



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Pakistan*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

- (a) Steps taken to revise and harmonize the Disabled Persons (Employment and Rehabilitation) Ordinance 1981 (the current federal law), and all other legislation, policies and measures, and the definitions of persons with disabilities, with the Convention, and to replace the medical model with the human rights model of disability;
- (b) Measures in place to enforce the implementation of the Convention through the domestic legal system at both the federal and provincial levels;
- (c) The evaluation results of, and the measures taken to update, the national policy on persons with disabilities, of 2002, and its action plan adopted in 2006;
- (d) Mechanisms to ensure coordination among various sectors, at both the federal and the provincial level, to implement the rights under the Convention across the country;
- (e) Concrete mechanisms for consulting with and enabling the participation of persons with disabilities and their representative organizations, particularly women and girls with disabilities and persons with disabilities living in rural areas, in legislative and administrative processes and other matters that affect them;
- (f) Steps taken to ratify the Optional Protocol to the Convention.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide information on:

- (a) Plans to adopt federal anti-discrimination law on the rights of persons with disabilities;
- (b) Steps taken to abolish the derogatory language in the provincial and federal laws, in particular regarding psychosocial disability, namely in articles 51-2-D and 63-1-A of the Constitution; in the Contract Act of 1871, chapter II, article 12; in the Penal Code, article 84; and in Order XXXII of the Code of Civil Procedures;
- (c) The availability, if any, of an accessible mechanism for receiving complaints of disability-based discrimination;

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** Adopted by the pre-sessional working group at its nineteenth session (25 and 26 March 2024).



(d) Legal and other measures taken to prevent and address multiple and intersecting forms of discrimination faced by persons with disabilities, in particular women and girls with disabilities and persons with intellectual and/or psychosocial disabilities;

(e) Plans to review legislation and policies to abolish all forms of direct and indirect discrimination based on impairment, including persons affected by leprosy;

(f) Measures, if any, to enforce a unified definition of discrimination on the basis of disability in the provincial laws and to identify denial of reasonable accommodation as a form of such discrimination.

Women with disabilities (art. 6)

3. Please provide information about:

(a) Steps taken to ensure that federal and provincial policies, plans and strategies include and contain specific measures for the advancement of women and girls with disabilities;

(b) Steps taken to ensure full protection for women and girls with disabilities, in particular in rural areas, from all forms of discrimination, violence, child and forced marriage, forced abortion and sterilization, and about measures taken to mainstream their rights both in the federal and provincial related policies and laws;

(c) Steps taken to include specific measures for women and girls with disabilities in legislation on domestic violence, and to ensure the accessibility of federal and provincial mechanisms on the protection and rehabilitation of victims of violence;

(d) Actions plans enacted to apply the national gender policy framework, recently approved by the Ministry of Planning and Development, at the federal level, and about its replication for each province;

(e) The availability of data on cases of sexual abuse and other forms of gender-based violence against women and girls with disabilities, in particular in residential institutions, and about their access to referral mechanisms and justice;

(f) The practical and legislative measures taken, including amending the Child Marriage Restraint Act, 1929, and the Muslim Family Laws Ordinance, 1961, to eliminate child marriage, including of girls with disabilities;

(g) Measures taken, including the adoption of quotas, to ensure equal access to the labour market and entrepreneurship by women with disabilities, including in business start-up programmes supported by the State party;

(h) Measures taken to ensure full and independent access for women with disabilities to sexual and reproductive health and rights services throughout the State party and in all provinces, paying particular attention to rural areas;

(i) Steps taken to ensure the representation of women with disabilities in the National Commission on the Status of Women and to establish a formal mechanism to ensure the effective participation of women with disabilities, through their representative organizations, in policymaking, decision-making, and programme preparation, implementation and evaluation, and in the monitoring of laws and regulations relating to disability and gender issues, at the national and local levels.

Children with disabilities (art. 7)

4. Please provide information on:

(a) The time frame for revising the federal and provincial child policies, and concrete plans to make them inclusive for children with disabilities, and the steps taken by the National Commission for Child Welfare and Development to include the rights of children with disabilities in their reports, plans, programmes and activities;

(b) Concrete measures adopted to ensure that the best interests of children with disabilities and the need to respect their evolving capacities are duly considered in mainstream policies;

(c) Specific mechanisms available to children with disabilities for expressing their views on all matters affecting them, and measures to ensure that their views are taken into consideration;

(d) The current legal mechanisms at the federal and provincial levels to protect children with disabilities from domestic violence, and the plans, if any, to amend the domestic violence laws (prevention and protection) to ensure full protection for children with disabilities from such violence and full access to inclusive and adequate rehabilitation services and access to justice;

(e) The current situation of children in institutions and the time frame for deinstitutionalization.

Awareness-raising (art. 8)

5. Please provide information on:

(a) Steps taken to adopt and implement a common strategy across all provinces to raise awareness about the rights of persons with disabilities, change attitudes and eliminate prevailing stereotypes, and to ensure that persons with disabilities are involved in this work, including through their representative organizations;

(b) Training provided for personnel in the justice system and in the education, transportation and health sectors on the rights of persons with disabilities, including on full inclusion;

Accessibility (art. 9)

6. Please provide information on:

(a) The definition of accessibility that is used in the State party and whether different definitions are used in the provinces;

(b) Measures in place to ensure and enforce accessibility standards for private and public buildings and facilities, goods and services, including banking services, at the provincial and federal level, on the penalties for non-compliance, and on the resources allocated to ensure accessibility of the physical environment for persons with disabilities;

(c) The plans, if any, to renovate old buildings in all provinces so as to make them accessible;

(d) The plans, and their time frame, to make national transportation in all provinces accessible;

(e) Measures adopted to ensure the accessibility of information and communication services and technologies for all groups of persons with disabilities;

(f) Financial resources allocated in the national and provincial budgets to enhance accessibility, particularly in key sectors such as health, education and employment;

(g) Mechanisms in place to ensure close consultation and active involvement of persons with disabilities in the planning, the implementation and the monitoring of accessibility plans at the national, provincial and district levels;

(h) Measures taken to ensure that public spaces, transportation and essential services cater to the diverse requirements of persons with disabilities.

Right to life (art. 10)

7. Please provide information on:

(a) Steps taken, if any, towards ratification of Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(b) Steps taken, if any, to amend the Penal Code to abolish the death penalty and/or to limit its application in accordance with international law, and on the penalties which lead to or may cause death under the group of retaliation crimes (*qisas*);

(c) Safeguards in place to protect persons with disabilities from discriminatory practices that may threaten their lives, including the safeguards in place to ensure discrimination-free access to health care.

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information on:

(a) Steps taken to make the emergency laws and plans disability-inclusive, in particular the National Disaster Management Act 2010 and the National Disaster Response Plan;

(b) The number of persons with disabilities who lost their lives, were displaced or were generally affected by the 2022 floods, and whether response measures to mitigate the effects of disasters have been improved accordingly;

(c) Training provided, if any, to emergency services and disaster management personnel on the inclusion of persons with disabilities during natural disasters and other emergency situations;

(d) The participation of persons with disabilities and their representative organizations in the federal and provincial disaster prevention and mitigation mechanisms, including the Emergency Relief Cell, the National Crisis Management Cell, the National Council for Disaster Management, the National Disaster Management Authority and the district disaster management committees.

Equal recognition before the law (art. 12)

9. Please provide information on:

(a) The time frame for amending the legal provisions which deprive persons with psychosocial and/or intellectual disabilities of their legal capacity completely or partially in the Contract Act of 1871 and in Order XXXII of the Code of Civil Procedures;

(b) Steps taken to ensure that persons with disabilities can fully and equally exercise their legal capacity, on the legal possibilities for persons with disabilities to restore their legal capacity against or without the will of their guardian, and on steps taken towards abolishing guardianship and substitute decision-making regimes and replacing them completely with supported decision-making for persons with disabilities who require decision-making support;

(c) Steps taken to review or revise legal and other measures that deprive persons with disabilities, in particular persons with intellectual disabilities and/or psychosocial disabilities, of the capacity to enter into a contract, open a bank account or exercise their right to family life and to marry;

(d) How the right to inheritance for persons with disabilities is guaranteed, with a particular emphasis on persons with psychosocial and intellectual disabilities.

Access to justice (art. 13)

10. Please provide information on:

(a) The accessibility of federal and provincial courts, adjudicatory entities and police stations;

(b) The provision of legal aid, sign language interpreters, audio description, Easy Read and personal assistance services to ensure equal access for persons with disabilities to criminal, civil and administrative procedures;

(c) Measures applied to provide individual procedural and administrative accommodation, and the provision of systematic training to relevant professionals on the implementation of such accommodation;

(d) Measures taken to train public officials, lawyers, prosecutors, judges and court employees on the rights enshrined in the Convention.

Liberty and security of the person (art. 14)

11. Please provide:

(a) Information on the safeguards in place to ensure that no one is deprived of their liberty because of their disability, with a special focus on psychosocial and intellectual disabilities;

(b) Available data on persons with disabilities still in residential institutions, including their age, gender and the duration of their stay, and the timeline in place for deinstitutionalization strategies;

(c) Information on measures to prohibit non-consensual treatment, such as forced medication, and hospitalization without consent, on the time frame for abolishing the provisions in the Mental Health Ordinance 2001 which allow for forced hospitalization for long durations for adults and children, and on the number of persons with psychosocial disabilities involuntarily hospitalized in psychiatric facilities and the duration of their stay.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please provide information on:

(a) Measures to ensure, at both federal and provincial levels, full protection for persons with disabilities from all forms of torture and cruel, inhuman or degrading treatment in all settings;

(b) Available and accessible mechanisms for persons with disabilities to report confidentially and safely any incident of torture or cruel, inhuman or degrading treatment, as well as information on access to rehabilitation and justice for victims;

(c) The accessibility of and the accommodation provided in the federal and provincial detention and correctional facilities for persons with disabilities.

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide information on:

(a) Measures taken to protect persons with disabilities including women, girls, children, the elderly, transgender persons, and members of ethnic and religious minorities from violence and to prevent such violence against them, in all settings, including within residential and day-care centres, schools and health-care premises, as well as to protect them from gender-based violence, including domestic violence, particularly in rural areas;

(b) Mechanisms in place to monitor residential and day-care centres, schools and health-care settings to prevent, and to document and punish perpetrators of, any form of violence against persons with disabilities, and on how persons with disabilities and their representative organizations are involved in this process;

(c) The accessibility of services, including shelters and helplines, for victims of gender-based violence.

Protecting the integrity of the person (art. 17)

14. Please provide information on:

(a) Measures taken to adopt legislation to protect women and girls with disabilities from forced contraception, sterilization and abortion, with a particular focus on women and girls with psychosocial and/or intellectual disabilities, especially in institutions and rural areas;

(b) Measures to prohibit, monitor the prohibition and punish the use of restrictive practices, such as seclusion and chemical, physical and mechanical restraints, in prisons, mental health wings and other places of detention, including detention in family homes.

Liberty of movement and nationality (art. 18)

15. Please provide information on:

- (a) The measures taken to ensure that children with disabilities are registered upon their birth, with a particular focus on rural areas;
- (b) Plans, if any, to provide the disability certificate to persons with disabilities who are non-residents of Pakistan;
- (c) The steps taken to ensure that naturalization procedures are fully accessible to persons with disabilities and that any person with disability can choose to apply for nationality of Pakistan;
- (d) Measures taken to ensure that undocumented Afghans with disabilities are not arbitrarily deported.

Living independently and being included in the community (art. 19)

16. Please clarify the measures taken:

- (a) To strengthen the allocation of resources to community-based services to support persons with disabilities to live independently, particularly in rural areas, with a view to ensuring that all persons with disabilities can live independently;
- (b) To end all forms of institutionalization and forced hospitalization and provide inclusive, accessible and affordable housing within communities;
- (c) To provide support to non-governmental organizations and organizations of persons with disabilities working on independent living and providing personal assistance services;
- (d) To promote the development of community-based services and support systems that empower persons with disabilities to live independently.

Personal mobility (art. 20)

17. Please provide information on:

- (a) The provision of mobility training for persons with disabilities in the provinces;
- (b) The provision of mobility aids and assistive technologies, including assistive technology services, to ensure independent and safe mobility, and on the resources allocated to this end.

Freedom of expression and opinion, and access to information (art. 21)

18. Please provide information on:

- (a) The provision of sign language and deafblind interpretation services, and of affordable assistive technology to facilitate access to information for persons with disabilities;
- (b) Measures to improve access to information in all accessible formats, including Braille, large print, Easy Read and other augmentative and alternative means and modes of communication;
- (c) The resources allocated to such services and technologies and their availability in rural areas.

Respect for privacy (art. 22)

19. Please explain the measures:

- (a) To protect the personal data of disability certificate holders;
- (b) To protect the privacy of persons with disabilities, in all settings, in particular of persons with intellectual and/or psychosocial disabilities, including the confidentiality of their personal information concerning housing, health and social services.

Respect for home and the family (art. 23)

20. Please provide information on:

(a) Measures to ensure the right of persons with disabilities to enter into marriage and establish their own families freely and independently, including campaigns to eliminate the social stigma in particular against women with disabilities in rural areas;

(b) The time frame for revising the marriage and family laws, including the Guardians and Wards Act 1890, to abolish all legal provisions that deprive parents with disabilities, in particular those with intellectual and/or psychosocial disabilities, of their right to custody; and information on the provision of support to parents with disabilities and the parents of children with disabilities to enable them to exercise their parental responsibilities on an equal basis with others;

(c) The degree of inclusivity of the maternity, motherhood and childhood services.

Education (art. 24)

21. Please provide information on:

(a) Plans, if any, to develop a comprehensive federal policy on inclusive education in conformity with the general principles and article 24 of the Convention;

(b) Efforts in place to transfer students with disabilities in the special education facilities to inclusive educational settings;

(c) The percentage of persons with disabilities enrolled in inclusive education;

(d) Steps taken to implement the Islamabad Declaration on Inclusive Education, endorsed by all provincial governments and the federal Government in 2005;

(e) Training provided for teachers and administrators in public schools on inclusive education;

(f) The provision of reasonable accommodation for students with disabilities – including the curriculum in accessible formats, for example Easy Read; sign language interpreters; and assistant teachers;

(g) The accessibility of education on the use of information technology;

(h) The accessibility of vocational and higher education programmes for persons with disabilities;

(i) Steps taken to develop curricular materials for all levels of education that incorporate a positive image of persons with disabilities and their contributions to the community;

(j) The results and upcoming goals of the Policy for Students with Disabilities at Higher Education Institutions in Pakistan, and whether any revision has been carried out subsequent to the 2021 amendment;

(k) Measures in place for ensuring that persons with disabilities have access to tertiary education.

Health (art. 25)

22. Please provide information on:

(a) Mechanisms in place to ensure that the provincial health laws are disability-inclusive;

(b) Measures taken to ensure the accessibility and privacy of health services for persons with disabilities in all provinces, particularly in rural areas, and mechanisms for persons with disabilities to report discriminatory treatment in health services;

(c) Measures in place to ensure free, full and informed consent for persons with disabilities in all medical procedures and interventions;

(d) Measures in place to raise awareness among health professionals about the Convention.

Habilitation and rehabilitation (art. 26)

23. Please provide information on:

(a) The engagement of persons with disabilities, their representative organizations and their families in the design, implementation, monitoring and evaluation process for services provided through the community-based inclusive development programmes;

(b) Measures taken to connect the habilitation and rehabilitation services to the independent living programmes.

Work and employment (art. 27)

24. Please provide information on:

(a) Efforts to adopt a common policy in conformity with the Convention at the federal and provincial levels to promote access to the open labour market for persons with disabilities, in particular those in rural areas and with regard to women with disabilities;

(b) The number of persons with disabilities enrolled in sheltered workshops, and the plan, if any, to replace these workshops with inclusive work environments in the open labour market;

(c) Measures taken to guarantee the implementation of the employment quota, and to strengthen enforcement mechanisms;

(d) Mechanisms in place to ensure the provision of reasonable accommodation by employers in the public and private sectors, and the mechanisms in place to report any discriminatory practice, including denial of reasonable accommodation;

(e) Support provided for the development of small-scale start-ups and business enterprises for persons with disabilities, with a special focus on women with disabilities, and persons with intellectual disabilities and/or psychosocial disabilities.

Adequate standard of living and social protection (art. 28)

25. Please provide information on the steps taken:

(a) To revise the Benazir Income Support Programme to expand the criteria to include individual needs of persons with disabilities, in addition to poverty;

(b) To develop systematic inclusive social protection services at the federal and provincial levels for persons with disabilities, including during emergency and disaster situations.

Participation in political and public life (art. 29)

26. Please provide information on:

(a) Efforts to conduct a comprehensive review of the federal and provincial electoral legislative and administrative procedures to ensure the full participation of persons with disabilities in the national and local elections as voters and candidates;

(b) Accessibility and the provision of reasonable accommodation, including Braille ballots, sign language interpreters and personal assistance services, in the polling stations throughout the provinces;

(c) Procedures applied to ensure that political parties provide reasonable accommodation, including sign language interpretation, to facilitate the participation of persons with disabilities;

(d) Any measures of support provided to facilitate access to decision-making positions by persons with disabilities, in particular women with disabilities.

Participation in cultural life, recreation, leisure and sport (art. 30)

27. Please provide information on:

- (a) Steps taken to ensure full and independent access to cultural and entertainment premises, including public libraries, museums, touristic places, social and cultural clubs, and theatres and cinemas, for persons with disabilities, in all provinces;
- (b) Measures taken to ratify or accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled and to implement its provisions at the federal and provincial levels upon ratification or accession;
- (c) The provision of cultural materials in all local languages in accessible formats;
- (d) Financial and technical support provided to enhance disability sports, and to make sports premises disability-inclusive.

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)**

28. Please provide:

- (a) Information on the gaps and variations with regard to the disability statistics in the public censuses (2.38 per cent in 1998 and 0.48 per cent in 2017);
- (b) Bearing in mind the narrow and medical definition adopted in the Disabled Persons (Employment and Rehabilitation) Ordinance 1981, information on the measures taken to include all persons with disabilities, including persons with psychosocial disabilities, persons with intellectual disabilities and hard-of-hearing persons, in public censuses, particularly in the 2023 census;
- (c) Information on the effective use, without infringement of the right to privacy, of the database of disability certificate holders in the National Database and Registration Authority, and the available disability thematic databases, to improve planning processes for matters concerning persons with disabilities, in particular employment, social protection and poverty reduction.

International cooperation (art. 32)

29. Please provide information on:

- (a) Steps taken to ensure close consultation with, and the active involvement of, persons with disabilities and their representative organizations in identifying the national and provincial priorities concerning their rights in the international cooperation programmes, and to ensure their participation in the design, implementation and monitoring processes;
- (b) Results achieved in implementing the Sustainable Development Goals in all disability policies and programmes at the federal and provincial levels.

National implementation and monitoring (art. 33)

30. Please explain the measures taken:

- (a) To strengthen national coordination mechanisms to ensure effective implementation of the Convention at the federal and provincial levels;
- (b) To evaluate the outcomes of the National Committee for the Implementation of the Convention under the Federal Ministry of Human Rights since its establishment in 2016;
- (c) To establish independent and effective federal and provincial mechanisms to monitor the implementation of the Convention, with the full and effective participation of persons with disabilities and their representative organizations;

(d) To ensure close consultation and active involvement of persons with disabilities, through representative organizations, in monitoring.
