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Extradition laws and cross-border crimes in Pakistan: Strengthening cooperation against transnational crime and jurisdictional challenges

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Abstract

Extradition laws are a very important factor in present-day international justice as they allow the state to hand over accused or convicted persons to other jurisdictions in another country to be tried or punished. With the cross-border crimes like money laundering, cybercrime, human trafficking, terrorism, and drug smuggling on the increase, there is a need to have effective extradition processes. These types of crime can also be connected to several countries, high-tech, and well-organized networks. States need to cooperate to ensure that criminals are unable to evade responsibility by going beyond the borders. The extradition treaties, mutual legal assistance agreements, and international conventions assist in creating straightforward processes, protection of personal rights, and preservation of state sovereignty. Nonetheless, cross-border obstacles like political interference, legal systems, human rights issues, and delays usually hinder the process. Thus, it is vital to strengthen extradition mechanisms and increase international co-operation to provide justice in a timely manner, enhance international security, and limit the increasing sophistication of national crime.

Keywords: challenges, historical context, laws, opportunities, theoretical context

Introduction

The rapid growth of transnational criminal networks in the twenty-first century has created a strong need for effective extradition legislation and comprehensive legal frameworks across states (Tariq et al., 2023). Cross-border

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crimes like human trafficking, cybercrimes, organized criminal activities, and financial offenses are of the nature that they do not respect territorial boundaries in any way, thus traditional criminal justice systems are becoming increasingly incapable of dealing with such matters (Aman, 2025). This threat is very much clear in Pakistan due to its geopolitical location, its open borders, and its increased dependency on online technologies (Rakha, 2025). Human trafficking rings' continuing operation serves as a reminder that the domestic criminal justice system is not very effective, hence the need for international cooperation and the use of legal tools like extradition treaties is very crucial in such situations, as Baig et al. (2024) state.

The birth of cybercrime has contributed to making cross-border criminality a little more complicated. According to Hashmi et al. (2025), the traditional criminal law can hardly deal successfully with the crimes in virtual space, where the offender may have people in more than one jurisdiction. In the same vein, Khan (2025) stresses that cybercrime in Pakistan is turning into a transnational crime, the use of digital anonymity, and platforms hosted in other countries, and is the reason extradition is necessary to arrest suspects residing in a different country (Khan et al., 2024). These advancements testify to the increased importance of harmonized international norms and mutual legal assistance treaties that can be used to achieve the necessary results in handling cross-border crimes utilizing cyber expertise.

Moreover, the wider criminal administration plan in Pakistan is still ongoing to change in accordance with international administration norms. In her evaluation of the dynamics of the criminal justice system in Afghanistan, Rafique (2024) points out the need to implement procedural changes and capacity-building that will bring the practices of the country to the level of the international standards obligatory to conduct extraditions and cooperate in various ways (Rakha, 2024). According to historical records, geopolitics is considered important in shaping the extradition practices practiced in Pakistan.

Research Justification

The research on the laws of extradition and the crimes across borders in Pakistan is very relevant to the rising continuity of transnational crimes. Terrorism, labor trafficking, computer fraud, and money laundering are crimes that tend to have networks that span over countries, and without an international partnership, domestic laws would be useless. The legal framework in Pakistan, regulated to a great extent by the Extradition Act 1972, coupled with bilateral treaties, has been viewed to have flaws of procedural noncompliance, lack of extension to modern versions of crime, among others.

In addition, studies conducted on the subject matter contribute to policy making, with legislators and judicial officers determining areas that require reform. It further takes care of the human rights issues by doing an evaluation on the measures taken by extradition procedures to safeguard or not safeguard accused individuals against unjust treatment, political persecution, or mistreatment in requesting states. The research can offer feasible suggestions on the way in which institutional coordination that should exist between Pakistan and other nations can be tightened; the effectiveness of evidence sharing can be improved; and changes in laws can be updated in order to draw a suitable response toward transnational crime. Generally speaking, the study is justified as it fills the existing gap between theoretical concepts, observed challenges, and the needs of the policy, which would guarantee that Pakistan could support the international duties and the needs of the rule of law in combating more advanced cross-border crime threats.

Review of the Literature

Existing literature covering the extradition, cross-border crime, and the criminal justice reaction of Pakistan indicates that there are very noticeable gaps in the institutional capacity, alongside legal adaptation. Baig et al. (2024) often reiterate the idea that the criminal justice system of Pakistan is weak and has failed to take control of the human trafficking crime, which tends to promote the cross-border movement and thus entirely depends on efficient extradition systems (Tariq et al., 2023). Their results are in line with what Rafique (2024) emphasized, that the extradition procedures in the country under the Extradition Act of 1972 are outdated and are not fully harnessed to curb crimes across borders. In like manner, Khan et al. (2024) affirm that international law is very instrumental when it comes to dealing with transnational organized crime.

The second aspect of research is an emphasis on cyberspace crimes as a type of cross-border criminality that is rapidly growing. According to Hashmi et al. (2025), the traditional criminal law has difficulties in prosecuting digital criminals working in more than a single jurisdiction, which is also the focus of Khan (2025), who reports the increased number of cross-border cyberattacks against Pakistan. Rakha (2025), in turn, challenges this fact by mentioning the barriers of jurisdiction and due process as limitations in cross-border collaboration in the investigation of cybercrimes. All three authors, i.e. Hashmi et al. (2025); (Khan, 2025); and Rakha (2024) strike a common ground, stating that the extradition and mutual legal assistance treaties need to move to account for the transnational character of cyber-offenses. Their claims are reminiscent of the general sentiments of Khan et al. (2024), who note that international law provisions are still critical in situations where the perpetrators and evidence are spread among states.

Their assertions are similar to the overall views expressed by Aman (2025), who point out that international law rules remain crucial when the offenders and evidence are dispersed among states.

Studies like Rafique (2024) and Baig et al. (2024) frequently use qualitative legal analysis, which recommend the use of structured and repeatable review techniques in both legal and social scientific research.

Historical Context of Extradition Laws and Cross-Border Crimes in Pakistan

The history of Pakistan tackling extradition and cross-border crime is a way of showing the transnational criminal activity and international collaboration against crimes in general (Baig et al., 2024). Rafique (2024) elaborates that the Pakistani extradition system was formed by the Extradition Act of 1972, which was developed when the cross-border crime was mostly geographically meant, centered on physical movements, and territory-based offenses, and the cooperation between countries was mainly bilateral. The construction of the Act reflected international legal principles at the moment, as it was founded on state sovereignty, the surrender was made treaty-based, with the focus on the procedural protection fitting the mid-20th century norms of extradition, which were in line with the international legal principles (Aman, 2025).

But with the development of transnational organized crime of the late 20th and early 21st centuries, the suite of these dynamics changed significantly (Hashmi et al., 2025) . Khan et al. (2024) point out that international law evolved to deal with more complex networks of international crimes, including traffic and smuggling and financial offenses, and such a multilateral tool as the UN Convention against

Transnational Organized Crime has been implemented. Their discussion identifies the way states like Pakistan started incorporating international stipulations into domestic policy, and this trend complemented the shortcomings of older models such as the 1972 Act, as Rafique (2024) reminds.

Another turning point in history was the digital era (Khan, 2025). Rakha (2024) states that cross-border cybercrime shook the conventional jurisdictional principles, and the transition happened between the doctrine of territoriality and the doctrine of technologically mediated criminality (Rakha, 2025; Tariq et al., 2023).

Theoretical Context of Extradition Laws and Cross-Border Crimes

The extradition laws are based on the principles of international cooperation, state sovereignty, and the rule of law. They give a guideline on why a given state can hand over an accused or convicted person to a different state to be tried or punished. The backbone of extradition is the notion that the states are preserving their sovereignty, but acknowledge that there should be collaboration to fight crimes that have a transnational nature. The major principle of this framework is dual criminality, whereby the crime on which extradition is sought is a crime in both the state requesting and the requested one.

Extradition is also provided on a greater scale in international criminal law. It is meant to apply justice to transnational crimes like terrorism, internet crime, money laundering, and human trafficking that, in many cases, network and occur in more than one country. This is done under ethical considerations in order to avoid extradition in instances where people may be persecuted, tortured, or unfairly tried in the requesting country. The extradition theoretical background, therefore, consists of the elements of law, morality, and practice. It focuses on collaboration among the states without impeding the basic human rights, establishing a system that not only directs law formulation, but also governs their application in practice (particularly in relation to a multi-tiered cross-border criminal activity).

Laws Regarding Extradition Laws and Cross-Border Crimes in Pakistan

1. Extradition laws in Pakistan: In Pakistan, the Extradition Act of 1972 is the main law that is used to set up the procedures of giving out alleged or convicted persons to the requesting countries. Under the Act, extradition

requests must pass the principle of dual criminality, that is, the alleged crime must be criminal in both Pakistan and the requesting nation. There are certain exceptions, such as political crimes, and in cases where the individual might face torture, persecution, or an unfair trial in a foreign country. As a measure to reinforce international cooperation, Pakistan has signed bilateral treaties with some countries of choice, as well as permits extradition under multilateral agreements and international conventions

2. Mutual Legal Assistance: Pakistan is also a member of Mutual Legal Assistance Treaties (MLATs), and through this, the country is able to help and obtain help in cross-border criminal investigations. Through these treaties, the sharing of evidence, tracing of illegal assets, joint investigation, and intelligence sharing on organized criminal networks is easy. MLATs play a vital role, especially when the crime is transnational terrorism, cybercrime, financial fraud, and human trafficking, since most of these crimes are prevalent in different jurisdictions, and collaborations are needed between law enforcement agencies.
3. Legislation on Crimes across Borders: Pakistan has passed a number of laws that are aimed at cross-border crime. The Anti-Terrorism Act 1997 deals with terrorism, including world networks. The Prevention of Smuggling and Customs Act, 1977, is aimed at preventing cross-border trade and transport of contraband. The Anti-Money Laundering Act, 2010, prosecutes illegal money transactions, a permanent aspect of which crosses into various countries. The Prevention and Control of Human Trafficking Ordinance, 2002, particularly tackles the cases of traffickers where there is an international aspect.
4. Judicial Oversight: The extradition requests made by the Pakistani government are controlled by their courts so that the practice is not discriminatory due to violation of domestic law, international law, and human rights. To balance state cooperation and individual rights, courts are permitted to deny extradition in cases where the accused is subject to political persecution, unfair trial, or inhuman treatment in foreign countries.

Challenges for Extradition Laws and Cross-Border Crimes in Pakistan

Although legal frameworks have been incorporated, Pakistan is still experiencing many problems in adopting the extradition laws and curbing cross-border crimes.

One of the major problems is the limited number of bilateral treaties that only allow Pakistan to request or grant extradition to a few countries. This gap in the law has allowed criminals to take advantage of the courts that do not have extradition agreements, which is a setback for justice and a weakening of the law enforcement efforts. Further, the time taken by the judicial system leads to prolonging the extradition operations, where on top of that it becomes very difficult to immediately respond to cases of terrorism, human trafficking or crimes of a financial nature.

Another major difficulty is the problem of dual criminality. Discrepancies in sentences and definitions of necessary crimes according to Pakistan's law and the law of the sending country may be the source of difficulties in the extradition process, especially in the case of criminal activities that were unknown before such as cyber fraud or digital money laundering. This usually causes time-consuming court examination or a decline in demands, which gives criminals a chance at escaping a lawsuit. Extradition is also compromised by political factors, particularly when the target is a high-profile or politically influential person. The government can be reluctant to pass the extradition request due to preserving diplomatic ties or internal peace.

The issues of human rights only make the process of extradition more difficult. Pakistan has to make sure that those extradited to other countries will not face torture, persecution, or wrongful trial, some of which may lead to a denial of the demand, even in a legal and factual clarification. There are also challenges in coordination by the law enforcement agencies, where various departments dealing with extradition, financial crimes, and human trafficking usually operate in silos, which lowers efficiency.

Lastly, the lack of technical skills and resources with regard to investigating complex transnational crimes, including cybercrime and money laundering, does not make it easy to offer adequate evidence to enable Pakistan to extradite criminals. In order to effectively address the growing complexity of cross-border crimes, these concerns must be addressed by expanding networks of treaties, modernizing legal laws, improving inter-agency coordination, and investing in technical and legal capability. The effectiveness of Pakistan's extradition system will likely be limited if regular policy reform and international cooperation are not attained.

Opportunities for Extradition Laws and Cross-Border Crimes in Pakistan

Although Pakistan experiences various problems in enforcing the extradition laws and curbing the cross-border crimes, there are also great opportunities for toughening the system. Expansion of bilateral and multilateral treaties is one of the opportunities. Through the signing of additional extradition treaties with other countries in the world, Pakistan will improve its collaboration on criminals who cross international borders. With these treaties, offenders would soon be surrendered faster and with more efficiency, especially those who commit terrorism, human trafficking, and financial crimes.

The other opportunity is the increase in technology and digital tools. The current methods of investigation, as well as cyber forensics and data analytics, and real-time information sharing, can enhance the ability of Pakistan to trace and gather evidence against transnational criminals. Increased digital infrastructure would enable faster reactions to extradition orders and mitigate issues about intricate bank scams and cybercrimes.

The other opportunity is to strengthen inter-agency coordination in Pakistan. The country can make sure that the process of extraditing suspects is improved and made easier through the establishment of centralized units or task forces comprising law enforcement, intelligence agencies, and the judiciary. Coordination with international bodies like INTERPOL can also contribute to improving Pakistan's capacity to track, arrest, and deport criminals.

Another opportunity is to get domestic laws updated to mirror the modern-day transnational crimes. Digitizing the Extradition Act, 1972, and other similar laws to fit the cybercrime, the digital money laundering, and human trafficking will bring the Pakistani legal system to international standards.

Lastly, better awareness about extradition practices can be established through programs by the society and the judiciary to ensure that the authorities and citizens are well aware of the need for international cooperation. With an efficient use of such opportunities, Pakistan will be able to become one of the main actors in the struggle against transnational crime and the increase of security in the region. The successful application of these measures can go a long way in giving Pakistan a fighting chance to be more credible and reliable in cooperating with criminals internationally. Such developments would also stop transnational criminals from using Pakistan as a haven.

Discussion

In Pakistan, the laws concerning extradition and the mechanisms for managing cross-border crimes are indispensable not only for the maintenance of law and order but also for taking stern actions against transnational criminals and fulfilling international obligations. The Extradition Act 1972 is the main reference point for the understanding of extradition, but due to time lag, treaty blind spots, and problems of keeping up with new offences like cyber fraud and online money laundering, its effectiveness is limited. Terrorism, human trafficking, and illegal financial transfer are some cross-border crimes which depict the urgency of domestic organizations working promptly with international one.

Judicial oversight is one of the major components of preserving extradition and protecting human rights while considering legal procedures. Courts protect the victims by intervening when the state is abusing its power, as well as by being the place where the rights of the victims can be restored. While courts are the bastions of human rights, they may be the perpetrators of prolonged delays and red tape. Due to the systemic dysfunction of inter-agency cooperation in Pakistan, it is really difficult to conduct thorough investigations and share evidence.

The truth is that, together with an understanding of the impact of flaws, it is also truly the time for implementing a turnaround. By signing bilateral and multilateral treaties, amending the law, holding training sessions, launching media campaigns, and developing contact with international organizations like INTERPOL, Extra-DIT can be activated most effectively. Pakistan, taking advantage of the said opportunities, is a country that can properly direct its struggle against transnational crime, fulfill its international commitments, and establish the rule of law, which is the foundation of the right of extradition.

Conclusion

Law of extradition of Pakistan and the protocols to be followed in case of cross-border crimes serving as basic combat tools for transnational crimes are also our foremost responsibilities while implementing our international commitments, and ensuring the existence of law and order. The mutual treaty and assistance provisions as well as the Extradition Act, 1972, collectively form the legal framework to affect the handover of convicts to the contracting countries. However, the problems of the system are inefficiency and challenges such as those related to limited treaty networks, procedural delays, dual criminality and human rights issues. Only through the cases of cross-border criminals have their involvement in terrorism, human trafficking, cybercrime and money laundering been the main reasons for demanding a timely and well-coordinated response.

Possible ways to improve Pakistan's extradition systems lie in bringing the laws into line with the times, extending treaty coverage, inter-agency cooperation, and use of advanced investigative technologies. When properly executed, these measures will not only boost Pakistan's international standing but will also render speedy justice and protect the people's rights. Overall, a combined focus on human rights and legal effectiveness is the secret to a strong and efficient extradition system.

Recommendations

Certain measures can be considered to improve Pakistan extradition laws and handling of cross-border crimes. To begin with, Pakistan has to increase both bilateral and multilateral treaties with more nations. This will improve global collaborations and facilitate quick surrender of criminals as well as help in removing safe havens for terrorism, human trafficking, and monetary crimes. Second, the domestic laws must be updated. Revision of the Extradition Act 1972 and the related laws to deal with cybercrime, digital money laundering, and other forms of transnational crime will enable the country to meet international standards.

To reduce the risk of delays and to improve the recognition and enforcement of foreign judgments, more attention needs to be paid to simplified extradition procedures and a clear definition of the rights and responsibilities of all parties involved. Third, it is important to enhance inter-agency coordination. The formation of office task forces that would combine law enforcers, intelligence, and judicial can enhance evidence gathering, handling, and liaison with other counterparts in the foreign country.

Fourth, investment in technical capacity and training will also help the authorities to deal with sophisticated crimes, such as cyber fraud, online trafficking, and cross-border financial investigations. Lastly, Pakistan ought to disseminate knowledge and empowerment among the law enforcers and judiciary regarding international cooperation, human rights protection, and extradition. The application of all these suggestions will enhance the effectiveness, credibility, and efficiency of the extradition system in Pakistan and safeguard the rights of people, besides increasing worldwide trust.

Research Limitations

This research paper on extradition laws and international crimes in Pakistan is limited in a number of ways. To begin with, relevant academic literature and empirical research are mostly devoted to the topic of Pakistan and its extradition, and it is difficult to approach a complete analysis of this issue. Numerous official reports and legal commentaries offer no more than dated ones or are uninformed in terms of concrete cases on extradition results. Second, the lack of judicial and law enforcement data is also an issue. Data on ongoing extradition cases, foreign cooperation, and cross-border crime study are mostly confidential, which limits the possibility of evaluating the real value and effectiveness of procedural steps.

Third, the study relies on secondary sources, and such research may not depict the actual situation and problems of a region. Furthermore, changes in international standards, the emergence of new cybercrimes, and new developments in bilateral treaties make it highly likely that some findings will be outdated very quickly. Despite the limitations, this research offers a comprehensive outline of the legal environment, problems, and opportunities related to extradition and transnational crime processes in Pakistan.

Research Implications

This research has significant policy, law enforcement and legal scholarly implications for Pakistan. Firstly, it demonstrates how to change and update the law in line with the Extradition Act, 1972, so as to address the new forms of transnational crime including cybercrime, digital money laundering and human trafficking. Lawmakers may use these ideas to broaden bilateral and multilateral agreements, which foster cooperation in international relations and facilitate the speedy handover of offenders. Second, the study highlights the relevance of inter-agency coordination of law enforcement, intelligence, and judicial agencies. The cross-border crimes might be facilitated by fermenting cross-border evidence-sharing, investigation, and case management.

Thirdly, the research paper highlights the importance of human rights in the context of extradition, and argues that the courts and other agencies have to balance the interests of international law with the protection of the constitution. Lastly, the research gives the basis for further research by showing the lapses in the literature and information, advocating empirical studies, case studies, and analyses on the effectiveness of the extradition of Pakistan globally.

Future Research Directions

There are a number of avenues that can be investigated by future research on the extradition laws and the transnational crimes in Pakistan. To begin with, the empirical research on the working practice of extradition requests, the outcomes of cases, and the decision-making by the judges would be a sensible contribution to the efficiency of the procedures and the demonstration of the loopholes. The studies can involve statistical studies of the pending and completed extraditions, with different trends, delays, and challenges. Second, the emergent transnational crimes, including cybercrime, online money laundering, and international human trafficking, can be researched and evaluated in the context of the current laws and international treaties regarding addressing the new threats.

Third, a comparison to other South Asian and foreign jurisdictions may bring about the best practices and methods of the extradition system in improving the one in Pakistan. Also, qualitative research, based on interviewing law enforcement, judicial actors, and policymakers, can offer an insider view on the issues facing the institution, coordinating between the agencies, and the success of the treaties.

Lastly, multi-disciplinary studies involving law, criminology, and technology can be used to draw new frameworks of efficient, right-compliant extradition and management of transnational crimes.

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