



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

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

I. General information

1. Please provide information on the measures taken to incorporate the provisions of the International Covenant on Economic, Social and Cultural Rights in the Constitution and other domestic legislation. Please clarify whether those provisions relating to the principles of policy in chapter 2 of the Constitution are justiciable. Please also provide information on the cases, if any, in which the Covenant has been invoked before and/or applied by the domestic courts.
2. In the light of devolution of power through the eighteenth amendment to the Constitution, please provide information on the measures taken to strengthen the financial and administrative capacity of provincial governments to ensure that people in the State party, regardless of their place of residence, enjoy their economic, social and cultural rights, particularly in the areas of social security, housing, health care and education.
3. Please provide information on the financial and human resources allocated to the Human Rights Commission of Pakistan since its establishment. Please clarify whether the Commission is explicitly mandated to deal with complaints concerning economic, social and cultural rights and *suo moto*.
4. Please provide information on the measures taken by the State party to address the repeated reports of the abduction, killing and intimidation of human rights defenders, lawyers and journalists, allegedly committed by State institutions, including the military intelligence services. Please also provide information on the number of cases investigated and the number of prosecutions and convictions, and on the penalties imposed on the perpetrators. Please further provide information on the measures taken to protect human rights defenders from violence and harassment and to support the work of civil society organizations in the field of economic, social and cultural rights.

* Adopted by the pre-sessional working group at its fifty-ninth session (10-14 October 2016).



II. Issues relating to the general provisions of the Covenant (arts. 1-5)

Maximum available resources (art. 2 (1))

5. Please provide information on the proportion of the budget allocated to social protection, housing, water, sanitation, health and education, at the federal and provincial levels, in the past five years. Please also provide information on the measures, including tax measures, taken to increase the public spending in those areas.

6. Please provide information on the legislative and institutional framework to combat corruption at the federal and provincial levels. Please also provide information on the cases filed with anti-corruption bodies, particularly those brought against high-level officials, including the number of cases filed, investigated and prosecuted and the sentences passed on those involved in corruption.

Non-discrimination (art. 2 (2))

7. Please clarify whether the anti-discrimination provisions in the State party's legislation, including articles 25-27 of the Constitution, prohibit discrimination on any ground in all aspects of life. Please also indicate whether the State party intends to adopt comprehensive anti-discrimination legislation. Please further provide information on the measures taken to combat persistent discrimination facing Dalits and persons belonging to ethnic and religious minority groups.

Equality between men and women (art. 3)

8. Please provide information on the measures taken to review all existing laws that discriminate against women, including laws on land, property and inheritance. Please also provide information on the measures taken to increase women's representation in decision-making positions in the public and private sectors and the relevant statistical data.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Right to work (art. 6)

9. Please provide employment data disaggregated by sex, age group and region, including unemployment and underemployment rates, in the past five years. Please also provide information on the measures taken to address the high incidence of workers in precarious situations and those in the informal economy.

10. Please provide information on the implementation of quotas for the employment of women, persons belonging to minority groups and persons with disabilities, including the progress made and challenges faced, and data available in that respect.

Right to just and favourable conditions of work (art. 7)

11. Please provide information on the coverage and the amount of the national minimum wage. Please also explain how the national minimum wage is set and regularly adjusted to ensure an adequate standard of living to workers and their families.

12. Please provide information on the legislative, policy and other measures taken:

(a) To improve occupational safety and health, particularly in those workplaces that are exempted from labour inspection;

- (b) To promote equal pay for the work of equal value;
- (c) To protect domestic workers from labour exploitation and sexual harassment.

13. Please provide information on the impact of the 2001 National Policy and Plan of Action for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers. Please also provide information on the reported cases of bonded labour, including the number of cases reported and prosecuted and the penalties imposed on the perpetrators, and the remedies provided to victims.

Trade union rights (art. 8)

14. Please provide information on the measures taken to promote the right to form trade unions and to join the trade union of his/her choice. In the light of the very low unionization rate, please explain how the State party ensures the genuine and effective participation of workers in making decisions relating to their working conditions.

Right to social security (art. 9)

15. Please explain why the number of employees contributing to the Employees Old-Age Benefits remains very low and what measures the State party has taken to increase that number. Please provide information on the measures taken to expand the coverage of the benefits to the self-employed, workers in small workplaces and workers in the informal economy.

16. Please provide information on non-contributory social assistance schemes in the State party, including:

- (a) The number of eligible persons and the number of beneficiaries of each of the non-contributory social assistance schemes;
- (b) The amount of benefits a beneficiary receives under each scheme;
- (c) The mechanisms put in place to set the level of benefits and to regularly review and adjust the level to ensure an adequate standard of living for the beneficiaries.

17. Please provide information on the measures taken to ensure that the Benazir Income Support Programme covers all eligible families (7.7 million families) identified through the nationwide poverty scorecard survey and the steps taken to conduct the survey in some parts of the federally administered tribal areas, which were excluded in the previous survey.

Protection of the family, mothers and children (art. 10)

18. Please provide information on the steps taken to harmonize the legislation concerning the minimum legal age for marriage of both boys and girls with international standards, at the federal and provincial levels. Please also provide information on the legal protection for women belonging to religious and ethnic minority groups, including Hindus and Christians, in relation to their right to marriage, divorce and custody. Please clarify which legal framework is applicable to interreligious or inter-ethnic marriages.

19. Please provide information on the impact of the measures taken to eradicate and prevent the so-called practice of “honour killings” of women and girls. Please also provide information on the measures taken by the State party to strengthen the reporting, investigation and prosecution of such crimes and other forms of violence against women and include relevant data. Please clarify whether *jirgas* have been explicitly prohibited in all provinces and territories of the State party since the judgment of the Supreme Court in 2013 and provide information on the measures taken in that regard.

20. Please provide information on the measures taken to register all children born in Pakistan, including children belonging to ethnic and religious minorities, refugees and asylum-seeking children and Gypsy children.

21. Please provide information on the steps taken to strengthen the legislative framework, including the Employment of Children Act of 1991 and the Employment of Children Rules of 1995, to protect children from child labour, particularly the worst forms of child labour, in line with the Covenant. Please also provide information on the implementation of the national time-bound programme (2008-2016) for the elimination of the worst forms of child labour. Please further provide information on the measures taken to strengthen the labour inspectorate.

Right to an adequate standard of living (art. 11)

22. Please provide information on the steps taken to reduce the number of persons living below the poverty line, particularly among persons belonging to ethnic and religious minority groups, such as Christians, Dalits and Hindu. Please also specify the measures taken to address the situation of the large number of the working poor who live above the income poverty line yet lack access to education and health and live in substandard living conditions.

23. Please provide information on the measures taken:

(a) To address the growing annual housing needs (see State party's report, E/C.12/PAK/1, para. 223);

(b) To increase the number of social housing units, especially for poor and low-income families, and provide them with housing financing programmes;

(c) To address the problem of the expanding informal settlements in urban areas and the large number of people living therein without access to basic infrastructure and services and under constant threat of eviction;

(d) To provide legal protection against forced evictions and legal redress for the victims of forced evictions.

24. Please provide information on the progress made so far in the implementation of the 2009 national drinking water policy in terms of provision of safe drinking water, particularly in rural areas and urban informal settlements. Please also provide information on the measures taken to improve access to adequate sanitation facilities, electricity and other basic services in the country, particularly in rural areas and urban informal settlements.

25. Please clarify the current status of the draft national food and nutrition security policy. Please provide information on the steps taken to increase the impact of the measures taken by the State party (see State party's report, paras. 188-193) to further reduce food insecurity and on the measures taken at the federal and provincial levels to achieve the goal to reduce the food insecurity situation by 50 per cent by 2030, as set out in the national food and nutrition security policy.

Right to physical and mental health (art. 12)

26. Please provide information on the measures taken by the State party: (a) to increase further public spending in the health sector; (b) to improve public primary health-care services and strengthen the basic health units; and (c) to provide universal health coverage to all persons in the State party. Please also provide detailed information on the progress made so far in the implementation of the 2009 national health policy in those 10 key areas indicated in paragraph 234 of the State party's report.

27. Please provide detailed information on the concrete steps taken: (a) to address the high incidence of infant and under-5 child mortality and maternal mortality; and (b) to curb endemic polio and the high incidence of tuberculosis and malaria.

28. Please provide an update on: (a) the services for and information on sexual and reproductive health provided in the State party; (b) the use of modern methods of contraception; and (c) the legislative framework for abortion.

Right to education (arts. 13 and 14)

29. Please provide information on the measures taken:

- (a) To increase public spending on education at the federal and provincial levels;
- (b) To improve net enrolment ratios at all levels of education from preschool to primary and secondary levels and to address the large gender disparities at the primary and secondary levels;
- (c) To address the large number of children out of school;
- (d) To increase completion rates at the primary level, particularly in Gilgit Baltistan and Balochistan;
- (e) To improve the quality of school facilities, including water and sanitation facilities;
- (f) To ensure that children in the conflict- and natural disaster-prone areas continue their education without disruption.

30. Please provide detailed information on basic education community schools, including as regards the qualification of teachers, the facilities available, the regulations applied to those schools, the academic achievement of students attending them, the number of such schools by region and the number of students enrolled therein, by sex (if applicable), in the past five years.

Cultural rights (art. 15)

31. Please provide information on the progress made in promoting the use of regional minority languages and the culture and history of minority groups in the country. Please also provide information on the measures taken to introduce integrated multilingual teaching at all levels of the education system.
