



## NAB and the Challenge of White-Collar Crime in Pakistan: Reform, Reality, and Prospects

Sehar Nawaz<sup>1\*</sup>

### ABSTRACT

White-collar crime has emerged as one of the most pressing challenges for Pakistan, undermining economic growth, public trust, and the legitimacy of state institutions. The establishment of the National Accountability Bureau (NAB) in 1999 was intended to serve as the cornerstone of Pakistan's anti-corruption framework. However, despite its broad legal mandate, NAB's performance has remained controversial. The research problem addressed in this study is whether NAB has been effective in combating white-collar crime, and what institutional and legal shortcomings hinder its functioning. The purpose of the study is to critically evaluate NAB's role, its strengths and weaknesses, and to propose reforms for strengthening accountability in Pakistan. Using a qualitative research design based on doctrinal legal analysis, the article reviews statutory provisions, judicial pronouncements, and scholarly literature to assess NAB's functioning. The findings reveal that while NAB has achieved notable financial recoveries and brought high-profile cases to light, its effectiveness is undermined by political influence, selective accountability, weak prosecution, and inadequate expertise in financial crimes. The study concludes that meaningful reforms, particularly in the areas of independence, judicial oversight, and capacity building, are essential for NAB to evolve into a credible institution capable of addressing the complex challenges of white-collar crime in Pakistan.

**Keywords:** white collar crime, Corruption control, financial crimes, accountability mechanisms, governance reform, prosecutorial effectiveness.

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### INTRODUCTION

White-collar crime has increasingly emerged as a defining challenge for governance in Pakistan, not only because of its devastating economic impact but also due to its corrosive influence on public trust and institutional legitimacy. Unlike conventional crimes, these offenses are committed by individuals in positions of power and authority, which makes their detection, investigation, and prosecution more complex and politically sensitive. In response to this growing menace, the NAB was established under the National Accountability Ordinance (NAO) 1999 as the country's premier anti-corruption body. More than two decades later, however, NAB's role

<sup>1</sup> Lecturer, Department of Law, University of Sialkot, Pakistan. [sehar.nawaz@uskt.edu.pk](mailto:sehar.nawaz@uskt.edu.pk) (corresponding)

continues to generate debate, with its performance being alternately praised for exposing high-level corruption and criticized for allegations of selective accountability and political misuse (Ali, 2024; Khan et al., 2020).

The present study seeks to critically analyze NAB's effectiveness in addressing white-collar crime, with a focus on its legal framework, institutional design, operational practices, and broader impact on governance. The significance of this inquiry lies in the fact that effective accountability mechanisms are essential for economic stability, democratic consolidation, and compliance with international commitments such as the United Nations Convention against Corruption (UNCAC) and Financial Action Task Force (FATF) standards. The central research problem revolves around whether NAB has effectively fulfilled its mandate or whether structural and political weaknesses have undermined its credibility. From this problem, two hypotheses arise: first, that NAB's legal and institutional framework is insufficient to address the complexity of financial crimes in the modern era; and second, that political interference significantly compromises NAB's independence and effectiveness. These hypotheses guide the core research questions concerning NAB's successes, its shortcomings, and the reforms required to transform it into a credible accountability institution (Butt, 2022; Kanwel et al., 2020).

The study employs a qualitative and doctrinal methodology, drawing upon statutory provisions, judicial pronouncements, policy documents, and scholarly literature. Landmark decisions, including *Asfandiyar Wali v. Federation of Pakistan* (2001), serve as key reference points in evaluating the legality of NAB's powers and their compatibility with constitutional guarantees. The findings are expected to reveal that while NAB has contributed to financial recoveries and raised awareness about corruption, it has failed to consistently demonstrate impartiality or professional competence. The analysis concludes that meaningful reform, particularly in relation to independence, transparency, and capacity building, is essential for NAB to emerge as an effective institution capable of addressing the challenges posed by white-collar crime (Khan & Usman, 2023).

The article is structured into five parts. It begins with a contextual overview of white-collar crime in Pakistan, followed by an examination of NAB's institutional framework under the NAO 1999. It then assesses NAB's practical performance by evaluating both its achievements and its shortcomings. The subsequent section explores possible reforms and future directions for improving the accountability system. The study ends with concluding reflections on NAB's prospects and broader recommendations for strengthening the fight against white-collar crime in Pakistan.

## CONCEPTUAL AND THEORETICAL FRAMEWORK

The study of white-collar crime and accountability in Pakistan necessitates a clear conceptual and theoretical grounding. White-collar crime, as defined by Sutherland, encompasses financially motivated, non-violent crimes committed by individuals in positions of trust, often within corporate or public institutions. In the Pakistani context, white-collar crimes manifest through corruption, embezzlement, fraud, and misuse of public office, posing systemic threats to governance, economic stability, and public trust. The National Accountability Bureau (NAB),

established under the National Accountability Ordinance, 1999, represents the institutional response to these crimes, embodying the state's attempt to operationalize principles of accountability and anti-corruption within a legal framework.

Theoretically, this research is anchored in institutional theory and rule of law theory. Institutional theory emphasizes the role of formal structures, legal frameworks, and organizational processes in shaping the behavior of public actors, highlighting how political influence, bureaucratic inefficiencies, and resource constraints can affect NAB's effectiveness. Rule of law theory, meanwhile, provides a normative lens, asserting that accountability mechanisms must operate within a framework of impartial legal standards, procedural fairness, and judicial oversight to ensure legitimacy and compliance. By integrating these theoretical perspectives, the study conceptualizes NAB's performance not merely as a function of its statutory mandate but as a complex interaction of institutional capacity, political dynamics, legal provisions, and prosecutorial competence. This framework guides the examination of NAB's operational strengths, weaknesses, and potential reforms, providing a structured approach to understanding the challenges of combating white-collar crime in Pakistan.

## **RESEARCH METHODOLOGY**

This study employs a qualitative research design grounded in doctrinal legal analysis to critically evaluate the role of the National Accountability Bureau (NAB) in combating white-collar crime in Pakistan. The research primarily involves a systematic examination of statutory provisions, particularly the National Accountability Ordinance, 1999, and related legislation, to understand NAB's legal mandate, powers, and limitations. Judicial pronouncements and landmark court decisions are analyzed to assess the legality, procedural compliance, and effectiveness of NAB's investigations and prosecutions. In addition, secondary sources, including scholarly literature, institutional reports, media investigations, and NAB's official publications, are reviewed to evaluate the institution's operational performance, public perception, and structural challenges. Using a critical-analytical approach, the study synthesizes these sources to identify the political, institutional, and legal factors that influence NAB's effectiveness, emphasizing interpretive understanding over quantitative measurement. This methodology provides a comprehensive framework for assessing NAB's strengths, weaknesses, and potential reforms to enhance accountability and address white-collar crime in Pakistan.

## **UNDERSTANDING WHITE-COLLAR CRIME IN PAKISTAN**

White-collar crime, a term first popularized by Edwin Sutherland in 1939, refers to financially motivated, non-violent crimes committed by individuals, businesses, or government officials in positions of trust. In Pakistan, these crimes have become deeply entrenched in political, bureaucratic, and corporate structures, contributing to systemic corruption and undermining the rule of law. Unlike conventional crimes, which are often visible and immediate in their impact, white-collar offenses are sophisticated, concealed, and long-term in their consequences, making them harder to detect, investigate, and prosecute (Sultan et al., 2022).

In the Pakistani context, white-collar crime takes multiple forms, including embezzlement of public funds, tax evasion, money laundering, kickbacks in procurement contracts, bank fraud,

and misuse of authority. These crimes are facilitated by weak regulatory oversight, political patronage networks, and loopholes in financial systems. Reports by Transparency International consistently place Pakistan among countries struggling with high levels of corruption, while studies by the State Bank of Pakistan have highlighted how illicit financial flows contribute to capital flight and economic instability (Syed, 2020).

The social and economic costs of white-collar crime in Pakistan are far-reaching. They not only drain national resources but also erode investor confidence, discourage fair competition, and perpetuate inequality by allowing the elite to operate above the law. The challenge is further compounded by the lack of specialized expertise in investigating complex financial crimes, weak prosecution, and delays in judicial processes. As a result, accountability institutions such as the NAB face enormous hurdles in bringing white-collar criminals to justice. Understanding the dynamics of white-collar crime in Pakistan is thus crucial to appreciating the challenges faced by NAB. It highlights that the issue is not merely one of law enforcement but also of structural reform, political will, and the development of robust institutional mechanisms capable of resisting external pressures (Imran et al., 2023).

### **NAB'S INSTITUTIONAL FRAMEWORK AND ROLE**

The NAB was established in 1999 under the NAO during General Pervez Musharraf's regime, with the declared objective of eradicating corruption and recovering looted wealth from those who abused positions of power. As Pakistan's premier anti-corruption body, NAB was vested with broad powers, making it the most authoritative accountability institution in the country. Its framework is centered on three primary functions: enforcement, prevention, and awareness (Zafar, 2022).

On the enforcement side, NAB is empowered to initiate inquiries, conduct investigations, arrest suspects, and file references before specialized accountability courts. It has jurisdiction over public office holders, bureaucrats, politicians, and private individuals involved in acts of corruption, misuse of authority, or embezzlement of state resources. The NAO also grants NAB the controversial powers of voluntary return and plea bargaining, enabling the accused to return embezzled money in exchange for settlement or reduced punishment. These provisions, though intended to ensure speedy recovery of assets, have drawn criticism for allowing offenders to evade full accountability (Ali et al., 2025).

The preventive role of NAB involves working with ministries, departments, and regulatory bodies to identify loopholes in administrative and financial systems that enable corruption. NAB has also sought to integrate anti-corruption education into universities and public campaigns, reflecting its awareness-raising mandate. Despite these initiatives, the preventive and awareness dimensions remain underdeveloped compared to NAB's focus on enforcement. Structurally, NAB is headed by a chairman appointed by the President of Pakistan in consultation with the Leader of the House and Leader of the Opposition in the National Assembly. This appointment mechanism, though intended to ensure bipartisan consensus, has been criticized for enabling political bargaining, thereby compromising NAB's independence. The Bureau operates through regional offices across major cities, with investigations supervised by the prosecution wing and adjudicated

by accountability courts established under the NAO. Judicial review of NAB's actions is exercised by the higher judiciary, particularly in cases involving violations of fundamental rights (Shoukat et al., 2025).

In terms of its role, NAB occupies a central position in Pakistan's accountability landscape. It serves as the primary agency for investigating mega corruption scandals and ensuring compliance with Pakistan's obligations under international frameworks such as the UNCAC and the FATF. NAB frequently highlights its achievements, including the recovery of billions of rupees in misappropriated funds and the prosecution of high-profile political and business elites. However, the very breadth of its powers has raised questions about misuse, due process, and the balance between strong accountability and the protection of constitutional rights. Thus, NAB's institutional framework provides it with formidable legal authority and national reach, but its effectiveness and credibility depend on how impartially and professionally these powers are exercised. The Bureau's dual identity as both a watchdog against corruption and a body subject to political contestation defines much of the debate surrounding its role in combating white-collar crime in Pakistan (Ahmad & Khan, 2020).

### **NAB IN REALITY: ACHIEVEMENTS AND CRITICISMS**

In theory, the NAB stands as the vanguard of Pakistan's anti-corruption drive; in reality, however, its performance reflects a complex mixture of successes and persistent shortcomings. On the achievement side, NAB frequently cites its recovery of billions of rupees in embezzled funds and its role in exposing mega scandals involving influential political and business figures. By bringing high-profile cases into the public spotlight, NAB has reinforced the notion that the country's most powerful actors can be held answerable for corruption. Moreover, NAB's work has contributed to Pakistan's compliance with global obligations such as those under the FATF framework, where measures against money laundering and terror financing are closely linked to effective accountability institutions. NAB has also played a role in awareness campaigns, introducing anti-corruption content in universities and conducting outreach to civil society (Ali, 2018).

Despite these achievements, NAB's record is overshadowed by significant criticisms. Foremost among these is the allegation of selective accountability, whereby investigations often appear to disproportionately target opposition politicians while overlooking allies of the ruling government. This perception of political bias undermines NAB's credibility and raises questions about its independence. Additionally, its powers of arrest and pre-trial detention have been widely criticized for violating due process, leading to what many describe as "media trials" before guilt is established. The plea bargain and voluntary return mechanisms, though intended to expedite asset recovery, have been condemned for enabling offenders to escape full accountability, effectively turning corruption into a low-risk, negotiable offense (Aftab et al., 2020).

Institutional weaknesses further constrain NAB's effectiveness. Investigations often lack technical expertise in financial forensics, cyber evidence, and international asset tracing, which are essential for dealing with complex white-collar crime. Prosecution is frequently weak, resulting in a high rate of acquittals in accountability courts. According to data highlighted in parliamentary

debates, NAB's conviction rate has fluctuated widely, indicating inconsistency in its performance. Critics also argue that NAB's aggressive pursuit of the business community has created a "fear environment" that discourages investment and economic activity (Gul, 2017).

The judiciary has on several occasions highlighted these deficiencies. In *Asfandiyar Wali v. Federation of Pakistan* (2001), the Supreme Court upheld NAB's establishment but curtailed certain powers to protect constitutional rights. More recently, judicial observations have repeatedly cautioned NAB against overstepping its mandate and violating fundamental rights. These critiques reinforce the perception that NAB, while powerful, lacks the institutional maturity to consistently act as a neutral enforcer of accountability. Thus, NAB's reality is defined by a paradox. On the one hand, it has demonstrated that financial corruption can be confronted, even at the highest levels of power. On the other hand, its politicization, procedural flaws, and institutional weaknesses have prevented it from becoming a truly credible and impartial guardian against white-collar crime in Pakistan (Korejo et al., 2023).

## COMPARATIVE PERSPECTIVES ON ANTI-CORRUPTION INSTITUTIONS

To understand the challenges facing the NAB and to chart possible pathways for reform, it is useful to examine comparative models of anti-corruption institutions from other jurisdictions. Several countries facing similar problems of entrenched corruption have developed accountability bodies that are widely regarded as more effective, primarily because of their independence, professionalism, and preventive focus (Ghani et al., 2025).

One of the most frequently cited examples is Hong Kong's Independent Commission Against Corruption (ICAC), established in 1974. ICAC is structured around a "three-pronged" strategy of investigation, prevention, and community education. Its independence is guaranteed by direct accountability to the Chief Executive, coupled with strict legal safeguards against political interference. The success of ICAC lies not only in its enforcement powers but also in its systematic reforms of public institutions and continuous public engagement, which has fostered a culture of intolerance towards corruption (Mathlouthi et al., 2025).

Similarly, Singapore's Corrupt Practices Investigation Bureau (CPIB), one of the world's oldest anti-corruption bodies, operates directly under the Prime Minister's Office but enjoys strong operational autonomy. Its effectiveness derives from comprehensive legal frameworks, consistent political backing, and professional specialization. CPIB is notable for its swift investigations, strong prosecutorial coordination, and an uncompromising approach to corruption regardless of rank or influence. Singapore's low corruption rankings globally are often attributed to CPIB's consistent performance and institutional credibility (Khan et al., 2025).

In the South Asian context, India's Central Bureau of Investigation (CBI) serves as a key agency for investigating corruption and economic crimes. However, the CBI faces challenges similar to NAB, particularly allegations of political influence and selective investigations. Indian courts have at times described the CBI as a "caged parrot," underscoring the importance of institutional independence in ensuring effectiveness. This comparative example demonstrates that structural design alone is insufficient without robust safeguards against external interference. From these models, several lessons emerge for Pakistan. First, anti-corruption institutions require legal

and operational independence insulated from political bargaining. Second, specialized expertise in financial forensics and complex investigations is indispensable for handling sophisticated white-collar crimes. Third, the inclusion of preventive and educational measures, alongside punitive action, can foster long-term cultural change against corruption. Finally, public trust and transparency are critical, as accountability institutions derive much of their legitimacy from perceptions of fairness and impartiality (Hui et al., 2025).

For NAB, adopting these lessons could mean moving beyond a narrow focus on high-profile prosecutions towards a more holistic model of accountability. By strengthening independence, investing in professional capacity, and engaging society in anti-corruption awareness, NAB could follow the path of institutions like ICAC and CPIB to evolve into a credible and sustainable mechanism of integrity in Pakistan (Khan & Ullah, 2024).

## **THE NEED FOR REFORM**

While the NAB was created with the ambition of serving as Pakistan's foremost institution to curb corruption, its operational history reveals deep-rooted flaws that demand urgent reform. The persistence of white-collar crime, coupled with recurring allegations of selective accountability, weak prosecution, and political misuse, demonstrates that NAB in its current form is neither institutionally robust nor legally sufficient to meet the challenge of complex financial crime. Without structural transformation, NAB risks remaining a tool of political engineering rather than a credible guardian of accountability (Hussain et al., 2023).

The foremost area requiring reform is the legal framework governing NAB. Broad and vaguely defined powers under the NAO 1999 create space for arbitrary action, particularly in the domains of arrest, pre-trial detention, and plea bargaining. Revisions are needed to ensure clearer definitions of corruption-related offenses, stronger safeguards for fundamental rights, and stricter judicial oversight over investigative powers. By refining the law, the potential for misuse of authority can be curtailed without weakening NAB's ability to confront corruption. Equally critical is the question of institutional independence. The appointment process of NAB's Chairman, which currently depends on political negotiation between the Leader of the House and the Leader of the Opposition, has often been criticized for enabling partisan compromise. A more transparent and merit-based appointment mechanism, possibly involving the judiciary or a neutral commission, is essential to insulate NAB from political influence. Furthermore, NAB's financial and administrative autonomy should be strengthened so that it can operate without fear of reprisal from ruling governments (Khan et al., 2022).

A third dimension of reform involves capacity building. White-collar crime today often spans international jurisdictions and involves highly technical transactions, from cyber fraud to complex money laundering networks. NAB's investigators and prosecutors require specialized training in forensic accounting, cybercrime detection, and international financial law. Partnerships with global institutions such as the United Nations Office on Drugs and Crime (UNODC) and greater collaboration with domestic regulatory agencies, including the State Bank of Pakistan and the Federal Investigation Agency, could enhance NAB's expertise in handling sophisticated cases. Moreover, judicial strengthening and oversight are necessary to ensure that NAB functions within

the constitutional framework. Special accountability courts should be equipped with judges trained in financial and corporate law, and appellate mechanisms must be expedited to prevent cases from lingering indefinitely. Judicial scrutiny of NAB's investigative practices would also provide a check against abuse of powers (Javed et al., 2021).

Finally, reforms must place greater emphasis on prevention and awareness rather than relying solely on punitive measures. By working with government departments to close regulatory loopholes, and by continuing anti-corruption education at universities and through civil society, NAB can foster a culture of integrity that reduces opportunities for corruption before they occur. In sum, reforming NAB requires a holistic approach that combines legal amendments, institutional independence, professional capacity, judicial oversight, and preventive strategies. Only through such comprehensive measures can NAB evolve into a credible institution capable of effectively combating the entrenched and complex challenge of white-collar crime in Pakistan (Khan et al., 2021).

## **PROSPECTS FOR THE FUTURE**

The future of accountability in Pakistan, and particularly the role of the NAB, depends largely on whether the state can undertake meaningful reforms that transform NAB from a contested institution into a credible, independent, and professional body. While NAB has been instrumental in bringing high-profile corruption cases to public attention, its legacy of political controversy and institutional shortcomings continues to overshadow its achievements. The prospects, therefore, lie in striking a balance between strong accountability and the protection of fundamental rights (Usman et al., 2021).

If the necessary reforms in law, procedure, and institutional capacity are implemented, NAB has the potential to emerge as a deterrent against white-collar crime. Its broad legal mandate, national reach, and investigative powers position it to play a pivotal role in ensuring Pakistan's compliance with international anti-corruption commitments such as the UNCAC and FATF obligations. With greater expertise in financial forensics, enhanced judicial oversight, and insulation from political influence, NAB could evolve into a modern accountability institution capable of addressing the complexities of transnational corruption, cyber-enabled financial crimes, and money laundering (Usman et al., 2021).

However, without reform, NAB risks further erosion of its legitimacy. Continued perceptions of selective accountability and political manipulation will weaken public trust, discourage international cooperation, and embolden corrupt networks to exploit systemic weaknesses. In such a scenario, Pakistan's struggle against white-collar crime may remain symbolic rather than substantive, undermining both governance and economic growth (Usman et al., 2021).

Ultimately, the prospects for NAB rest on the political will of the state and the resilience of its legal institutions. A transformed NAB professional, independent, and transparent—can serve not merely as a punitive body but as a cornerstone of preventive governance, fostering integrity and accountability across Pakistan's political and economic systems. The future trajectory of



white-collar crime control in Pakistan is therefore tied to whether NAB can reinvent itself as an institution of justice rather than an instrument of expedience (KHAN et al., 2021).

## CONCLUSION

The challenge of white-collar crime in Pakistan is deeply rooted in structural weaknesses of governance, entrenched corruption networks, and limited institutional capacity. The NAB, established to address this challenge, has played a visible role in exposing high-profile scandals and recovering misappropriated wealth. Yet, its record is marred by controversies of selective accountability, weak prosecution, political interference, and procedural flaws. These shortcomings have significantly undermined NAB's credibility and effectiveness as an impartial institution of accountability.

The analysis presented in this article demonstrates that while NAB possesses a wide legal mandate and the potential to serve as Pakistan's premier anti-corruption body, it cannot fulfill this role without meaningful reform. Legal clarity, institutional independence, professional expertise, and robust judicial oversight are essential for NAB to move beyond symbolic accountability and deliver substantive justice. Moreover, preventive strategies and public awareness must complement punitive measures to address the systemic nature of white-collar crime.

In conclusion, the future of accountability in Pakistan rests on whether NAB can be transformed into a transparent, professional, and autonomous institution. If reformed, it has the capacity to deter corruption, strengthen public trust, and align Pakistan with international standards of good governance. If left unreformed, however, NAB risks remaining a politicized tool, perpetuating selective justice and allowing white-collar crime to continue eroding the foundations of the state.

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