

LEGAL AND INSTITUTIONAL FRAMEWORK FOR ERADICATION OF CORRUPTION IN THE PUBLIC SECTOR OF PAKISTAN

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ABSTRACT

This study discusses the existing legal and institutional framework for eradication of corruption in the public sector of Pakistan, examining effects of its implementation. Corruption remains a significant problem for Pakistan where it is supposed to be widespread and systemic. Petty corruption in the form of bribery is common in law enforcement, procurement and the provision of public services. The judiciary is not seen as independent and considered to be shielding corrupt political practices from prosecution. Numerous efforts over the past years have tried to develop institutional mechanisms to address these problems. The National Accountability Ordinance (NAO) creates the foundation for combating corruption in Pakistan as it provides legal framework that empowers accountability institutions to investigate and prosecute corrupt practices. A National Anti-Corruption Strategy was developed in 2002 which offers a comprehensive plan to deal with corruption. The National Accountability Bureau (NAB), the executing agency, has granted wide-ranging powers to investigate and prosecute cases of corruption. However, a lack of political will, together with the perceived co-option of the judiciary and the arbitrariness of many anti-corruption proceedings, are major hindrances in the fight against menace of corruption¹.

The country's primary anti-corruption organization has failed to achieve its goals. Even while there is a clear need for improved governance mechanisms, none of those institutions have been implemented as of yet (Chattha, 2012). Despite laws like the "Pakistan Penal Code" (PPC), the "Prevention of Corruption Act"(PCA), and the "National Accountability Ordinance" (NAO), as well as institutional mechanisms like the statutory Auditor-General of Pakistan office, the Public Accounts Committee of the National Assembly, the public procurement regulatory authority, the offices of the Federal and Provincial Ombudsmen, the "National Accountability Bureau" (NAB), and the "Federal Investigation Agency " (FIA) Office, it is surprising that corruption persists in Pakistan (Shah et al., 2021).² The study highlights the key legal and institutional mechanisms, emphasizing its role in preventing corrupt practices. The study also examines the role the National Accountability Bureau (NAB), for enforcing the provision of NAO to investigate and prosecute cases of corruption. The research methodology adopted is evaluative, interpretive and analytical.

Keywords: Legal Framework, Institutional Framework, Corruption, NAO, NAB,

INTRODUCTION

Corruption arises when state personnel responsible for their duties accept money or bribes and misuse their power illegally to benefit suppliers, such as businessmen, entrepreneurs, or the public. Corrupt officials often circumvent legal competition, disrupt normal societal functions, and influence the selection of suppliers for goods and services through new contracts or renewals (Khan, Rethi and Szegedi 2018)³. Corruption is not just financial embezzlement or earning money through bribery or fraud but it means moral deterioration and the use of corrupt practices Acts which are

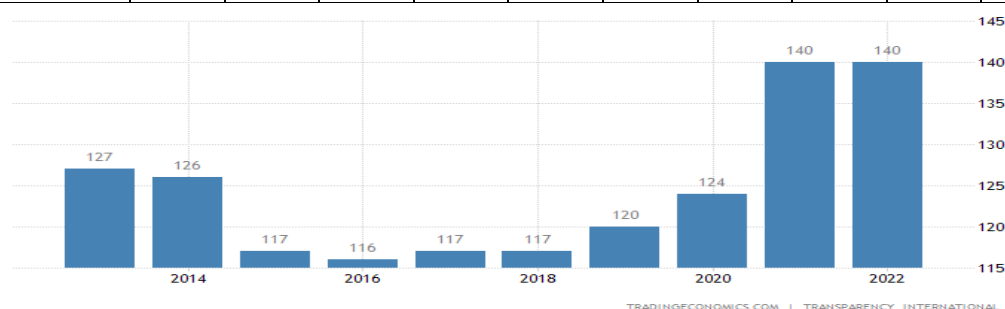
¹ <https://www.u4.no/publications/overview-of-corruption-in-pakistan.pdf>

² Annals of Human and Social Sciences (AHSS) April-June 2023, Vol. 4, No. 2159

³ Khan, Yahya, Gabor Rethi, and Krisztina Szegedi. 2018. "Corruption as Business Challenge in Pakistan." *European Scientific Journal* June 2018 edition Vol. 14.

tantamount to provide undue favour, abuse of public office and patronization also come under corruption. This is deviation of the formal public duties for private gains. As a result of materialistic and opportunist way of life, corruption or corrupt practices become an integral part of those people who are neither apologetic nor ashamed of their corrupt behaviour. The problem is in the last four decades or so in Pakistan, the paradigm has changed in terms of rejection and acceptability of corruption. Four decades ago, corruption was considered an evil thing and a practice which was rejected by the large segment of society of Pakistan but now, corruption has not only become a way of life but has obtained some sort of legitimacy as well. Those who are not corrupt are certainly in a minority as compared to those who are engaged in corruption by design and by default. With the erosion of ethics, values and moral traditions, corruption has permeated far and wide in Pakistani society to the extent that it is considered as an ordinary practice and necessity.⁴ In 1996, transparency international (TI) a Berlin based civil society organization, rated Pakistan as the second most corrupt country in the world. As per reports of Transparency International, the Pakistan's corruption ranking in last ten years is as under⁵:

YEAR	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
PAKISTAN'S CORRUPTION RANKING	127	126	117	116	117	117	120	124	140	140



Expert sources indicate that corruption in Pakistan is most prevalent amongst the following sectors: Police & law enforcement agencies, judiciary, power sector, tax & customs, health & education, land administration and public procurement. These sectors are most affected by petty corruption to access public services as well as middle & grand corruption causing direct misappropriation of funds by public officials and corruption in public contracting. Political influence, conflict of interest and other forms of corruption are also common amongst these sectors (Hakobyan 2004)⁶.

Today, the Corruption is one of the main social problems of Pakistan. It is considered that corruption exists in different Public Sectors organizations. Despite availability of many anti-corruption laws, the threat of corruption in the country is increasing day by day. Corruption is deeply entrenched in our society so much so that it is not considered a crime. It has affected Pakistan since its birth. In order to prevent corruption, different anti-corruption laws in the county have been passed and different agencies/institutions have been established to curb corruption since independence.

To address this pervasive issue of corruption, many countries have implemented comprehensive legal frameworks aimed at preventing and combating corruption. In the context of Pakistan, the National Accountability Ordinance (NAO) plays a crucial role in establishing an effective legal framework to

⁴ <https://ipripak.org/eradication-of-corruption-in-pakistan-need-of-hour/>

⁵ <https://tradingeconomics.com/pakistan/corruption-rank>

⁶ Hakobyan, Anna. 2004. "Corruption in Pakistan." *Transparency International & U4 Anti-Corruption Resource Centre*. June 09.

tackle corruption and promote accountability within the public sector. National Accountability Bureau (NAB) was formed under National Accountability Ordinance (NAO) 1999 to check the plague of corruption. The NAB is the leading anti-corruption agency of Pakistan. It is charged with the task of eradication of corruption in the country.

This study critically evaluates issues such as political interference, the independence of anti-corruption institutions and the effectiveness of the accountability mechanisms. The study uncovers that corruption has not only severely affected the performance of the public sector but also on the economy of the country which can be improved through prevention of the corruption by proper implementation of the existing laws through existing effective performance of institutional mechanism. The study also highlight gaps and suggests recommendations in order to make the available legal and institutional mechanism more effective for to curb menace of corruption. Overall, this study provides a comprehensive analysis of the legal and institutional framework and their contribution in preventing corruption in the public sector of Pakistan. By examining the existing legal framework, this study will consider possible changes and policy recommendations aimed at improving the implementation of NAO. By proposing recommendations for improving the legal mechanisms leading the NAO, this study finds contributions regarding the prevention of corruption within the public sector in Pakistan.

LEGAL AND INSTITUTIONAL ANTI-CORRUPTION FRAMEWORK

The legal-institutional structure or framework to deal with corruption in Pakistan comprises of at least three key sources of law: the Pakistan Penal Code (PPC) 1860, being the oldest enactment; the Prevention of Corruption Act (PCA) 1947, being the first formally established anti-corruption law, and; the National Accountability Ordinance (NAO), 1999 (NACS, 2002). (Muhammad Saqib Anjum Lughmani, uhammad Tanweer Abdullah, Munawar Khan n.d.)⁷ The Anti- Money Laundering Act promulgated in 2010 does have provisions to stop this menace (Muhammad Saqib Anjum Lughmani, uhammad Tanweer Abdullah, Munawar Khan n.d.) when the proceeds of corrupt and illegal practices are used in money laundering and terror financing. The Accountability Courts are established under the NAO, while the Central and Provincial Special Courts are set up under the Criminal Law Amendment Act 1958 (Ahmed, 2013). Pakistan has two ACAs at the federal level, including the NAB and Federal Investigation Agency (FIA), and four at the provincial levels, i.e., the Anti-Corruption Establishments (ACEs). The Khyber Pakhtunkhwa Ehtesab Commission (KPEC) was abolished by the provincial Assembly in December 2018 (Ali, 2018).⁸ These bodies have received support from 'legislative oversight' mechanisms like Prime Minister and Chief Minister Inspection Teams and the Parliamentary (Public) Accounts Committees (PAC). The institutional mechanisms included the Auditor General of Pakistan, the PAC, the public procurement regulatory authorities, and the Ombudsmen's offices in the federation and the provinces. Other related laws includes:⁹

- Public and Representative Office (Disqualification) Act, 1949 (PRODA)
- Sindh Prevention of Bribery and Corruption Act 1950
- Elective Bodies (Disqualification) Order (EBDO), 1959
- West Pakistan Anti- Corruption Ordinance, 1961
- FIA Act 1974 (In 2004, government transferred Anti-Corruption wing of the FIA to the NAB on 16-08-2004, but this wing of FIA was restored vide notification dated 24-10- 2008)
- Holders of Representative Offices (Prevention of Misconduct) Act, 1976
- Parliament and Provincial Assemblies (Disqualification from Membership) Act, 1976
- Holders of Representative Offices (Punishment for Misconduct) Order, 1977

⁷ EVOLUTION OF ACCOUNTABILITY FRAMEWORKS IN PAKISTAN: 1947 TO 2022 by Muhammad Saqib Anjum Lughmani, uhammad Tanweer Abdullah, Munawar Khan

⁸ Ali, Z. (2018, December 29). KP Ehtesab Commission dissolved, cases transferred to ACE. Dawn. Retrieved from: <https://www.dawn.com/news/1454226>

⁹ <https://nab.gov.pk>

- Ehtesab ordinance 1996 and
- Ehtesab Act 1997

The laws which are listed below are also supplement above laws of anti-corruption.

- Extradition Act (EA) (1972)
- Benami Transactions Act 2017

The Sindh Enquiries & Anti-Corruption Establishment was established in the 1970s. The Sindh Enquiries & Anti-Corruption Act was promulgated in 1992 where the rules were framed in 1993 (Lughmani, 2022). The NAB was established in 1999, while the inter-sectoral regulatory bodies like the Federal Tax Ombudsman and the Banking Ombudsman were established in 2000 and 2005, respectively. Following is a brief description of the prevailing Institutional Mechanisms.

#	Anti-Corruption Law	Dedicated Bodies	Acronym	Year of Formation	Status
1	PPC	Police	-	-	In Force
2	PCA	Pakistan Special Police Establishment	PSPE	1947	Repealed
3	PSPE	Pakistan Special Police Establishment	PSPE	1947	Repealed
4	WPACEO	Anti-Corruption Establishment	ACE	1961	In Force
5	FIAA	Federal Investigation Agency	FIA	1975	In Force
6	SEACA	Anti-Corruption Establishment	ACE	1970	In Force
7	PPA	No dedicated agency	-	-	In Force
8	EO	Ehtesab Commission	EC	1996	Repealed
9	EA	Ehtesab Bureau	EB	1997	Repealed
10	NAO	National Accountability Bureau	NAB	1999	In Force
11	BEACA	Anti-Corruption Establishment	ACE	2010	In Force
12	KPECA	KP Ehtesab Commission	KPEC	2014	Repealed

The Quasi-Public Accountability Institutions

There are some quasi-legal institutions responsible for public sector accountability. These institutions play a decisive role in upholding governmental accountability (GOP, 2002: 45). Institutions like the Provincial Inspection Team (PIT), Governor Inspection Team (GIT) and Monitoring and Evaluation (M&E) Directorate are like attached bodies or departments to an existing mechanism and usually take action on given instructions. The quasi-legal public accountability bodies have been discussed in the following table.



#	Name of the Body	Head of the Body	Year of Formation	Appointing Authority	Jurisdiction
1	The Auditor General	The Auditor General	Constitutional Body	The President	Federal and Provincial
2	The Public Account Committees	Chairperson	Constitutional Body	Federal Government	Federal
3	The Public Account Committees	Chairperson	Constitutional Body	Provincial Government	Provincial
4	The Federal Ombudsman	The Federal Ombudsman	1983	The President	Federal
5	The Provincial Ombudsman	The Provincial Ombudsman	Punjab: 1997, Sindh: 1991, Balochistan: 2001, KP: 2010	Provincial Government	Provincial
6	The KP Public Procurement Regulatory Authority	Managing Director	2012	Provincial Government	Provincial
7	The Right to Information Commission	Chief Information Commissioner	2013	Provincial Government	Provincial
8	The KP Right to Public Services Commission.	Chief Commissioner	2014	Provincial Government	Provincial
9	The KP Whistleblowers Protection and Vigilance Commission	Chairman	2016	Provincial Government	Provincial

Challenges in implementation of National Accountability Ordinance (NAO)

The implementation of the NAO faces several challenges. Some of the key challenges include the requirement for capacity building within the NAB, ensuring the freedom and neutrality of the anti-corruption agency, and addressing political interference (Hussain, Malik & Aslam, 2021).

One important challenge is the absence of coordination and cooperation between the NAB and other law execution departments, leading to overlapping jurisdictions and delays in the investigation and trial of corruption cases (Ahmed, Hassan, & Alam, 2020). Moreover, the NAO faces challenges in terms of capacity, resources, and the need for greater specialization of investigative and prosecution teams (Abbasi, Hassan, & Hassan, 2019). Moreover, gaps in the legal structure, such as long-lasting trial procedures and possible loopholes for influential individuals, pose hurdles to successful trial and deterrence (Baig, Daudpota, & Shaikh, 2020).

Limitation of Study

As this study is focused on corruption in the public sector only, therefore, it may create difficulty in collecting enough data due to possible absence of enthusiasm and unwillingness of officials to share related data. Further, the outcome/results of the study may not be relevant to the private sector. Furthermore, the requisite Information for the research is also not available in systematic way. Furthermore, the research work /studies associated to this subject is not available in adequate number. Moreover, the monetary resources are insufficient for gathering primary data. Another important limitation is the lack of comprehensive measures to address the root causes of corruption and promote a culture of accountability within the public sector (Iqbal, 2015).



LITERATURE REVIEW

In academic viewpoint, corruption is of many types and is not restricted to financial and economic fields only. Mainly, corruption encompasses interest-based practices, private gains, bribery, extortion, deception, embezzlement, trafficking, pilferage, smuggling, kick-backs, dishonesty, excessive waste of public money, unlawful business dealings, money-laundering, favouritism, nepotism and cronyism, gaining power by manipulation or by using backdoor channels, and/or manipulating the official/departmental position for individual gains. Break of honesty is a wider definition of corruption¹⁰.

Corruption has extensive effects on the governance, development and economy of the country as it weakens the rule of law, erodes state's legitimacy and weakens the institutions.¹¹ Further, corruption causes substantial loss to the national exchequer damaging capacity of the government to finance essential services such as education, healthcare, water, sanitation and law enforcement. The government also has to rely on huge public borrowing for funding current expenditure as well as public sector development programs resulting in accumulation of massive public debt.¹² Eventually, it inhibits future growth trajectory of the economy and affects the quality of governance.¹³

Voice and accountability Index (VAI)

Over the last two decades, 'accountability' has become Pakistan's most well-known political slogan (Mehboob, 2022).¹⁴ In spite of various reforms in the accountability system, Pakistan got the poorest ranking in the region based on the Corruption Perception Index (CPI) published by Transparency International. Pakistan established many accountability systems to reduce corruption. However, Pakistan's performance in executing accountability is poor (MUSTAFA*, 2022).¹⁵ The index to measure vertical accountability is called Voice and Accountability Index (VAI). Their values range between -2.5 (weakest accountability) and +2.5 (strongest accountability). The average value for Pakistan during the period 1996-2021 was -0.86 points with a minimum of -1.22 points in 2000 and a maximum of -0.54 points in 1998. The latest value from 2021 is -0.84 points. For comparison, the world average in 2021 based on 192 countries is -0.05 points.¹⁶ Pakistan has had weaker vertical accountability over the years. All values of the VAI are found to be less than zero, revealing that Pakistan has not succeeded to execute strong vertical accountability (World Bank, 2022).

The graph of five years (2017-2021) regarding Voice and Accountability Index (VAI) in respect of seven SAARC Countries (Bhutan, India, Sri Lanka, Nepal, Maldives, Bangladesh and Pakistan) is as under. Their values range between -2.5 (weakest accountability) and +2.5 (strongest accountability).

¹⁰ <https://issrapapers.ndu.edu.pk/site/article/view/52/27>

¹¹ Štefan Šumah, "Corruption, Causes and Consequences" in Trade and Global Market, Vito Bobek, Intech Open, February 2018, <https://www.intechopen.com/books/trade-and-global-market/corruption-causes-and-consequences>

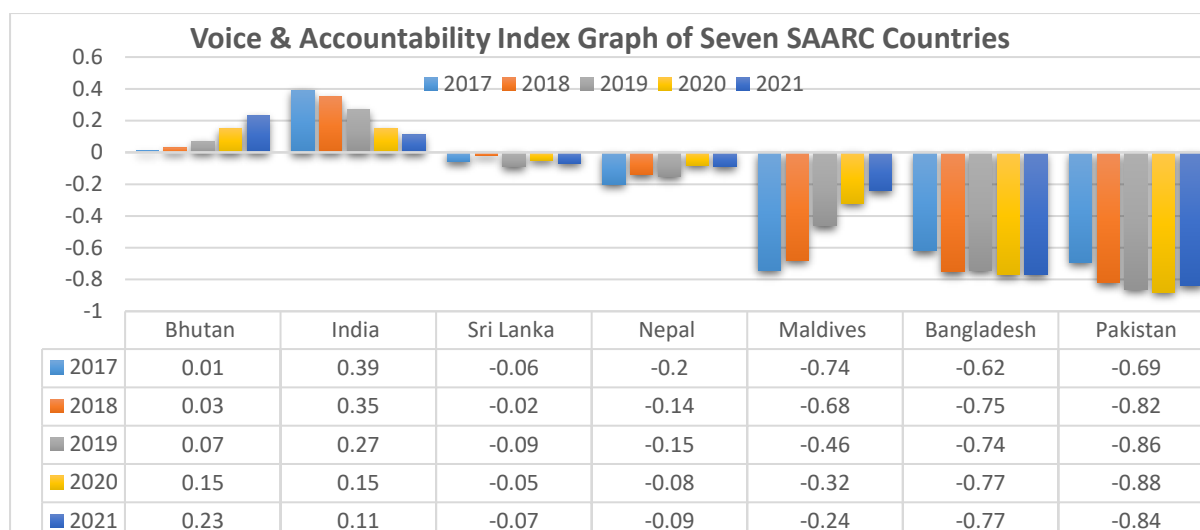
¹² Cooray, Arusha and Friedrich Schneider, "How does corruption affect public debt? An empirical analysis", ECONSTOR, Working Paper, No. 1322, Dec. 2013, <https://www.econstor.eu/bitstream/10419/97435/1/773137955.pdf>

¹³ <https://issrapapers.ndu.edu.pk/site/article/view/51/26>

¹⁴ Mehbood, A. B. (2022) Accountability fails again. The DAWN, <https://www.dawn.com/news/1692731/accountability-fails-again>

¹⁵ A Review of Accountability Systems: Learning from Best Practices by Nasir Iqbal and Ghulam Mustafa

¹⁶ [Pakistan Voice and accountability - data, chart | TheGlobalEconomy.com](https://www.theglobaleconomy.com/Pakistan/Voice_and_accountability_-_data_chart/)



The Control of Corruption Index (CCI)

The Control of Corruption Indicator (CCI) established by the World Bank and captures views of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests. Countries are graded based on their governance capacity, where 0 indicates the weakest governance and 100 indicates the strongest. This is an aggregate indicator combining views of a large number of enterprise, citizen and expert survey respondents, and is part of the Worldwide Governance Indicators. The WGI project reports aggregate and individual governance indicators for 215 economies over the period 2010-2014, for six dimensions of governance: voice and accountability, political stability and absence of violence, government effectiveness, regulatory quality, rule of law, control of corruption.¹⁷ The Control of Corruption Index (CCI), which calculates the horizontal accountability for states, also does not show encouraging performance in Pakistan. The CCI unveils that values for the CCI for all years are found negative, which is indicative of the adverse performance of Pakistan on horizontal accountability. Horizontal accountability is perpetrated through the institutions like NAB and Anti-Corruption in Pakistan.

The current accountability system, especially National Accountability Bureau (NAB), led to political instability and falling economic growth and prosperity in the country. Apart from the weak performance of accountability systems, we heard voices from media, politicians, and even the judiciary against selective accountability, political victimisation, political engineering through unjust accountability tools, and misuse of authority by the officials. Given this background, this study aims to understand the structure of the accountability system with a particular focus on NAB in Pakistan.

HORIZONTAL ACCOUNTABILITY: THE CASE OF THE NAB

NAB was established in 1999 to deal with the investigation and prosecution of white-collar crimes, which happened to be public office holders, politicians, and citizens who have been accused of having abused their powers or depriving the national treasury of millions under section 5(m). According to Section 2 of the NAB ordinance, National Accountability Ordinance (NAO) shall come into force from the first day of January 1985. In February 2002, the government launched National Anti-Corruption Strategy (NACS) project to survey and evaluate international anti-corruption agencies and their models. NACS, based on global best practices, presented a need to reconsider and modify the anti-corruption narrative. Therefore, the government made relevant amends in NAO. With the amended NAO, the NAB has been assigned with the investigation and prosecution of crimes and prevention and awareness against them. So, the NAB is the premier anti-corruption organisation in Pakistan, with a

¹⁷ [16806efb59 \(coe.int\)](https://coe.int/)

sole mission to eradicate corruption and corrupt practices. It mandates holding those accused of such practices accountable during an elaborative investigative process (Javed, 2021).¹⁸

National Accountability Ordinance (NAO)

The National Accountability Ordinance (NAO) creates the foundation for combating corruption in Pakistan as it provides legal framework that empowers accountability institutions to investigate and prosecute corrupt practices. The purpose of NAO, as a major anti-corruption law in Pakistan, is to promote transparency, accountability, and integrity in public sector. It includes different provisions that cover up a wide range of corrupt practices, like misuse of power, bribery, embezzlement, and money laundering. A comprehensive strategy to prevent corruption through the NAO involves strengthening institutional capacities, enhancing transparency, promoting citizen engagement, and ensuring the independence of the accountability mechanisms. However, the challenge lies in ensuring the NAO's proper implementation, which requires a multi-faceted approach involving all relevant stakeholders.

The NAO applies to all persons in Pakistan, and those who have been in the service of Pakistan. It consists of 37 sections. The NAO provides a legal framework for investigating and prosecuting cases of corruption in Pakistan. It provides effective measures for the detention, investigation, prosecution and speedy disposal of cases involving corruption, corrupt practices, misuse of power, misappropriation of property, kickbacks, commissions and matters connected ancillary or incidental. Corruption is father of all evils and National Accountability Bureau was established to fight and eradicate corruption. It is premier watchdog organization against all forms of corruption in the country. NAB plays a significant role in investigating allegations of corruption, conducting inquiries and initiating legal proceedings. It is vital to empower institutions like the NAB with adequate resources, skilled personnel, and the autonomy to carry out their responsibilities effectively. Under NAO, Accountability courts were created for swift prosecution of cases involving corruption, misuse of power, fraud, bribery, commission, kickbacks etc. Today 21 accountability courts are working all over the country¹⁹. At the provincial level, there are Anti-Corruption Establishments (ACEs).

Operational Methodology of National Accountability Bureau (NAB)

In addition to awareness and prevention, execution is also one of the NAB's strategies to cope with corruption. NAO mandates NAB to adopt a three-pronged approach for curbing corruption in the country.

Receipts of Complaints

NAB takes cognizance of a matter on receipt of complaint under section 18 of NAO, 1999.

Preliminary Examination/Complaint Verification (CV):

NAB's Execution Strategy works on the entry of written complaints or information by NAB about an alleged act of corruption. In stage one, the initiation of the process begins with the verification of the contents of the information. The matters of the information are verified in light of legal provisions. This is complaint verification (CV) process. At the same time, a complainant is summoned for the confirmation of status and evidence available to him. Once confirmed that the alleged act of corruption falls under NAO and the information procured justifies to move forward, and it is processed further for subsequent action.

Inquiry:

Section 18(c) of National Accountability Ordinance (NAO) tells regarding inquiry for the collection of verbal and documented evidence in much formal way, and the scope of the inquiry is reasonably broadened, and specialists are involved in case the need arises, i.e., banking experts, revenue experts, corporate experts, etc. Their statements are recorded, and initial reports are obtained about the commission of the offense if any. The investigation officer and the legal experts scan the

¹⁸ Javed, D. S. (2021). Assessment of anti-corruption agency of Pakistan. *Journal of Contemporary Issues in Business and Government*, 27(3), 1399

¹⁹<https://molaw.gov.pk/Detail/ZWJmZjQyZDgtMGE3MS00M2YxLWlxMTctYWVlY2UxOWE1ZWE0#:~:text=The%20Accountability%20Courts%20have%20been,and%20ancillary%20or%20incidental%20thereto.>

evidence and reports provided and acquired before the above mentioned experts. The decision is taken considering the collected evidence if any offense is made. According to section 25(a), the option of Voluntary Return (VR) is made to the accused persons during the inquiry without entailing the consequences of section 25(b), which is a Plea Bargain.

Investigation:

Upon finding the evidence against the accused person(s) and evaluating the same as trial-worthy evidence to stand the test of cross-examination by the defence lawyers at the trial, the inquiry mentioned above is transformed to the investigation, which is to be finished efficiently and preferably within 90 days. Upon completion of the investigation, if the chairman of NAB is satisfied and decides to refer the matter to the accountability court in the form of a reference upon receipt of the reference to the concerned accountability court. The court proceeds accordingly, and the trial proceeds in the code of Criminal Procedure, 1898. Suppose evidence gathered during inquiry/investigation is insufficient to file a reference against the accused person(s) or set of accused persons. In that case, the investigation is closed to their extent only under section 9(c). Suppose an accused person or a set of accused persons want to avail of the choice of a plea bargain under section 25(b). In that case, he may do so, and if assented by the chairman of NAB.

The approval of Plea Bargain and its endorsement by the accountability court shall be considered a conviction carrying all the consequences of section 15 of the NAO minus the jail sentence. To lend credence to the inquiry or investigation, the accused is allowed to explain or tell his side of the story in respect of the charges that emerged or the material gathered against him. The accused is also free to place any documented or verbal evidence in favour of his defence. As for the SOPs and the judgments of superior courts, the narrative of the accused is examined, given the NAB's Enforcement Strategy begins with an initiative of fact-finding without having to criticize any person for an alleged act of corruption.

The whole procedure has been devised to move with an explanation from the complainant for the clarification of charges pressed against the accused to measure whether their position falls in line with material evidence. Suppose the version stated by the accused is found credible in lieu of the supporting evidence. In that case, the benefit of the same is given to him. For confirmation, the evidence collected vis-à-vis allegations are verified against the explanations given by the accused and the recorded statements from witnesses.

Regional Bureaus are the operational arms of NAB, which are actively involved in field operations such as CVs, inquiries, and prosecution of cases at trial and appealing stages. The Operations Division and Prosecution Division at NAB Headquarters support the smooth conduct of operational activities per law and the standing operating procedures (SOPs). Under NAO, the chairman of NAB has been allowed to file references anywhere in Pakistan, keeping in view the smooth prosecution of the case and convenience of placing evidence before the concerned court without jeopardising the accountability process in general at the hand of the accused person who is very powerful, and they tend to destroy the evidence over raw witnesses and influence the court and the prosecution (Tariq & Mumtaz, 2021).²⁰

A Brief Performance Review of the National Accountability Bureau (NAB) since its inception.

Upto May, 2022, the National Accountability Bureau (NAB) has recovered 864 billion rupees directly and indirectly from corrupt elements since its inception. According to spokesman of the NAB, the accountability courts have punished 1,405 accused persons besides imposing heavy fines on them due to dynamic trial of NAB. The overall conviction ratio of NAB has been 66 percent in the accountability courts. Since its commencement, the NAB received a total of 405,768 complaints. Out of which 405,212 complaints were disposed off and examination of 556 complaints was continuing. Further, the NAB has official verification of 100865 complaints. Of which investigation of some 100425 complaints were treated. While investigations of 779 complaints were ongoing. The NAB has official

²⁰ Tariq, S. & Mumtaz, T. (2021). Lack of transparency and freedom of information in Pakistan: An analysis of government's functioning and realistic policy options for reform. *Pakistan Journal of Social Research*, 3(3), 70-76.

9,883 inquiries. Of which 8,953 inquiries were taken to logical end. While 930 inquiries were being investigated. Moreover, since its inception, NAB has official 4,547 investigations, out of which 4201 investigation taken to logical end. While working on 346 investigation was continuing right now. The NAB has filed 3,645 references in accountability courts since its commencement. Of which 2,398 references were disposed of as per law. Right now as many as 1237 references valuing Rs1,335 billion were under trial in different accountability courts. Furthermore, out of a total of 179 mega corruption cases, 93 references were under trial in different accountability court while 68 references have been disposed off. Right now 09 inquiries and 09 investigations were near completion from out of 179 mega corruption cases²¹.

As per annual report of National Accountability Bureau (NAB) for the year 2022, total recoveries by NAB since its Inception upto December-2022 are 891.957 billion rupees including recovered amount of Rs. 26.556 billion rupees on account of Voluntary Return (VR), recovered amount of Rs. 65.696 billion rupees on account of Plea Bargain (PB), recovered amount of Rs. 121.658 billion rupees on account of Bank Default, recovered amount of Rs. 121.658 billion rupees on account of Bank Default, recovered amount of Rs. 59.709 billion rupees on account of Restructuring/Rescheduling of Loans , recovered amount of Rs. 16.694 billion rupees on account of recoveries in the case of PCBL, recovered amount of Rs. 57.684 billion rupees on account of Court Fines Imposed and recovered amount of Rs. 543.960 billion rupees on account of Indirect Recoveries²².

The United Nations Convention against Corruption (UNCAC)

The United Nations Convention against Corruption (UNCAC) is considered as a legally obligatory multilateral treaty on the matter of corruption (UNCAC, 2003). In 2003, UN General Assembly has adopted the treaty after the discussions among member states of the United Nations and has come into force in 2005. Pakistan has become signatory to the United Nations Convention against Corruption in 2003, that has later been ratified in 2007 (except provisions of paragraph 2 of article 66). Pakistan has also refrained from taking the Convention as the legal basis in terms of cooperation on extradition with other States parties under paragraph 6 of article 44. The main goals of the UNCAC are highlighted in the first chapter as²³ (; Dr. Faiz Bakhsh, 2020): “to promote and strengthen measures to prevent and combat corruption more efficiently and effectively; to promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery; to promote integrity, accountability and proper management of public affairs and public property” (UNCAC, Art. 1-4).

Hypothetically, Pakistan has worked to stop corruption and criminalized numerous types of corruption in compliance with the principles set under the United Nations Convention against Corruption (UNCAC). The criminalization and law implementation efforts have been made to implement rules of the UNCAC relating bribery and trading in influence (UNCAC arts. 15, 16, 18 and 21). All types of active and passive bribery have been criminalized under National Accountability Ordinance, and Pakistan Penal Code. It also criminalizes bribery of foreign officials. The Pakistan Penal Code largely criminalizes the trading in influence.²⁴

CAUSES OF THE FAILURE OF ANTI-CORRUPTION SYSTEM IN PAKISTAN (Qadir 2003):²⁵

In Pakistani society, there is a high level of tolerance towards corruption, which often leads to the acceptance of abuse of power by influential individuals. People frequently engage in bribery and collusion with public officials to achieve their goals. Tax evasion is common, with individuals resorting to bribery to evade taxes. Unfortunately, those in positions of authority prioritize their personal

²¹ <https://dailytimes.com.pk/939453/nab-recovers-rs864b-from-corrupt-elements-since-inception/>

²² https://nab.gov.pk/Downloads/NAB_Annual_Report_2022.pdf

²³ <https://psr.org.pk/issues/v4/4/legal-and-institutional-framework-for-prevention-of-corruption-in-pakistan-in-compliance-with-the-united-nations-convention-against-corruption-uncac-.pdf>

²⁴ <https://psr.org.pk/issues/v4/4/legal-and-institutional-framework-for-prevention-of-corruption-in-pakistan-in-compliance-with-the-united-nations-convention-against-corruption-uncac-.pdf>

²⁵ Report on present situation, problems and solutions in the legal system related to corruption control and corruption cases in Pakistan by Mansoor Qadir.

enrichment over serving the general public. The failure of anti-corruption efforts further emboldens corrupt individuals, leading to a detrimental impact on the social fabric of society.

The weakness of the institutional system in Pakistan has contributed to the failure of anti-corruption mechanisms. Even the departments responsible for combating corruption have been plagued by corruption themselves. This is partly due to inherent institutional weaknesses and, to a larger extent, the political support provided to corrupt officials in the country. While the National Accountability Bureau (NAB) initially demonstrated promising results, concerns were raised over its selective targeting of individuals affiliated with certain political parties, while others seemed to evade scrutiny. The highest levels of corruption continue to be a huge problem for the nation and obstruct real social improvements. A change in policy has become necessary for the country's progress, along with the strengthening of democratic institutions, particularly the judiciary. Regardless of the perpetrators, it is imperative to expose the truth in order to bring about justice or at the very least to give the general public more of a sense that corruption cannot go unpunished.²⁶

Challenges faced by Anti-Corruption Investigative Agencies (ACIAs)

Some of the strategic and operational challenges faced by ACIAs are as under:

- **Operational Autonomy:** Case registration, inquiry and subsequent action against senior public officials is influenced by bureaucracy, which significantly restrains the operational autonomy of ACIAs, and their role mandated in curbing corruption. The undue interference of bureaucracy also obstructs the effectiveness of any potential action against corrupt elements in ACIAs. Interference with the due processes affects the credibility of these institutions and distort their image in public.
- **Legal Framework:** The FIA and ACEs' current institutional and legislative frameworks do not meet the needs of anti-corruption operations. Lack of a solid, integrated, and empowered legal framework in line with NAO principles reduces the operational efficacy of ACIAs in carrying out tasks including search and seizure, arrest and custody, producing witnesses & procuring records, bail & plea bargaining, and more.
- **Resource Adequacy:** Significant budget constraints limit the ability of ACIAs to perform effectively and leads to increased operational challenges. Without adequate financial resources, ACIAs are unable to undertake complex and multi-jurisdictional investigations. Furthermore, they are incapable of preventing malpractices within their ranks due to dearth of resources.
- **Accountability:** ACIAs must have a strong accountability system in place if they are to combat corruption, notably inside the anti-corruption organizations themselves. The unions between provincial ACEs obstruct anti-corruption efforts and put more pressure on the framework's already weakened institutional structure.
- **Technical Capacities:** Investigations into cases of corruption and assets beyond one's means of support are typically highly complex and involve examining assets, monies, properties, bank accounts, money trails, and reconciling such findings with evidence of criminal activity. This calls for advanced technical proficiency, financial forensics, and a command of criminal law and procedure. These professional abilities, which are crucial for carrying out & managing complicated investigations successfully, are lacking in ACIAs. Their understanding of anti-corruption laws, rules and procedures, as well as their capacity to compare their performance to global best practices, financial shrewdness to recognize the flow of transactions and IT abilities to analyze huge amounts of data and information, falls far short of the needed level.
- **Data Collection and Processing:** Due to their limited access to bank records, cellphone firms, registration authorities and other institutions, FIA and ACEs frequently struggle to obtain pertinent data for investigations. Their performance is affected, as is their capacity to build solid arguments and carry out thorough investigations.
- **Use of Technology:** It is crucial to use technology to increase the effectiveness of data analysis and the findings of anti-corruption investigations. According to research, the ability of AI applications

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<https://www.pakistantoday.com.pk/2023/08/23/corruption-eradication-only-a-dream-for-pakistanis/>



to work with massive datasets has made it possible to expose or even foresee fraud or corruption that was previously difficult to detect or even impossible (Aarvik, 2019).²⁷ However, the capacity of IOs is constrained by a lack of technological expertise, a lack of familiarity with contemporary gadgets, and a lack of knowledge of cutting-edge intelligence techniques (helping in anti-corruption investigations). Documentation, storage, and data retrieval are among the majority of tasks that are manual. Similar to this, IO's use of technology for data analysis and money trail tracking is poor.

- **Forensic Capacity:** When drawing conclusions from case data analysis and investigations, forensic evidence is essential to support those conclusions. If properly gathered, forensic evidence is unassailable and almost always accepted by the legal system. It supports the prosecution's assertions. Digital forensics are primarily used in cybercrimes, though. Digital forensics support is essential for law enforcement investigations and can give electronic evidence in the prosecution of other illegal actions as well.
- **Ineffective Prosecution:** Despite some encouraging advancements in this direction, such as evidence gathered through Mutual Legal Assistance under NAB Ordinance and the admissibility of electronic evidence as outlined in the Electronic Transaction Ordinance 2002, effective prosecution of white-collar crime cases remains a challenge. A criminal trial is also significantly impacted by a number of additional elements. These include having evidence standards that are on par with those used in cases filed under the PPC, hiring top-notch defense attorneys rather than overworked prosecutors, bar pressure on courts, and favoring the protection of witnesses, their defense, and their appearance in court (Sadiq, 2020).²⁸

Economic and Political Implications of Corruption

As corruption destroys institutions, erodes the rule of law and completely undermines the legitimacy of the state, it has wide-ranging effects on a nation's governance, economic development and growth. It puts a pressure on the government's ability to invest in crucial services like education, healthcare, water & sanitation and law enforcement by causing a sizable loss to the national exchequer. In order to pay current expenditures and projects for the development of the public sector, the government must heavily rely on public borrowing. Excessive borrowing leads to a significant build-up of public debt, which eventually impedes the economy's potential growth trajectory and lowers the effectiveness of governance. Although it is difficult to determine the precise dollar amount of direct financial loss to the public coffers, estimates from the National Accountability Bureau (NAB) suggest that the amount of revenue loss may exceed **Rs 200 billion annually** (Javaid, 2010)²⁹. Petty bribery was estimated to have cost **223 billion rupees** in 2010.

The rate of return on new investments and the rate of return from existing infrastructure have both decreased in Pakistan as a result of the country's rising levels of corruption, claim Farooq et al. (2013). This suggests that corruption has a substantial impact on Pakistan's economic development because it lowers the effectiveness of public investments by allocating money to pointless projects and interferes with ongoing development initiatives. As a result of the government having to raise taxes to close massive budget deficits, corruption also has a significant impact on tax income. A greater budget deficit also means higher interest payments in the future because debt is always being raised to cover the difference between revenue and spending (Farooq, Shahbaz, Arouri, & Teulon, 2013).³⁰

Corruption is a special concern in poor or developing countries. Those who exchange bribes are taking nation's limited wealth, leaving little for the underprivileged segment of the society. When systematic corruption exists, countries well-endowed with natural resources may fail to develop a

²⁷ Aarvik, P. (2019). *Artificial Intelligence - a promising anti-corruption tool in development settings?* U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute (CMI).

²⁸ Sadiq, E. (2020). *Anti-Corruption Investigation Agencies in Pakistan: An Appraisal*. ISSRA Papers Volume-XII.

²⁹ Javaid, U. (2010). *Corruption and its deep impact on good governance in Pakistan*. Pakistan Economic and Social Review, Volume 48, No. 1 (Summer 2010).

³⁰ Farooq, A., Shahbaz, M., Arouri, M., & Teulon, F. (2013). *Does corruption impede economic growth in Pakistan?* Economic Modelling, Volume 35.

mechanism to channel those resources fairly for benefit of all the citizens. Corrupt markets are less competitive and more uncertain than a legal market. Potential participants may be hesitant to enter such markets due to moral principles and lack of fair competition, while public officials may also limit economic dealings to insiders (Rose-Ackerman, 1997).³¹

The economic prosperity of a nation is significantly impacted by corruption. It results in more public spending and lower public revenue, which adds to larger fiscal deficits and makes it more difficult for the government to implement prudent fiscal policies. Due to misuse of resources by well-positioned individuals who profit from government activities, corruption is likely to widen the income gap. As corruption hinders the government's capacity to enact the required regulatory restrictions and inspections to address market failures, it distorts markets and resource allocation. As people focus their resources on corrupt rent-seeking activities rather than constructive ones, it distorts incentives. It serves as an arbitrary tax and weakens the government's core responsibility for upholding contracts and property rights. The legitimacy of the market economy and the democratic state system is weakened by corruption. Further, it increases poverty as it reduces the income earning potential of the individual. All of these factors could slow down the nation's economic growth.

Corruption lowers overall economic investment, which eventually has an impact on money circulation and overall growth rates. It boosts investment in public sector development projects, which are amenable to manipulation by senior officials in exchange for kickbacks. In consequence, this lowers a nation's infrastructure's and public investment's productivity (Tanzi, 1998).³² In development initiatives and public procurement contracts put forth by the defence services and public sector businesses, the level of corruption is at its maximum. Mega corruption is pervasive in development projects, bank loans and subsequent write-offs, attractive postings, and supplier contracts that have an impact on the core elements of our economy, while middle-level petty corruption in public offices affects ordinary residents. National exchequer is incurring huge losses due to this corruption that is prevalent in almost all government departments and agencies (Aqil, 2023).³³

Corruption does not only affect the economic development of the country, but it also reduces political legitimacy in Pakistan. According to Jackson et al. (2014), key task of any government regime is to build its legitimacy and earn the support of the citizens in running state affairs. Pakistani government has not only failed to regulate corruption, but it has also failed to protect the legitimacy of political structure in implementing democracy and rule of law, which has led to widespread political instability and national disintegration. The government has failed to resolve political & economic issues, thus, losing the trust of citizens (Jackson, Asif, Bradford, & Zakar, 2014).³⁴

Corruption also jeopardizes Pakistani democratic development. It deteriorates socio-economic conditions of the state and negatively influences the process of democratization. According to perception survey conducted by Transparency International, there are certain government departments majorly influenced by corruption, which include Income Tax & customs, Police, Health & Education, Judiciary, Land administration, Energy & Power and the defence services. Corruption abolishes the legitimacy of current political system and undermines the issues of ordinary citizens, who can neither participate in decision-making nor can get access to information, while the elected government continues to benefit few powerful individuals. Party tickets are being sold openly instead of selecting the candidates on merit and experience to contest elections. Discriminatory practices continue to dominate the political arena in Pakistan. Criminals such as hoarders, drug barons and black marketers are allowed to operate freely due to their strong political connections. Police and Judiciary are unable to perform their duties effectively due to pervasive nature of prevalent

³¹ Rose-Ackerman, S. (1997). Corruption and Development. *Annual Bank Conference on Development Economics*. Washington, D.C.: World Bank.

³² Tanzi, V. (1998). Corruption Around the World: Causes, Consequences, Scope and Cures . *Working Paper of the International Monetary Fund*.

³³ Aqil, T. (2023, February 28). The cancer of corruption in Pakistan. *Pakistan Observer*.

³⁴ Jackson, J., Asif, M., Bradford, B., & Zakar, M. Z. (2014). Corruption and Police Legitimacy in Lahore,. *LSE Research Online*.

corruption, which causes breakdown of law and order. Regulatory systems and law enforcement mechanisms are very weak, which makes it easier for criminals to bribe and escape. Such level of corruption has led to increased incidence of crime and flourishing of black market causing further suffering for common citizens.

Reasons of Poor performance of anti-corruption Agencies:

Following are some reasons of poor performance of anti-corruption Agencies in Pakistan which have adversely effect on the efforts to curb corruption:

1. Abuse of the anti-corruption Agencies by Successive Governments
2. weak investigations and lack of professional skills,
3. abuse of command by the Investigating Agencies
4. Non availability of professional knowledge to identify and investigate the white-collar crimes.
5. Selection of Heads of Investigating Agencies
6. Inefficiency & Institutional Weakness of the Anti-Corruption Agencies.
7. High level of acceptance and tolerance towards corruption, which often leads to the acceptance of abuse of power by influential individuals.
8. The weakness of the institutional structure in Pakistan has caused failure of anti-corruption

Recommendations and Suggestions

This study suggests appropriate recommendations for consideration at the state and societal level to understand the phenomena of menace of the corruption and role of Anti-Corruption Institutions and laws for eradication of the in Pakistan. Following are some recommendations for preventing corruption in the public sector of Pakistan through proper implementation of Anti-Corruption laws through available framework of institutions.


- The media members and of NGOs can play a significant part in disseminating information and shaping public opinion on corruption a. It is crucial for media practitioners to acknowledge their responsibility in providing accurate and unbiased coverage that raises awareness and promotes transparency and accountability.
- For prevention of corruption and promotion of good governance on a national scale, collaboration between the press, civil society and the government is imperative. It is suggested to establish a joint committee for monitoring the implementation of existing Anti-Corruption laws through available mechanism of institutions to ensure effective enforcement of anti-corruption measures.
- There is a need of nonstop efforts to boost the NAO's provisions, line up them with international best practices and strengthen cooperation with international anti-corruption organizations.
- In a country like Pakistan, where corruption poses significant challenges, the media has a crucial role to play in raising awareness, exposing corrupt practices and advocating for the proper implementation existing Anti-Corruption laws. By providing up-to-date and relevant information, citizens can be empowered to actively participate in anti-corruption efforts and hold public officials accountable. Therefore, It Is recommends effective awareness campaign to educate the general public about legal and institutional framework for eradication of corruption in the public sector of Pakistan. Encouraging citizen engagement and participation in anti-corruption efforts.
- Ensuring accountability and transparency within the government sector is a shared responsibility. The community can act as a watchdog, investigating and reporting on instances of corruption, exposing wrongdoings, and demanding accountability, thereby fostering a culture of integrity and trust.
- Anti-Corruption laws should be implemented in its true spirit. The country's anti-corruption laws and structure, which have been put in place to safeguard the ruling class, whether they are politicians, bureaucrats, members of the military establishment, businesses or judges, are the true problem. Additionally, these laws have historically been primarily employed by the ruling class for "political engineering" or the mistreatment of opponents. Without being found guilty or having their guilt established, opposition politicians are jailed for years on corruption-related charges and put through gruesome media trials until they are required by the system once



more.³⁵ For proper implementation, Anti-Corruption laws should be implemented in the true spirit without any favor for any particular class or segment of society and government sector.

- Despite taken efforts at legislative, judicial and political levels the corruption remain exist in the country. The existing infrastructure of Anti-Corruption laws in Pakistan is sufficient for controlling corruption but lacks a solid implementation mechanism which is necessary to curb corruption. The main cause of falling economy and failure of the institutional structure is corruption and it is suggested that Pakistan will have to take solid measures and firm actions with strong political will to curb corruption.
- No country can be prosper without eradication of corruption. Zero tolerance against corruption is necessary for improving economic condition prosper any country. No country can prosper without having the zero tolerance against corruption and corrupt practices. In order to prevent the corruption in Pakistan, it is strongly recommended that zero tolerance policy against corrupt practices should be strictly followed during implementation of existing legal framework.
- In order to avoid overlapping, crime agency at national level is necessary to curb corruption. This study recommends that the existing Anti-Corruption Organizations should be merged in a signal crime agencies at national level to deal with the corruption.
- Under the amendment of National Accountability (Second Amendment) Act, 2022, the offense of corruption and corrupt practices under the NAO will be tied to the value of Rs500m. It means that now NAB will have no authority to proceed in corruption cases involving less than Rs500 million. Due to this amendment, the NAB came under much criticism, especially by the opposition, as it weakens the institution and basically ends accountability. In order to eradicate corruption from the society with the iron hand the, it is suggested that the limit of corruption cases should be reduced from 500 million to 50 million for investigation and the executive agency NAB should be given the power to take and investigate the corruption cases of 50 million and above.
- This study suggests the large scale training programs and capacity-building initiatives for public officials, investigators, and prosecutors in order to increase their knowledge of the NAO, corruption risks, and preventive measures for effective implementation of National Accountability Ordinance (NAO) for prevention of corruption in Pakistan.
- It is necessary to establish strong mechanisms to shield whistle-blowers who come forward with information about corrupt practices. The culture of reporting and accountability should be encourage. This study suggests for taking strong and solid measures for security of Whistle-blower.
- Conducting awareness seminars to educate the public office holders about the NAO, its provisions, significance and consequences of the corruption. This may also be included in their routine training programs. Special focus should be given to those departments where it is assumed that corruption is prevailed extensively. This will help to discourage corruption and create corruption free environment in public sector.
- Steps should be taken for providing foreign trainings and capacity-building initiatives to public officials, investigators, and prosecutors in order to increase their knowledge about anticorruption strategies of different countries. These trainings should also increase their better understanding about the Anti-Corruption laws, corruption risks, and preventive measures for effective implementation of existing Anti-Corruption laws for prevention of corruption in Pakistan.
- In order make existing Anti-Corruption laws more effective, it is necessary to take steps to free anti-corruption institutions from political pressures and to make them answerable to the public and build their trust, through widespread accountability.
- The idea of accountability can come to be enforceable, if the judicial system is strengthened. The rule of law can paved the solid way to control the corruption and to create economic prosperity in the country.

³⁵ <https://www.dawn.com/news/1734907>

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- One of the main reasons of the corruption in the public sector is insufficient and improper salaries and benefits for the employees of the public sector. It is also suggested that proper market based competitive salaries and incentives should be provided to the employees of public sector. In the current scenario of inflation, it has become very necessary to provide proper compensation and other benefits to officers and officials of public sector at all level. This will help to discourage corruption in the public sector.
 - To ensure the success of the NAO in preventing corruption, cooperation among stakeholders is necessary. Cooperation between law enforcement agencies, the magistrates, local community organizations, and the private division can help create a united front against corruption. Regular monitoring, evaluation, and feedback mechanisms can facilitate ongoing improvements to the NAO's implementation and address any shortcomings or challenges that may arise.
 - Furthermore, proper implementation of the NAO needs a complete approach that stresses education and awareness. Public officials, civil society organizations, and the general public should be educated about the damaging effects of corruption and the significance of ethical behavior in public service. Awareness campaigns, training programs, and capacity-building initiatives can contribute to a collective effort in avoiding bribery and promoting a society of accountability.

CONCLUSION

Corruption is one of the main social problems in Pakistan. Corruption has been prevailing in the country since long. It has adversely effect on the economy and good governance in the country. In the past many efforts and steps have been taken to address this issue. A National Anti-Corruption Strategy was developed in 2002 which offers a comprehensive plan to deal with corruption. The National Accountability Ordinance (NAO), which was introduced in 1999. The NAO is applicable to all citizens of Pakistan, and those who have been in the service of Pakistan. It consists of 37 sections. It offers effective procedures for the detention, investigation, prosecution and speedy disposal of cases involving corruption, corrupt practices, misuse of power, misappropriation of property, kickbacks, commissions and matters connected ancillary or incidental. For this purpose, National Accountability Bureau (NAB) was set up. The executing agency has granted wide-ranging powers to investigate and prosecute cases of corruption.

The National Accountability Ordinance (NAO) in Pakistan works as a vital legal structure to prevent and combat corruption in the public sector. By stressing transparency, accountability, integrity, and the rule of law, the NAO founds mechanisms to grip public officials accountable and discourage corrupt practices. While challenges persist, ongoing efforts are being made to reinforce the implementation of the NAO, boost its provisions, and foster international cooperation to effectively combat corruption and promote good governance in Pakistan.

On the basis of findings this study recommends potential strategies for proper implementation of the existing Anti-Corruption laws for prevention and eradication of corruption from the public sector. These strategies will look for promoting effective law enforcement, strengthening anti-corruption institutions, and raising awareness among public officials and citizens about the consequences of corrupt practices.

In order to implement Anti-Corruption laws through existing institutional framework in its true sense for eradication of corruption in Pakistan, the various suggestions and recommendations have been incorporated in this research. These includes effective media campaign, public participation in anti-corruption efforts, line up the provision of NAO with international best practices, Expansion of the jurisdiction of NAB law, local and international Training and capacity building programs for relevant officers/officials of the NAB, solid measures for security of Whistle-blower, adaption of zero tolerance policy in dealing with corruption cases and promotion of the rule of the law. Last but not the least, the corruption can be eradicated from public sector of Pakistan through proper and effective implementation of all available provisions of NAO along with strong political will and zero tolerance policy.

In conclusion, the prevention of corruption in the civil sector can be achieved through the proper implementation Anti-Corruption laws through existing institutional framework in Pakistan. By

leveraging international best practices, strengthening institutions, promoting transparency, and fostering citizen engagement, Pakistan can establish an effective legal framework that upholds integrity, accountability, and good governance. Combating corruption is a collective responsibility that requires a united effort to ensure a prosperous and equitable society for all.

REFERENCES

- [1] <https://www.u4.no/publications/overview-of-corruption-in-pakistan.pdf>
- [2] *Annals of Human and Social Sciences (AHSS)* April-June 2023, Vol. 4, No. 2159
- [3] Khan, Yahya, Gabor Rethi, and Krisztina Szegedi. 2018. "Corruption as Business Challenge in Pakistan." *European Scientific Journal* June 2018 edition Vol. 14.
- [4] <https://ipripak.org/eradication-of-corruption-in-pakistan-need-of-hour/>
- [5] <https://tradingeconomics.com/pakistan/corruption-rank>
- [6] Hakobyan, Anna. 2004. "Corruption in Pakistan." Transparency International & U4 Anti-Corruption Resource Centre. June 09.
- [7] *EVOLUTION OF ACCOUNTABILITY FRAMEWORKS IN PAKISTAN: 1947 TO 2022* by Muhammad Saqib Anjum Lughmani, uhammad Tanweer Abdullah, Munawar Khan
- [8] Ali, Z. (2018, December 29). KP Ehtesab Commission dissolved, cases transferred to ACE. *Dawn*. Retrieved from: <https://www.dawn.com/news/1454226>
- [9] <https://nab.gov.pk>
- [10] <https://issrapapers.ndu.edu.pk/site/article/view/52/27>
- [11] Štefan Šumah, "Corruption, Causes and Consequences" in *Trade and Global Market*, Vito Bobek, Intech Open, February 2018, <https://www.intechopen.com/books/trade-and-global-market/corruption-causes-and-consequences>
- [12] ¹² Cooray, Arusha and Friedrich Schneider, "How does corruption affect public debt? An empirical analysis", *ECONSTOR, Working Paper, No. 1322, Dec. 2013*, <https://www.econstor.eu/bitstream/10419/97435/1/773137955.pdf>
- [13] ¹³ <https://issrapapers.ndu.edu.pk/site/article/view/51/26>
- [14] ¹⁴ Mehbood, A. B. (2022) Accountability fails again. *The DAWN*, <https://www.dawn.com/news/1692731/>
- [15] *accountability-fails-again*
- [16] *A Review of Accountability Systems: Learning from Best Practices* by Nasir Iqbal and Ghulam Mustafa
- [17] [Pakistan Voice and accountability - data, chart | TheGlobalEconomy.com](#)
- [18] [16806efb59 \(coe.int\)](#)
- [19] Javed, D. S. (2021). Assessment of anti-corruption agency of Pakistan. *Journal of Contemporary Issues in Business and Government*, 27(3), 1399
- [20] <https://molaw.gov.pk/Detail/ZWJmZjQyZDgtMGE3MS00M2YxLWlxMTctYWVlY2UxOWE1ZWE0#:~:text=The%20Accountability%20Courts%20have%20been,and%20ancillary%20or%20incidental%20thereto.>
- [21] Tariq, S. & Mumtaz, T. (2021). Lack of transparency and freedom of information in Pakistan: An analysis of government's functioning and realistic policy options for reform. *Pakistan Journal of Social Research*, 3(3), 70-76.
- [22] <https://dailytimes.com.pk/939453/nab-recovers-rs864b-from-corrupt-elements-since-inception/>
- [23] https://nab.gov.pk/Downloads/NAB_Annual_Report_2022.pdf
- [24] <https://pssr.org.pk/issues/v4/4/legal-and-institutional-framework-for-prevention-of-corruption-in-pakistan-in-compliance-with-the-united-nations-convention-against-corruption-uncac-.pdf>
- [25] <https://pssr.org.pk/issues/v4/4/legal-and-institutional-framework-for-prevention-of-corruption-in-pakistan-in-compliance-with-the-united-nations-convention-against-corruption-uncac-.pdf>
- [26] Report on present situation, problems and solutions in the legal system related to corruption control and corruption cases in Pakistan by Mansoor Qadir.
- [27] <https://www.pakistantoday.com.pk/2023/08/23/corruption-eradication-only-a-dream-for-pakistanis/>
- [28] Aarvik, P. (2019). Artificial Intelligence - a promising anti-corruption tool in development settings? U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute (CMI).
- [29] Sadiq, E. (2020). Anti-Corruption Investigation Agencies in Pakistan: An Appraisal. *ISSRA Papers Volume-XII*.
- [30] Javaid, U. (2010). Corruption and its deep impact on good governance in Pakistan. *Pakistan Economic and Social Review*, Volume 48, No. 1 (Summer 2010).



- [31] Farooq, A., Shahbaz, M., Arouri, M., & Teulon, F. (2013). *Does corruption impede economic growth in Pakistan? Economic Modelling*, Volume 35.
- [32] Rose-Ackerman, S. (1997). *Corruption and Development. Annual Bank Conference on Development Economics*. Washington, D.C.: World Bank.
- [33] Tanzi, V. (1998). *Corruption Around the World: Causes, Consequences, Scope and Cures . Working Paper of the International Monetary Fund*.
- [34] Aqil, T. (2023, February 28). *The cancer of corruption in Pakistan*. Pakistan Observer.
- [35] Jackson, J., Asif, M., Bradford, B., & Zakar, M. Z. (2014). *Corruption and Police Legitimacy in Lahore*,. LSE Research Online.
- [36] <https://www.dawn.com/news/1734907>