdated legal definitions, insufficient institutional coordination, and weak civil society engagement. Judicial interventions and international obligations have influenced reforms, but their practical impact remains limited. The research concludes that substantial legal reforms, stronger implementation mechanisms, and a coordinated multi-stakeholder approach are essential to combat forced labour in Pakistan effectively.

Keywords: Forced labour, Legal frameworks, Civil society, Literature, Reforms, Legal.

Introduction

Forced labour remains one of the most pervasive and persistent human rights violations globally, affecting millions of individuals across a broad spectrum of sectors and societies. It is a multifaceted phenomenon, deeply entrenched in historical, economic, social, and institutional contexts, and is further perpetuated by poverty, lack of education, weak governance, and inadequate legal frameworks (Basu & Sharma, 2022). This study explores the complex dimensions of forced labour with a particular focus on Pakistan. In this country, this issue continues to thrive under various forms, including bonded labour, domestic servitude, and coerced work in agriculture and brick kilns.

The discussion begins by defining forced labour, examining its various forms, and providing a global overview of the issue. It further analyzes international legal frameworks, such as conventions and treaties, designed to counter forced labour and assesses their effectiveness in implementation (Ghosh & Saha, 2022; Qasim & Shah, 2022). Within the Pakistani context, the study delves into the cultural, historical, and socio-economic factors that contribute to the perpetuation of forced labour, illustrating how



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these elements intersect to create a vulnerable environment for marginalized populations (Javed & Ahmed, 2022).

Despite the introduction of modern laws and international commitments, forced labour persists in Pakistan due to systemic weaknesses in political and legal institutions, inadequate enforcement mechanisms, and a fragile justice system. This research critically evaluates the historical roots of forced labour from the colonial era to the present, highlighting how entrenched practices continue to shape modern forms of exploitation (Ali & Yousaf, 2022; Tariq & Khan, 2023).

In addition, the study focuses on the socio-economic drivers of forced labour, such as extreme poverty, illiteracy, and informal employment relationships that expose workers to coercive conditions (Hussain & Ahmed, 2023; Bhat & Rahman, 2023). A critical component of this research also involves assessing Pakistan's domestic legal responses, including recent legislative developments, enforcement challenges, and the role of civil society and international partners in combating forced labour.

While progress has been made in recognizing and addressing forced labour, significant challenges remain—particularly for women—due to legal enforcement gaps, limited support systems, and societal barriers that inhibit reporting and access to justice (Reddy & Gupta, 2021; Chaudhry & Malik, 2023).

Despite a growing body of literature on forced labour, several key research gaps persist, particularly concerning the context of Pakistan. This study seeks to address the following gaps:

1. **Empirical Analysis of Legal Framework and Enforcement:** Existing research lacks a comprehensive empirical analysis of the implementation and enforcement of Pakistan's legal frameworks concerning forced labour. There is limited evidence assessing the effectiveness of law enforcement agencies, judicial bodies, and administrative structures in addressing this issue (Ali & Yousaf, 2022; Reddy & Gupta, 2021). This study will explore these mechanisms to identify deficiencies and propose improvements.
2. **Institutional Capacities and Resource Constraints:** Scholarship has largely overlooked the institutional capacities and resource limitations that hinder the effective implementation of anti-forced labour measures. Factors such as corruption, bureaucratic inefficiencies, and lack of funding critically impact enforcement and accountability (Hussain & Ahmed, 2023; Qasim & Shah, 2022). This research will investigate how these constraints affect anti-forced labour efforts.
3. **Victim Experiences and Support Systems:** There is a notable absence of studies that center the experiences of forced labour victims, particularly concerning the availability and effectiveness of support and rehabilitation systems. Few analyses consider the social, psychological, and legal challenges faced by victims seeking justice and recovery (Chaudhry & Malik, 2023; Bhat & Rahman, 2023). This research aims to fill that void by examining current support structures and their accessibility.
4. **Role of Civil Society and International Partners:** Although some studies mention the involvement of civil society organizations and international

development partners in combating forced labour, their roles are often presented in a fragmented manner. A more integrated understanding is required of how these actors operate, collaborate, and influence policy and practice in Pakistan (Javed & Ahmed, 2022; Tariq & Khan, 2023). This study will evaluate their contributions, limitations, and potential to effect change.

By addressing these critical gaps, the study contributes to a more comprehensive and context-specific understanding of forced labour in Pakistan and the efficacy of the institutional and legal responses designed to eliminate it.

Methodology

Research Design

This study employs a qualitative, doctrinal legal research design to examine the legal standards, measures, and enforcement mechanisms about forced labour in Pakistan. The doctrinal approach involves a critical analysis of primary legal sources, including statutes, case law, and international treaties, as well as secondary sources such as legal commentaries and academic literature. This method is particularly suited to understanding the interpretation and application of legal principles, identifying gaps within the legal framework, and evaluating the real-world effectiveness of laws intended to combat forced labour (Sullivan, 2020; McGowan & Weitz, 2021).

Study Scope and Focus

The scope of this research is national, encompassing all regions of Pakistan. Rather than limiting the analysis to a specific province or locality, this study provides a comprehensive overview of the country's legal and institutional response to forced labour. This broad-based approach enables an inclusive assessment of how laws are implemented across diverse geographic, economic, and social contexts within Pakistan. It also allows for comparative insights that can highlight regional disparities and systemic legal shortcomings (Ali & Shah, 2023; Imran & Khan, 2022).

Sampling Technique

The research utilizes a non-probability, theoretical sampling technique, based on document and literature selection. The sampling is purposive in nature, focusing on legal texts, judicial decisions, and scholarly works that are directly relevant to the theme of forced labour. This includes:

- National and provincial laws and regulations
- International conventions and treaties
- Leading academic articles and legal commentaries

This approach ensures that the study draws from a rich and authoritative base of legal and theoretical literature (Gerring, 2022; Palinkas et al., 2015).

Data Collection Tools

Data for this study is collected through documentary analysis. The primary sources include:

- National statutes, acts, and regulations on forced labour
- Case law and judicial rulings

- International legal instruments, such as ILO conventions
- Secondary sources include peer-reviewed journal articles, legal textbooks, and institutional reports. These sources facilitate a doctrinal exploration of the structure, function, and interpretation of laws relating to forced labour (Braun & Clarke, 2022; McGowan & Weitz, 2021).

Data Collection Procedure

The data collection process involves a systematic review of legal and academic documents. Legal texts are collected from official government and international databases, while academic literature is sourced from reputable journals, law reviews, and institutional publications. The collection process follows a structured approach that includes:

- Identification of relevant laws and regulations
- Compilation of key judicial decisions
- Selection of scholarly literature to support critical analysis

This ensures the research is grounded in credible, comprehensive, and up-to-date sources (Sullivan, 2020; Silverman, 2020).

Data Analysis Plan

The collected data is analyzed using a combination of doctrinal and case study methods. The doctrinal analysis involves examining legal provisions to assess their adequacy, clarity, and enforcement capacity. Simultaneously, the case method helps to illustrate how these legal frameworks are applied in practice through selected judicial decisions. The analysis is structured to:

- Identify legal gaps or ambiguities
- Highlight patterns in judicial interpretation
- Evaluate the effectiveness of law enforcement mechanisms

This dual-method approach ensures a nuanced and practical understanding of how forced labour laws function in the Pakistani context (Braun & Clarke, 2022; McGowan & Weitz, 2021).

Ethical Considerations

Given that this research is document-based and non-empirical, the ethical considerations are focused on maintaining academic integrity and proper attribution. All sources of legal and academic material are cited accurately to uphold scholarly standards. Since the research does not involve human participants or the collection of personal data, conventional ethical concerns such as consent, confidentiality, or data protection are not applicable. The emphasis remains on the honest and critical representation of legal sources and academic discourse (Sullivan, 2020; Silverman, 2020).

Results

Prevalence and Nature of Forced Labour in Pakistan

Forced labour remains a pervasive issue across Pakistan, cutting across regions, sectors, and demographic groups. The findings reveal that the phenomenon is not confined to a

single province or industry but is deeply rooted in Pakistan's socio-economic fabric, exacerbated by poverty, informality of employment, historical patterns, and weak legal enforcement.

The study highlights the widespread existence of forced labour in agriculture, brick kiln industries, and domestic work. In particular, brick kiln workers, bonded agricultural labourers, and domestic servants are among the most vulnerable groups due to informal work arrangements, lack of employment contracts, and limited access to justice. These workers often experience debt bondage, in which they are compelled to work under exploitative conditions to repay loans, a practice that remains widespread despite legal prohibitions (Hameed & Khalid, 2023; Imran & Shah, 2022).

Economic hardship is a primary driver of forced labour. High poverty rates and limited employment opportunities push individuals into exploitative arrangements. Employers, exploiting the absence of labour protections in the informal sector, frequently underpay workers, neglect safety standards, and restrict worker mobility (Nawaz & Rehman, 2023; Bashir & Ahmad, 2023). Bonded labour continues to thrive in the rural economy, particularly in Sindh and Punjab, despite the existence of laws such as the Bonded Labour System (Abolition) Act of 1992.

The findings also show that domestic servitude and child labour are prevalent, especially in urban households. Domestic workers, many of whom are minors, are often subjected to long working hours, physical abuse, and unpaid labour. Children engaged in informal work settings are denied educational opportunities and are exposed to hazardous conditions (Siddiqui & Ali, 2023; Faraz & Ahmad, 2022). These exploitative situations are compounded by weak enforcement of child labour laws and cultural norms that tolerate such practices.

Gender-based disparities are significant in forced labour contexts. Women and girls are particularly vulnerable in domestic work, agriculture, and other informal sectors. They are more likely to face sexual harassment, wage discrimination, and coercive work conditions due to entrenched patriarchal norms and limited legal protections (Hafeez & Ali, 2022; Tariq & Aslam, 2022). The intersection of gender, poverty, and informality results in compounded vulnerabilities for female workers.

Recent trends also indicate a shift of forced labour into digital and informal economic spaces. The rise of the gig economy, freelance platforms, and precarious work arrangements has created new avenues for exploitation. Many workers in these sectors lack employment status, social protection, or legal recourse, making them highly susceptible to coercive practices (Shah & Khan, 2023; Farooq & Rehman, 2022). The COVID-19 pandemic has further worsened these vulnerabilities, intensifying economic distress and reducing oversight of labour conditions (Khan & Iqbal, 2023; Javed & Rauf, 2022).

Case Study: Gender-Based Exploitation in Forced Labour

A critical dimension of forced labour in Pakistan is its gendered nature, with women and girls disproportionately affected by exploitative practices. This case study focuses on the unique vulnerabilities faced by female workers, particularly in informal and unregulated sectors.

The findings underscore that gender-based exploitation often manifests through wage disparities, sexual harassment, and denial of legal rights. Female domestic workers, for instance, are frequently underpaid compared to their male counterparts and subjected to harassment by employers. These women face dual discrimination—based on both gender and socio-economic status—which deepens their marginalization (Hafeez & Ali, 2022; Syed & Zafar, 2023).

Research highlights the intersectionality of exploitation, showing how patriarchal structures and socio-economic hierarchies reinforce the subjugation of women in forced labour contexts. Reports document cases where women are forced into sexual servitude, manipulated through threats of dismissal, or denied access to legal remedies due to stigma and fear of retaliation (Javed & Rauf, 2022). This dual burden of economic and gender-based oppression significantly reduces the ability of women to exit exploitative conditions.

Although some civil society organizations provide legal aid, counseling, and support services to victims of gender-based forced labour, their efforts are constrained by limited funding, bureaucratic hurdles, and a lack of state support. These findings emphasize the urgent need for gender-sensitive policies and enforcement mechanisms that address the specific needs of women and girls in forced labour.

Legal and Policy Responses to Forced Labour

Pakistan has enacted several legal instruments to address forced labour, including the Bonded Labour System (Abolition) Act, 1992, and the Prevention of Trafficking in Persons Act, 2018. However, the research indicates that enforcement remains weak, and victims often struggle to access justice. Corruption, lack of institutional capacity, and limited awareness among stakeholders have significantly hampered the effectiveness of these legal provisions (Rauf & Khalid, 2023; Baloch & Haider, 2022).

Non-governmental organizations (NGOs) and civil society organizations (CSOs) play a vital role in identifying cases of forced labour, supporting victims, and advocating for stronger legal protections. They provide critical services such as legal aid, psychosocial counseling, and shelter. However, these organizations also face challenges, including financial constraints and opposition from local power structures (Chaudhry & Malik, 2023; Ahmed & Noor, 2022).

The findings reveal that new forms of employment, such as gig work and platform-based labour, have outpaced the capacity of existing legal frameworks to provide protection. Workers in these sectors often lack formal contracts, benefits, and access to dispute resolution mechanisms. This shift necessitates a comprehensive policy overhaul that incorporates evolving labour market dynamics and extends protections to non-traditional employment sectors (Shah & Khan, 2023; Farooq & Rehman, 2022).

The testimonies of forced labour survivors and documented case studies illustrate the deep structural issues within Pakistan's labour governance system. Many victims are unaware of their rights or are unable to pursue justice due to fear, stigma, and systemic inefficiencies. As a result, addressing forced labour requires more than legal reforms—it demands a multi-pronged strategy encompassing socio-economic development,

institutional reform, gender-sensitive interventions, and victim-centered support services.

Conclusion

This study concludes that while Pakistan has a foundational legal and constitutional framework against forced labour, its practical enforcement is severely lacking. The analysis reveals critical shortcomings, including outdated definitions in labour laws, weak inter-agency coordination, poor data collection, and insufficient support for victims. Although international conventions and judicial activism have prompted legal reforms, their on-ground impact remains limited due to ineffective institutional structures. The role of civil society, though significant in advocacy, is constrained by a lack of support and political will. For meaningful progress, the government must prioritize comprehensive legislative reform, strengthen implementation institutions, and foster partnerships with civil society and international bodies. Addressing forced labour in Pakistan requires not only legal amendments but a broader systemic shift towards accountability, victim protection, and proactive enforcement strategies.

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