



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Initial report submitted by Pakistan under article
35 of the Convention, due in 2013***

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I. Introduction

1. Pakistan signed the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) on 25th September 2008 and ratified it on 5th July 2011. In accordance with the Committee's Guidelines on treaty-specific document to be submitted by State parties under Article 35, Paragraph 1, the Government of Pakistan (GoP) is pleased to present its Initial Country Report to the Committee on UNCRPD.
2. This Initial Country Report on UNCRPD explains relevant policies, programs, legal and institutional measures undertaken by Pakistan to ensure human rights of Persons with Disabilities (PWDs) which demonstrate commitment of GoP to ensuring the rights of PWDs. The Government devotes significant resources to ensure that PWDs in Pakistan are able to enjoy equal human rights, fundamental freedoms, and inherent dignity in accordance with the Convention and Constitution of Pakistan.
3. This report has been prepared in consultation with various stakeholders through detailed consultative meetings, having representative on from Federal and Provincial Departments as well as Non-Government Organizations (NGOs), Civil Society Organizations (CSOs), and Disabled People's Organizations (DPOs). The stakeholders provided valuable feedback and some additional information, which was duly incorporated in the final report.
4. Although Pakistan has ratified the UNCRPD in 2011, yet, Pakistan has been adopting a range of constitutional, policy, legal, and institutional measures since the 1980s for ensuring the rights of PWDs in line with Constitutional guarantees.

Article 1 and 2 – Purpose and Definition of Disability

5. Pakistan had enacted a specific legislation for safeguarding the rights of PWDs in the early 1980s. The systematic care and protection of PWDs was brought into focus in Pakistan with the observance of the International Year of Disabled Persons in 1981¹ proclaimed by the United Nations. The need was, then, felt for their education, health, rehabilitation and mainstreaming their rights both by GoP and the private sector. A law titled "Disabled Persons (Employment & Rehabilitation) Ordinance, 1981" was passed in 1981. This law is a comprehensive legislation that spells out the responsibility of the State towards protection of the rights of PWDs, provision of medical care, education, training, employment and rehabilitation to PWDs.
6. Under the "Disabled Persons (Employment and Rehabilitation) Ordinance 1981", the term 'Disabled Person' has been defined as a person who, on account of injury, disease or congenital deformity, is handicapped for undertaking any gainful profession or employment in order to earn his livelihood and includes a person who is blind, deaf, physically, handicapped or mentally retarded. The disability has been classified into five types: (i) loss of hand and foot or loss of use of two or more limbs; (ii) total loss of eyesight; (iii) total loss of speech; (iv) total deafness both ears; (v) paraplegia or hemiplegia.
7. The GoP has established a medical and legal procedure to determine a person's disability. The "Medical Assessment Board" holds meetings regularly in all the districts in each province under the supervision of Social Welfare Department. The board medically examines persons who file requests on a prescribed form to be declared as disabled as per the Ordinance. Accordingly, the Board under the general supervision of the Medical Superintendent of Government Hospital examines all the applications on weekly or fortnightly basis and issues disability certificates to the persons whose disability after medical examination is established.

¹ Disabled Persons (Employment and Rehabilitation) Ordinance 1981 is available at: <http://punjablaws.gov.pk/laws/1548a.html>.

Article 3 and 4 – General Principles and Obligations

Constitution of Pakistan, 1973

8. The Constitution of Pakistan (1973) guarantees the social and economic well-being of all citizens including PWDs, regardless of sex, caste, creed, race, or any other basis. The Article 38 (d) of the Constitution of Pakistan states to “provide basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens,² irrespective of sex, caste, creed or race, who are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment.” It also guarantees the freedom of thought, conscience, and expression. The Constitution, with a comprehensive catalogue of fundamental rights, social and ethnic inclusion of all citizens, is the basic source to protect the human rights and provides social justice to all citizens including PWDs. It serves as a shield against any infringement of rights of the PWDs.

Legislative measures

Ordinance for Disabled Persons

9. “The Disabled Persons (Employment and Rehabilitation) Ordinance, in 1981” laid formal foundation for institutional care of the persons with disabilities. The Ordinance ensures protection of rights of PWDs related to education, employment, rehabilitation and emphasises to create Funds and establish the National Council for the rehabilitation of Disabled Persons. Under this law, 2 percent quota in public jobs is reserved exclusively for persons with disabilities consistent with the Rules of National Council, mandated to formulate policy for the employment, rehabilitation and welfare of the disabled persons along with medical examination, treatment and survey on PWDs, which were notified in 1983.

National Policies and Laws

10. To effectively translate legislative provisions, a National Policy for PWDs was introduced in 2002. The vision of this policy was to provide an environment by 2025 that allows full realization of potential of PWDs through their inclusive mainstreaming and providing them full support of the government. The goal of this policy was to empower the PWDs, irrespective of caste, creed, color race, religion, gender, by providing them an enabling environment for the realization of their full potential in all spheres of life. The aims and objectives of this policy were to: (i) ensure access to facilities which may lead to their integration and mainstreaming in all spheres of life; (ii) implement the educational, training and rehabilitation programs for PWDs, their families and communities; (iii) provide opportunities as provided for other citizens, so PWDs can enjoy equal rights; (iv) provide equal opportunities and access to medical, education, social, psychological, vocational training, employment, rehabilitation, without any discrimination; (v) ensure the adequate legislation and enforcement relating to employment and rehabilitation of PWDs; (vi) expand the service infrastructure to accommodate and cover all PWDs both in rural and urban areas; and (vii) remove the financial and technical constraints posing hindrance in the way of proper implementation of relevant programs.

11. During the implementation of the ‘National Policy for Persons with Disabilities, 2002’, some structural flaws were identified. Therefore, after four years a ‘National Plan of Action for Persons with Disabilities,’ was introduced in 2006 with an integrated operational approach which identified 17 critical areas of intervention from assessment of the magnitude of the problem to service delivery systems. The National Plan of Action took into cognizance that the access, inclusion, and equalization of opportunities for PWDs is not possible by isolated and disintegrated interventions. Hence, the services ensuring the rights of PWDs should be designed in an integrated way by pooling and mobilizing resources from both public and private sectors particularly at provincial level. The

² Constitution of Pakistan: Article 03, Article 04, Article 8, Article 11(2), Article 17(1), Article 19(a), Article 24, Article 24(2), Article 25, Article 25 (a), Article 25(1), Article 25(2), Article 28, Article 35, Article 37, Article 37(e), Article 38 (b, c, d, e).

'National Plan of Action for Persons with Disabilities, 2006' introduced some short-term and long-term measures to be achieved by the end of June 2009 and July 2025 respectively. For an effective implementation of this National Plan of Action, the roles and responsibilities of the relevant departments and agencies against each activity were identified. Most of the short-term goals have been achieved so far and a number of initiatives are underway to achieve the long-term goals of the Action Plan.

12. The short-term objectives of the National Plan of Action for Persons with Disabilities, 2006' were: (i) establishment of a data bank, (ii) conduction of the sample surveys of PWDs in selected districts, (iii) reduction in incidence of disabilities through primary and secondary preventive care, (iv) strengthening of disability prevention programs, (v) arrangements for early detection and institutional interventions, (vi) escalating medical rehabilitation services, (vii) promoting inclusive education, (viii) expanding and reinforcing vocational training, (ix) enabling environment for employment, including self-employment, (x) legislative support to PWDs, (xi) boosting public opinion and increasing support to non-governmental organizations. Efforts are underway to achieve the long term objectives of the National Plan of Action 2006 which includes: (i) create a barrier-free physical environment for PWDs in all public, private and commercial buildings and public places and revision of construction by-laws, (ii) enable more effective enforcement and expansion of social assistance and social security programs under the provisions of existing laws.

13. 'National Plan of Action, aimed at providing accessibility to PWDs at every public place. In this plan the term Special Citizens was used instead of PWDs and four actions were targeted with provision of: (i) facility of access of wheel chairs in all building, (ii) allocation of seats in public transports, (iii) facility on footpaths, and (iv) priority while crossing roads. With regard to provision of facility of access of wheel chairs in all buildings, it was made mandatory that the concerned authorities, before the construction of buildings in public or private sectors particularly in Educational Institutions, Banks, Hospitals, Shopping Malls, Police Stations, Airports, Railway Stations, Bus Stops, Hotels and all public places shall provide the facility of access of wheelchairs. Allocation of seats for special citizens in the public transport and easy access of persons with disabilities to their seats in the public transport were made obligatory for the public transporters. For providing the facility on footpaths, it was decided that the concerned authorities shall provide maximum facilities on footpaths for the wheel chairs and blind persons. While facilitating the PWDs for crossing roads, it was aimed that special citizens must be given priority and traffic police should be responsible for its implementation. The Higher Education Commission has decided in 2019 to provide electronic wheelchairs to special students studying in higher education institutions across the country.

14. The Government has taken steps for enhancing the social mobility and accessibility of PWDs, through concessional rates to special citizens in all modes of public and private transport. Persons with disabilities are also allowed waiver of import duty which is in excess of 10% on 'Completely Knocked Down' kits that are imported for assembling of car for them. In addition, PWDs are allowed custom-free import of cars of up to 1,300cc capacity for their personal use.

15. After the 18th Amendment in Constitution of Pakistan in 2010, powers related to disability and associated matters were devolved to provinces. For better coordination and implementation of international obligations at the national level, Ministry of Human Rights is responsible for the implementation of the Convention on the Rights of Persons with Disabilities in collaboration with relevant Federal and Provincial Departments. After promulgation of 18th amendment, all provinces are required to amend and adopt the relevant laws. Accordingly, the provinces of Punjab and Khyber Pakhtunkhwa amended and adopted 'Disabled Persons (Employment and Rehabilitation) Ordinance, 1981' in 2012. In 2015 Punjab amended its 'Disabled Persons (Employment and Rehabilitation) (Amendment) Act' to increase reserved quota for persons with disabilities in public jobs from two to three percent. In 2015, the Government of Sindh enacted Sindh Differently Able Persons (Employment, Rehabilitation and Welfare) Act, 2014, which was amended in 2017 to increase the employment quota from two to five per cent. In June 2018, Sindh promulgated [the Sindh Empowerment of Persons with Disabilities Act, 2018](#) which repealed the 'Differently Abled Persons Act, 2014'. Similarly, Balochistan Assembly has

promulgated Balochistan Persons with Disabilities Act, 2017 to promote and ensure full and effective inclusion of persons with disabilities in the community in line with the Islamic teachings and international best practices to protect their rights.

16. In 2012, the Directorate General of Special Education (DGSE) and Social Welfare established a cell called ‘UNCRPD Secretariat’ for the implementation of the CRPD. In addition, a Core Committee was formulated to monitor/coordinate with the Federal and Provincial Governments as well as NGOs/DPOs for the implementation of the Convention.

Article 5 – Equality and non-discrimination

17. “National Policy for Persons with Disabilities, 2002”, National Plan of Action for Persons with Disabilities, 2006’, also ensure that PWDs are equal before law and they are not deprived of education, health, employment, justice, and social security services. National Policy for Women Development and Empowerment, 2002 and National Plan of Action for Human Rights also talk about the protection of persons with disabilities. Disabled Persons (employment & Rehabilitation) Ordinance, 1981 and promulgation of acts by provinces after the 18th amendment strengthen the legislative framework for the protection of PWDs.

Article 6 – Women with disabilities

18. The Constitution of Pakistan ensures women’s rights and gender equality. As mentioned earlier, the Article 25 of Constitution provides equal protection to women. The Article 34 of the Constitution of Pakistan emphasizes on ensuring full participation of women in the national life. The Article 38 of the Constitution ensures promotion of social and economic well-being of the people. The GoP believes that all people, whether male or female, persons with disabilities or non-disabled, have the same rights and should be able to enjoy those rights equally. While recognizing the fact that the women are more vulnerable to discrimination and violence, the GoP has taken stern measures to protect all fundamental human rights of women including women with disabilities.

19. Pakistan is also a State party to the CEDAW and accordingly is bound to protect and promote rights of all Pakistani women. “Pakistan Vision 2025” prepared by Ministry of Planning, Development & Reform, focuses on eliminating all kinds of discrimination faced by women, and proposes an enabling environment for them to realize their full potential and make their contribution to the socio-economic growth of the country.

20. To assist in improving the welfare of widows, orphans, persons with disabilities, needy and poor persons, under the Pakistan Bait-ul-Mal Act, 1992, financial assistance is provided to “destitute and needy widows, orphans, invalid, infirm and other needy persons; rendered them help for their rehabilitation in various professions or vocations; provide them (specially children) assistance for educational pursuits; residential accommodation and necessary facilities”.

21. One of the objectives of “National Policy for Development and Empowerment of Women, formulated in 2002” is to “safeguard and ensure the protection of women’s human rights including economic, legal, political & social rights, especially the Rights of minority women, rural & poor women, girls and women with disabilities, elderly women and women in vulnerable circumstances and situations”.

22. The National Commission on the Status of Women (NCSW) and National Forum of Women with Disabilities (NFWWD) signed a MoU to promote an enabling environment for women with disabilities by raising their issues and challenges at the national level. On International Women’s Day, 2015 (celebrated as a regular feature), the NCSW and NFWWD had jointly organized a Panel Discussion on “The Rights of Persons with Disabilities” at Islamabad which was attended by women with disabilities, Disabled People’s Organizations, UN Agencies, Governmental, non-governmental and private sector organizations. In pursuance of the MoU, the Commission has planned to carry out some

awareness and advocacy activities for protection of promotion of Rights of Women's with Disabilities.

23. Significant events organized by the Government in collaboration with partner organizations for promotion and protection of women with disabilities are as under:

- “Leadership Conference of Women with Disabilities” was convened on September 26–27, 2017, at Islamabad by Women Parliamentary Caucus in collaboration with Special Talent Exchange Program (STEP) for recognition and encouragement of women leaders with disabilities;
- To ensure participation of women with disabilities in political process, International Day of Persons with Disabilities celebrated in 2017, with special focus on “Participation of Women with Disabilities in Electoral Process” by Election Commission of Pakistan in collaboration with STEP;
- Ministry of Planning, Development and Reform in collaboration with a partner organization had organized a seminar on the theme of “Observance of International Women Day – Balance for Better” on 8th March, 2019;
- The “Policy Dialogue with the Parliamentarians on the Rights of Women with Disabilities in Pakistan (Observance of International Day of Persons with Disabilities)” was organized on 13th December 2018 at National Assembly of Pakistan;
- Khadija Tul Kubra Award was organized by Special Talent Exchange Programme (STEP) in collaboration with Women Parliament Caucus (WPC) and Ministry of Human Rights on 20 March 2018. The Award recognizes and honors the achievements and contributions of Women with Disabilities that provide support, leadership, advocacy, service and education to increase the social, economic and civic participation of women with a disability.

Article 7 – Children with disabilities

24. Education is a powerful tool to empower the children with disabilities and protect them from discrimination. Article 25A, introduced in the Constitution of Pakistan through the 18th Amendment, states, “the State shall provide free and compulsory education to all children of the age of 5 to 16 years in such manner as may be determined by law.” By referring all children, the Constitution confers the rights of children of disabilities as well. Computerized Braille Press Machine has been installed in Islamabad (Visually Handicapped Children Centre) for provision of Braille Text Books to the visually impaired students. The DGSE established at the Federal level, has particularly and meticulously taken a number of initiatives to protect the rights of children with disabilities. Children with all types of disabilities are being given medical rehabilitation, educational, pre-vocational and vocational training facilities, and free pick and drop services to educational institutions. DGSE had established four centers for children in Islamabad in 1982 in response to the United Nations International Year of Disabled Persons: National Special Education Centre for Intellectually Challenged Children; National Special Education Centre for Hearing Impaired Children; National Special Education Centre for visually Handicapped Children; and National Special Education Centre for Physically Handicapped Children. Similar Centers are also providing services for special children at provincial level.

25. Keeping in view the importance of sports, children with disabilities are provided training in different sports. Pakistani Athletes with disabilities have been participating in various Special Olympics World Summer and Winter Games 2011 In Special Olympics World Games 2019, a 92-member delegation of national athletes from Pakistan won 65 medals in athletics, basketball, cycling, football and tennis (18 gold, 28 silver and 15 bronze medals).

26. Before the 18th Constitutional Amendment, the National Commission for Child Welfare and Development (NCCWD) established at the Federal level was responsible for child protection and child care issues. The NCCWD approved National Plan of Action for

Children in 2006 and set goals for an all-encompassing child protection strategy. This strategy is applicable for all children in Pakistan regardless of their age, sex, race, ethnicity or disability.

27. The Criminal Law (Second Amendment) Act, 2016 has been enacted which criminalizes child exposure to seduction, child pornography, cruelty to a child, trafficking of human beings and sexual abuse. The Islamabad Capital Territory (ICT) Child Protection Act, 2018 aims at providing protection and care to children including children with disabilities in Islamabad Capital Territory from all forms of physical or mental violence, injury, neglect, maltreatment, exploitation and abuse. In 2012 an independent NCHR was created through Act of the Parliament. NCHR monitors the general human rights as well as child rights situation in the country; inquiries into complaints of human rights violations; visit places of detention; reviews laws, recommends new legislations or suggest amendments. National Commission on the Rights of the Child Act 2017 also provides for monitoring of child rights situation in the country.

28. As a result of 18th Amendment in Constitution of Pakistan, the subject of child and their security has become responsibility of the respective provinces at the provincial level. All the provinces have adopted range of legislative and institutional measures for child care and protection, some of the measure are presented in below:

29. The Punjab Government has promulgated “the Punjab Destitute and Neglected Children Act (PDNCA), 2004” for child protection. This act focuses on many aspects for protection of children such as rescue, protective custody, care and rehabilitation of destitute and neglected children in the Province of the Punjab. The law protects the rights of all children in Pakistan, yet, other than those involved in criminal litigation. The Child Protection & Welfare Bureau (CPWB) established under the PDNCA ensures the implementation of the law. Child Protection institutions have been established which provide prevention and protection services to vulnerable children.

30. The Sindh Child Protection Authority Act, 2011 has been enacted. Under the said Act, 11-Member Sindh Child Protection Authority (SCPA) has been set up to coordinate and monitor child protection issues at provincial and district levels. The Authority is working for establishing an institutional mechanism for child protection and setting minimum protection and standards for all institutions relating to children, including educational institutions, orphanages, shelter homes, child parks and hospitals, and ensure implementation.

31. The KP Child Protection and Welfare Commission (CPWC), 2010 has been enacted under which a CPWC has been established which reviews provincial laws and regulations affecting the status and rights of children and proposes new laws; implements policies for protection, rehabilitation and reintegration of children at risk including children with disabilities and monitors implementation and violation of laws.

32. Government of Balochistan has enacted the Balochistan Child Protection Act, 2016 which provides for protection of children including children with disabilities from violence, abuse and exploitation. The Balochistan Persons with Disabilities Act, 2017 has been enacted to promote and ensure full and effective inclusion of Persons with Disabilities in the community in line with the Islamic teachings and international best practices to protect their rights.

Article 8 – Awareness-Raising

33. To create a positive public attitude towards PWDs and ensuring rights of PWDs, the GoP has taken a number of initiatives and measures ranging from policy initiatives to public campaigns. The ‘National Policy of Persons with Disability, 2002’ has one section on “Advocacy and Awareness” and focuses to use all possible channels, at community as well as media level, for the creation of public awareness about the nature of disabilities as well as to sensitize the communities for rehabilitation of the PWDs.

34. A number of seminars, workshops, and conferences are arranged at National Institute of Special Education as well as in general schools, colleges, universities, in each

quarter of a year. The aim of raising awareness is not only to sensitize the public, particularly youth, for protecting the rights of PWDs but also to motivate them to mobilize the all the community resources for rehabilitation of the PWDs.

35. Every year, two funfairs are arranged in each district of Pakistan in order to sensitize of the general public and enhancing the good image of the PWDs. In addition, all International days relevant to PWDs are celebrated with true spirit throughout Pakistan. Moreover, outreach campaigns were carried out to foster the respect of PWDs by indicating that PWDs have the same rights like all people regarding health, education, employment, social participation and rehabilitation.

36. The media is also being utilized to create an enabling environment for PWDs and this is being achieved through sharing success stories of PWDs such as case of Muniba Mazari (a Pakistani woman who faced disability after an accident). She is an artist, model, activist, motivational speaker, singer, and television host); Asim Zar (27-year-old star Pakistani athlete who bagged two silver medals in 400 meter race and long jump at the 2007 Special Olympics in China); Farah Vohra (22-year-old girl who received fame in aquatics at a very young age), and Hammad bin Numan (Basketball Champion of Special Olympics). Pakistan Television (PTV) is running various awareness raising programs on the rights of PWDs.

37. With the support, facilitation and advocacy of Ministry of Human Rights, Directorate General of Special Education, and CSOs/NGOs are playing a significant role in producing and disseminating awareness raising material at the grass root level. The CSOs and NGOs are also holding community meetings and street plays with support of Government Departments to foster respect of PWDs and utilize community resources for their rehabilitation. Ministry of Human Rights has been organizing a series of workshops with the coordination of Provincial Governments, UN Agencies and Civil Society Organizations for sensitization and awareness raising on provisions of UNCRPD. 'ICT Rights of Persons with Disability Bill, 2018' has been prepared to translate Pakistan's international commitments pertaining to disability into national legislation. This Law shall extend to ICT. The Bill proposes legal and institutional framework for an inclusive society where PWDs have full participation in all forms of social life, particularly in health, education and employment.

38. As mentioned in para 24, the National Commission on the Status of Women (NCSW) is endeavoring to raise awareness on the issues and challenges of women with disabilities, with a view to propose possible solutions, in this regard.

Article 9 – Accessibility

39. The GoP has been striving to eliminate all the obstacles and barriers to accessibility for PWDs through a number of legislative measures to create an enabling environment of self-reliance for PWDs.

40. The Article 26 (clause 1) of the Constitution of Pakistan ensures the non-discrimination in respect of access to public places. It states, "In respect of access to places of public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth".

41. The DGSE published design manual and guidelines for the accessibility and the accessibility code of Pakistan 2006 to create barrier free environment for persons with disabilities and disseminated the same to all concerned departments. The Federal and Provincial Headquarters have been declared Disabled Friendly. The design manual and guidelines for accessibility aim towards an inclusive barrier free and right based society for PWDs in the country. It reflects a representation, review and suggestions from all stakeholders and it ensures the accessibility standards met while designing all new buildings, parks, housing estates, pedestrian walkway and public comfort places. Moreover, Action Plan for Operationalizing the Incheon Strategy Indicators is being finalized by the

Ministry of Human Rights in consultation with the stakeholders. The bill for accessibility is also under process for legislation.

42. The GoP with technical assistance of DGSE has provided facilities for PWDs at each bus station of Metro Bus service. Elevators and lifts facilities are provided at every enter/exit point for PWDs to give direct access of each bus station. Provision of level boarding/alighting to and from the bus (without involving any steps). One space for PWDs with wheel chair and four designated (reserve) seats for other PWDs.³

43. In most of Government offices (Ministries and Departments) and private offices, the special elevators, lifts, chairs, ramps etc. are available for PWDs. The accessibility of PWDs in buildings and other interventions including disability friendly mass transit projects have been envisioned under the development plans i.e. Vision 2025 and Annual plans of the Ministry of Planning, Development and Reform Planning Commission of Pakistan.⁴ The PWDs receive special attention under Pakistan Bait-ul-Mal Department in all provinces of Pakistan. A special cell exists to deal the matters of PWDs on priority basis. Financial support extended by Pakistan Bait-ul-Mal during last three years for PWDs, under Individual Financial Support (IFA) is as under:

<i>Projects</i>	<i>2015–16</i>		<i>2016–17</i>		<i>2017–18</i>		<i>Total (Rs.)</i>	
	<i>No.</i>	<i>Amount</i>	<i>No.</i>	<i>Amount</i>	<i>No.</i>	<i>Amount</i>	<i>No.</i>	<i>Amount</i>
<i>Individual Financial Support</i>								
Artificial Limbs	129	10 130 981	121	10 880 476	69	7 525 792	319	28 537 249
Hearing Aid	310	8 401 050	328	9 796 100	190	7 015 000	828	25 212 150
Special Friend	1 191	14 940 000	1 604	21 240 000	997	13 696 000	4 547	64 292 679
Wheel Chair	5 000	0	10 000	0	2 000	0	22 000	0

44. The DGSE signed Memorandum of Understanding with Comprehensive Health and Education Forum (CHEF International) for the provision of Assistive Aids to children with physical disabilities of National Special Education Center for physically handicapped children, Islamabad. The Prime Minister of Pakistan, in his speech, has reaffirmed commitment with regard to protection of rights of PWDs.

Article 10 – Right to life

45. The Article 4 and 9 of Constitution of Pakistan confers the right to life by stating, “no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law” and “no person shall be deprived of life or liberty saves in accordance with law” respectively.

46. Birth registration in Vital Registration System is like a first step to ensure the right to life of any individual. The legislative structure in Pakistan entitles a child to name and identity regardless they are persons with disabilities or not. In Article 5 of the Charter of Child Rights Act, 2009, the provincial governments shall ensure that every child is registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his parents.⁵

47. The specific legislations on disability emphasize provision of healthcare facilities and rehabilitation services. These provisions let PWDs enjoy their right to life at maximal extent. The legislations that particularly focus on healthcare are: Disabled Persons (Employment and Rehabilitation) Ordinance 1981; National Policy on Persons with Disabilities, 2002; National Action Plan for Persons with Disabilities 2006; and National Action Plan for Persons with Disabilities, 2009.

³ Directorate General of Special Education (DGSE).

⁴ (Government of Pakistan Ministry of Planning, Development and Reform Planning Commission).

⁵ <https://pakistanilaws.wordpress.com/2015/01/06/birth-registration-of-child-laws-and-procedure-in-pakistan/>.

48. 'The Mental Health Ordinance 2001', repeals the Lunacy Act, 1912 with amendment in the laws relating to the treatment and care of mentally disordered persons. It emphasizes on better care, treatment, and rehabilitation service by mobilizing and encouraging communities. Through this, the federal mental health authority is responsible to regulate treatment of persons with mental disorders, duration of periods of detention of persons with mental disorders, provides for judicial proceedings for appointment of guardian of person, as well as to make provision for protection of basic human rights of persons with mental disorders.

49. The GoP has been implementing various programs through different government departments and civil society organization to eliminate the root causes of all forms of disabilities especially for physical disability. Polio is recorded as one of the major causes of disability. The GoP has launched National Immunization Program (NIP) and Expanded Program on Immunization (EPI), through Ministry of National Health Services Regulations and Coordination as its priority programs to eradicate polio and resultantly disability. Polio awareness campaign is a continuous process at the federal and provincial level and vaccination is provided by polio teams at door step on regular basis. The polio eradication campaign is achieving remarkable success throughout Pakistan and heading towards polio free Pakistan.

50. National Institute of Rehabilitation Medicine is working at Islamabad for rehabilitation of Persons with Disabilities aiming at protection of their right to life and ensuring utilization of their full potential in development of the country. Pakistani society, in particular family system, provides adequate care for the PWDs. No abandonment, concealment, destitution and starvation threatening the life of persons with disabilities have been reported. In line with the Islamic principles, there is no report of ending the life of children with disabilities by their parents, and termination or withdrawal of medical treatment.

Article 11 – Situations of risk and humanitarian emergencies

51. There are a number of mechanisms in place to cater for the needs of vulnerable groups in disaster and humanitarian emergencies.

52. Emergency Relief Cell (ERC) was created within the Cabinet Division in 1971 which is responsible for disaster relief at national level. It provides financial assistance in order to supplement the resources of the Provincial Governments, so the provinces can cope-up with the aftermaths of the major disasters and rehabilitate the inhabitants. Additionally, it extends helping hand to the calamity stricken friendly countries as and when required.⁶

53. National Crisis Management Cell (NCMC) was established in July 1999. The main functions of the NCMC are to: (i) collect information regarding various emergencies in the country, (ii) coordinate with Provincial Crisis Management Cell, and (iii) plan for emergency relief services in case of emergency situation.

54. "National Disaster Management Ordinance (NDMO), 2006" stipulates formulation of sound strategies and practicable plans for Disaster Management. The National Disaster Response Plan (NDRP) has been evolved in pursuance of the same. In addition, the National Council for Disaster Management (NCDM) and National Disaster Management Authority (NDMA) are responsible for disaster related policies and plans at the national level, while the District Disaster Management Committees are responsible at the district level.⁷ In order to develop a more focused mechanism to prioritize, integrate and address the needs of vulnerable groups, the Gender and Child Cell of NDMA launched the National Policy Guidelines on Vulnerable Groups in Disasters" in May 2014.

55. The GoP announces compensation packages for those affected by disaster. The "National Policy Guidelines on Vulnerable Groups in Disasters" guides the authorities to

⁶ Cabinet Division, Government of Pakistan.

⁷ <http://www.ndma.gov.pk/plans/NDRP-2010.pdf>.

include PWDs in the special packages announced for recovery and rehabilitation. For instance, the overarching guideline states that “the social protection measures of GoP, such as BISP, Watan Cards and land allocation for the landless rural population should be made accessible to the disaster affectees within vulnerable groups to facilitate their socio-economic recovery. Any person who becomes person with disability as a result of any disaster also receives compensation.⁸”

Article 12 – Equal recognition before the law

56. Article 25 of the Constitution states “all citizens shall be equal before the law and no person shall be denied the equal protection of the law, there shall be no discrimination on the basis of sex and nothing in this Article shall prevent the State from making any special provision for the protection of women and children”. “Pakistan Citizenship Act 1951 (Act II of 1951)” provides comprehensive formula for regulating the affairs like acquisition, loss, abandonment and deprivation of citizenship in Pakistan. For example, section 17 of this Act provides that a person residing in Pakistan for a period of not less than one year is entitled for grant of a certificate of domicile. (Detailed measures with regard to equal recognition are available under Article-5 equality and non-discrimination).

57. In Pakistan, all PWDs are entitled to full participation as other citizens, to own or inherit property, to control their own financial affairs (with a few exceptions where PWDs are unable to manage their financial affairs and therefore do so through a legal guardian) and to have equal access to bank loans, mortgages and other forms of financial credit and banking procedures, in both the public and private sectors, and the right not to be arbitrarily deprived of their property. Detailed explanation is given under article 5.

Article 13 – Access to Justice

58. The Constitution of Pakistan has numerous Articles establishing that access to justice is a fundamental right and government is bound to ensure this right to each individual in Pakistan. Such as Article 37 (d) of Chapter 2, Principles of Policy of the Constitution of Pakistan requires the State to provide ‘inexpensive and expeditious justice’. Article 10(a) of the Constitution of the Islamic Republic of Pakistan 1973 guarantees the ‘Right to Fair Trial’ as a fundamental right. ‘Equality before the law’ is another fundamental right guaranteed by Article 25 of the Constitution and all persons with disabilities have access to legal assistance on an equal basis with others.

59. Sensitization and awareness campaigns are being carried out to raise awareness amongst masses about their legal rights. In order to ensure access to justice for all, the GoP provides legal aid to needy persons both citizens and non-citizens, including PWDs. The term ‘legal aid’ refers to various forms of legal assistance and support services provided for accessing the mainstream legal system. Legal aid is provided free of cost by a lawyer either in an individual or organizational capacity through a legal aid firm, department, or Non-Governmental Organizations (NGO).

60. There are laws and rules on the subject of legal assistance for the poor and vulnerable segments of society including PWDs. For instance, section 13(1-a) of the Legal Practitioners and Bar Council Act, 1973 deals with the provision of legal aid. This section came into operation when in 1999 Pakistan Bar Council notified the Free Legal Aid Committees Rules, 1999. The Free Legal Aid Committees Rules, 1999 provide for legal aid committees at the centre, provinces and districts. Each legal aid committee maintains two lists of lawyers’ panels; lawyers who offer services on pro bono basis, and those who offer services on low bono basis.

61. The District Legal Empowerment Committees (Constitution & Functions) Rules, 2011 is another source which provides for establishment of the District Legal Empowerment Committees to provide legal aid. Under the rules, DLEC exists at the district

⁸ (Government of Pakistan National Disaster Management Authority Islamabad).

level under the chair of District and Session Judge (Zilla Qazi) who acts as the Chairperson of the Committee.

62. The Destitute Litigant Fund Rules, 1974 provides for legal assistance in constitutional matters to destitute litigants. The rules define a destitute person as ‘one who has no means to pay the court fee or other charges in respect of a writ petition. This assistance is provided on the application of the concerned party to the Deputy Registrar (Judicial) or other authorized person in this regard. The Deputy Registrar (or the authorized person) has to conduct an inquiry into the matter to establish whether the person comes within the definition of ‘destitute’ or not. Under the Rules, the government allocates funds for each High Court.

63. Provision of legal aid to the deserving persons is an important responsibility of the legal system. It has been covered in different statutory provisions, for example the Government of Pakistan has established an endowment fund in Law and Justice Commission of Pakistan, titled “Access to Justice Development Fund (AJDF)”. Balochistan Persons with Disabilities Act, 2017⁹ and Sindh Empowerment of Persons with Disabilities Act, 2018¹⁰ also cover effective access to justice for PWDs at respective provincial level. The proposed Legal Aid and Justice Authority (LAJA) Bill, 2019¹¹ provides for legal, financial and added assistance for access to justice to the poor and vulnerable segments of society including PWDs in criminal cases and for matters ancillary thereto across the country. Similarly, the proposed ICT Rights of Persons with Disability Bill, 2018¹² also cover access to justice.

64. Under the Access to Justice Program (AJP) sponsored by the Asian Development Bank (ADB), a number of on the job trainings for judges were organized throughout the country in order to improve judicial competence and soft attitude with destitute litigants. The first ever bench book, or practice manual, was also published and distributed to every judge in the country. An extensive training-of-trainer program on curriculum development and presentation skills had been conducted for the teaching faculty of Federal Judicial Academy.

65. The GoP recognizes that the first step towards equitable access to justice is to provide accurate and timely legal information to the persons. For this, Ministry of Human Rights has launched a Helpline # 1099 for providing legal advice on human rights. This helpline is especially beneficial for women, persons with disabilities and other vulnerable groups.

66. With the support of Government, a number of CBOs/NGOs are also working to protect rights of PWDs. Pakistan Institute of Labour Education and Research (PILER) is implementing an initiative entitled “Access to Justice for Vulnerable Populations in Pakistan” in partnership with the Asia Foundation, Insaf Network Pakistan (INP) and Rozan. The goal of the project is to improve access to justice and human rights through the provision of efficient, cost effective legal assistance and protection for vulnerable populations. A Toll-Free Legal Aid Helpline Call 0800-58888 was launched under this initiative and Dastageer Legal Aid Center were also established in 13 targeted districts for a timely response to the clients/victims/any other person who is in need of legal help. This Legal Aid Helpline provides awareness on legal rights as well as legal advice/counselling through operators/Counsellors in each target district.

Article 14 – Liberty and security of the person

67. In Pakistan there is no allowance for the deprivation of liberty of any person with disabilities based on an actual or perceived impairment or mental capacity. All persons with disabilities have procedural guarantees on an equal basis with all other persons in all legal

⁹ https://www.balochistan.gov.pk/index.php?option=com_docman&task=doc_download&gid=7486&Itemid=677.

¹⁰ <http://sindhlaws.gov.pk/setup/Publications/PUB-18-000046.pdf>.

¹¹ http://www.na.gov.pk/uploads/documents/1556805586_201.pdf.

¹² http://www.na.gov.pk/uploads/documents/1545385013_141.pdf.

proceedings. Article 4 of the Constitution categorically states that “no action detrimental to the ... liberty ... of any person shall be taken except in accordance with law”. Similarly, while providing for the security of persons, its Article 9 states that “no person shall be deprived of life or liberty, save in accordance with law”. Both of these Constitutional provisions have highly developed case law and are directly enforceable in the High Courts through Article 199 of the Constitution.

68. Moreover, it is ensured that anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

69. The usual remedy in cases of wrongful arrests and detention is a writ of habeas corpus, which can be granted by the High Court or the Sessions Courts. Courts have, however, been inclined in appropriate cases to also grant compensation for illegal arrest and detention. The state has made efforts to provide legal services to those accused of a crime.

70. In recognition of the fundamental rights of the citizens against arbitrary detentions and their rights to liberty and security, the Supreme Court assumes its suo moto powers with other necessary measures. A judicial commission having its own business and procedure also works independently. It directs constitution of Joint Investigation Teams and holds hearings in each case. It works in close cooperation with families of victims. These and other measures taken in the light of the Constitution of Pakistan protect arrests of individuals from arbitrary arrest and detention.

71. In recognition Police and Prison reform have been one of the key priorities of the government of Pakistan for over a decade. The police is being transformed from Police Force culture to Police Services culture. Intensive trainings and orientation sessions for police personnel, at all levels, are being conducted on regular basis. Prison rules and jail manuals as well as the Police Order 2002 emphasize on using protocols based on human rights standards in treating the arrested, detained and jailed persons. Each province has adapted the Police Order in line with its own respective needs and peculiarities.

72. Therefore, the Constitution and laws of the land guarantees the liberty/security of persons to enjoy the most fundamental human rights to all citizen including PWDs and there is no discrimination on the basis of any disability. Disability does not restrict fundamental rights pertaining to liberty and security to PWDs, they are equally entitled to the rights irrespective of their nature of disability. Human Rights framework of Pakistan is inclusive for all including persons with disabilities.

Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment

73. The Constitution of Pakistan has many provisions to ensure freedom from torture or cruel, inhuman, or degrading treatment or punishment. The Article 11 of the Constitution provides that no compulsory service shall be of a cruel nature or incompatible with human dignity. The Constitution of Pakistan through its Article 12 ensures that no law shall authorize the punishment of a person: (a) For an act or omission that was not punishable by law at the time of the act or omission; or (b) For an offence by a penalty greater than, or of a kind different from, the penalty prescribed by law for that offence at the time the offence was committed. The Article 13 of the constitution provides protection against double punishment and self-incrimination, it states, “no person shall be prosecuted or punished for the same offence more than once; and no person shall, when accused of an offence, be compelled to be a witness against himself”. The Article 14(2) of the Constitution states (in its entirety) that “no person shall be subjected to torture for the purpose of extracting evidence”.

74. The GoP is a party to the “Convention against Torture (CAT) and Other Cruel, Inhuman or Degrading Treatment or Punishment”. Respecting the right to dignity, the CAT clearly provides in that any person deprived of freedom in accordance with law shall not be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The

Government of Pakistan has also submitted initial report on implementation of Convention Against Torture to UN CAT Committee. Pakistan's official delegation presented and defended the report during the Committee's meeting, held on 18–19 April, 2017.

75. Sections 35 (Responsibility on complaints of neglect and excesses by police), Section 114 (Code of Conduct), Section 113 (Punishment) and Section 156 (Penalty for vexatious entry, search, arrest, seizure of property, torture etc.) of the Police Order 2002, are once again relevant to this Article of CAT in that they ensure that acts of torture committed by the police are criminal in nature and receive punishments accordingly such as imprisonment for varying periods of time.

76. The Pakistan Prison Rules, 1978 are aligned with CAT and constitution of Pakistan as Section 1065 holds that prisoner to be treated with tact humanity and strict impartiality. It states that "(i) Every officer of a prison shall at all times avoid all conduct likely to unduly irritate or annoy any prisoner... (ii) It is important that every complaint made by a prisoner should be listened with attention, so that, ... the grievance may be redressed or remedied."

77. The Pakistan Penal Code (PPC), 1860 has several sections mentioning penalties for the person who will hurt or injure someone. Such as Sections 166 deals with public servants who disobey any law with intention to cause injury to any person, Section 332 is related to penalties for Hurting someone, Section 44 is related to Injury, and Section 337-K is about causing hurt to extort confession, or to compel restoration of property. In section 332 (1) of the PPC, the act of disabling the organ of the body of someone is considered hurt which carries severe punishment. The section 332 of the PPC states that, "whoever causes pain, harm disease, infirmity or injury to any person or impairs, disables or dismembers any organ of the body or part thereof of any person without causing his death, is said to cause hurt".

78. The "Pakistan Army Act, 1952" through Section 51 (Irregular Confinement) states that "any person subject to this Act who – (1) without lawful excuse, detains a person in arrest or confinement without bringing him to trial (2) having committed a person to custody, fails without reasonable cause to deliver and account in writing of the offence with which ... charged; shall on conviction be punished with rigorous imprisonment for a term which may extend to two years".

79. No one in Pakistan is subjected to medical or scientific experimentation without their free and informed consent. In order to protect people from harm and exploitation in the name of research, the Ministry of Health constituted a National Bioethics Committee on January 28, 2004.

Article 16 – Freedom from exploitation, violence and abuse

80. The Constitution of Pakistan through Article 3 commits to eliminate exploitation, it states, "the State shall ensure the elimination of all forms of exploitation and the gradual fulfilment of the fundamental principle, from each according to his ability to each according to his work".

81. Considering that the women and children with disabilities are at particular risk of violence, the GoP is taking specific initiatives for protecting PWDs.

82. The legislation related to children such as Punjab Destitute and Neglected Children Act, 2014; Juvenile Justice System Act, 2018; and Prevention of Trafficking in Persons Act, 2018 have various provisions to protect all children in Pakistan including children with disabilities. Moreover, the GoP has promulgated legislation to restrict child labor in order to protect the children from many exploitative instances such as Restriction of Child Labor Act 1890; Employment of Children Act, 1991; Employment of Children Rules, 1995; Bonded Labour System (Abolition) Act, 1992; and [Bonded Labour System \(Abolition\) Rules, 1995](#). These measures are also in tune with the ILO Convention on Worst Forms of Child Labor Convention, 1999. Under these acts, the GoP has been implementing various programs to prevent the bonded child labor, domestic child labor, child porter, children working in mines, and children working in carpet factories.

83. In order to protect children from violence and abuse, Child Protection and Welfare Bureau (CPWB) of Punjab, has launched a Toll-Free Helpline # 1121 to facilitate the reporting for any suspected maltreatment activity against children (more information is provided under Article 7). As far as social and psychological rehabilitation of special children victims of abuse and exploitation is concerned, Professional Social Case Workers and Psychologists are performing their duties in Special Education Centres across the country for this purpose.

84. Criminal Law (Second Amendment) Act, 2016 ensures Protection of all Children including those with disabilities, from exploitation and abuse. Islamabad Capital Territory (ICT) Child Protection Act, 2018 has been enacted which aims at providing protection and care to children including with disabilities in Islamabad Capital Territory (ICT) all forms of physical violence, injury, neglect, maltreatment, exploitation and abuse. Moreover, Government of Balochistan has enacted the Balochistan Child Protection Act, 2016 which provide protection to children including children with disabilities from violence, abuse and exploitation. Government of Punjab has established special complaint cell U.A.N No. 042-111-222-733 PTCL No. 042-99230783. A nationwide Toll Free Helpline 1099 has been established for legal advice to the victims of human rights violation including persons with disabilities. National as well as Provincial Councils for the rehabilitation of persons with disabilities have been established with complaints and redressal mechanisms. In Khyber Pakhtunkhwa a complaint and redressal committee has also been notified for the protection of rights of persons with disabilities. Sindh Empowerment of Persons' Disabilities Act, 2018 have been passed by Provincial Assembly of Sindh on 24th May, 2018 which covers all issues with regards to Persons with Disabilities. Besides, Mechanism regarding complaints and redressal for the Protection of rights of persons with disabilities is also existed in the aforesaid bill.

85. In order to facilitate the reporting of any kind of violence, abuse or exploitation against women, including women with disabilities, the PCSW of Punjab has launched Women's Toll-Free Helpline# 1043 and Women Safety Smart Phone Application in 2017. The detail about these Helplines is discussed under Article 6.

86. The National Police Bureau has adopted Standard Operating Procedures (SOPs) to regulate a better attitude and behaviour with women who approach the police to register complaints. The NPB has devised a Gender Strategy of Police (2012–2016) to serve as a framework to regulate the behaviour of police towards women, particularly victims of gender-based violence.

87. The government of Sindh has developed SOPs for gender-related crimes that are also being used in training of police officers in the province. To facilitate the reporting of instances of gender-based violence, the quota for female police officers has been increased to 15% in the province of Sindh.

88. Women Complaint Cells have been established throughout Pakistan to report violence against women or any other maltreatment against women. A total 72 WCC in police stations have been set up in Khyber Pakhtunkhwa (KP), 7 in Punjab, and 5 in Sindh. The WCC provides basic legal, medical and counselling services to the women. The government of Punjab has also set up help desks for women at every police station under the Women's Empowerment Initiative in 2014 to facilitate the women who approach to police station. Besides, there are currently 44 government-run women's shelters in the country.

Article 17 – Protecting the integrity of the person

89. The GoP recognizes that PWDs has equal right to respect for his or her mental and physical integrity and dignity.

90. The Article 14 of the Constitution of Pakistan deals with Inviolability of dignity of man, it states, "the dignity of man and, subject to law, the privacy of home, shall be inviolable." Moreover, the specific legislations on PWDs such as National Policy of PWDs, 2002 and National Action Plan for PWDs, 2006 strive to create an environment of self-

respect and self-belief for PWDs, subsequently; these pave the way to protect the integrity of the PWDs.

91. The National Bioethics Committee (NBC), also recognizes the significance of integrity of PWDs. It makes it obligatory for all healthcare providers to take prior written informed consent of PWDs before undertaking any research experiment or medical treatment.

Article 18 – Liberty of movement and nationality

92. All citizens of Pakistan, including persons with disabilities, have the right to acquire a nationality and not to be deprived of it on the basis of impairment, on an equal basis with others. They are entitled to exercise their freedom of movement, including their right to choose their place of residence, and to enter their country or leave any country.

93. The Constitution of Pakistan through its Article 15 guarantees the freedom of movement for all its citizens including PWDs and states, “every citizen shall have the right to remain in, and, subject to any reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof”. So, the right to liberty of movement is a constitutionally protected right for all citizen of Pakistan including PWDs.

94. Pakistan has number of laws ensuring that every child has the right to identity and obtaining of a birth registration is a fundamental right and there is no restriction for children with disabilities to get citizenship. Under the National Registration Act 1973, all citizens of Pakistan, regardless of whether they are in Pakistan or abroad, are required to register the births and deaths of their children with the concerned officer and therefore are entitled to nationality.¹³

95. Every citizen of Pakistan, including a PWD, is entitled to obtain a national Identity card (nationality certificate/card). Any form of discrimination on the provision of citizenship is outlawed. The Pakistan Citizenship Act 1951 was enacted on 13 April 1951 “to make provision for citizenship of Pakistan” The Act has been amended several times, the last occurring in 2000. The Act is divided into 23 sections; each one outlining a different provision of citizenship, section 5 of act defines that if one parent has Pakistani Citizenship then a person born to that parent may also get citizenship. The Pakistan Citizenship Act 1951 Section (14A) further elaborate the Renunciation of citizenship that if a person pledges allegiance or becomes a citizen of another country they have forfeited their Pakistani citizenship.

96. The National Database Registration Authority (NADRA) Ordinance 2000, stipulates the registration of a citizen under 18 years by his/her guardian/ parent. The NADRA has introduced Special National Identity Card (SNIC) for PWDs and special arrangement has been done to facilitate the PWDs in each office of NADRA across Pakistan.

97. The section 3 of the Passport Act, 1974 provides that a citizen of Pakistan, who intends to visit a foreign country, should obtain a valid passport and no citizen can move into foreign country without having a valid passport. It is worth mentioning that the disability of an applicant is not ground for refusal to get passport.

98. In order to facilitate the PWDs in terms of travelling, concession in fares is admissible for them in public transportation. This facility is aimed at promotion of PWDs’ mobility and access, as a matter of right.

Article 19 – Living independently and being included in the community

99. The GoP recognizes that PWDs having the right skills and resources can live independently as a vital part of any community. Therefore, the GoP has taken different

¹³ <https://pakistanilaws.wordpress.com/2015/01/06/birth-registration-of-child-laws-and-procedure-in-pakistan/>.

initiatives to support PWDs and make them self-reliant through different educational, health, housing, employment, financial and social rehabilitation schemes (please see Article 24, 25, 26, 27, and 28 for specific information or relevant schemes).

100. The GoP has provided financial and technical support to various organizations to implement the community-based rehabilitation (CBR) activities which promote independent living and inclusion of the PWDs in the community. For instance, an organization, the “Milestone Society for the Special Persons” was established in March 1993 by the persons with disabilities. The society facilitated by the Government has been implementing a number of “Independent Living Programs” each year with the vision to empower the participants and to integrate them fully into society and maintain control over their lives. The Independent Living Program includes independent skills training, transition services, youth and family services.

101. The Government has taken all possible measures to ensure conducive environment and space to facilitate civil society. As a result, different NGOs/CBOs have developed support groups such as: (i) family participation support group for parents with physical disability; (ii) women’s support group; men’s support group; and (iv) living well young adult group for persons with a physical disability. Support Group Services offer opportunities for PWDs to learn about current health news, cultural events, engagement in social activities, and sharing personal experiences and helping the participants to live independently.

102. GoP has launched different social protection schemes for PWDs in order to make them self-reliant, financial and social empowerment. For complaints redressal and immediate help of PWDs’ a special cell namely, Special Friends Project is functioning in Pakistan Bait-ul-Maal (PBM) Head Office as well as in Provincial Head Quarters. The staff assists the PWD’s and facilitates them in completion of documents for each case. After completion of the requirements, the cases are admitted and a confirmation token is issued to each applicant. Subsequently on approval of the case, applicants are intimated through mail. Moreover, Punjab Khidmat Card Scheme for PWDs has been launched in Punjab Province. Through this scheme, PWDs can withdraw 3,600PKR after every three months and 200,000 PWDs will be benefited from this scheme.

103. Article 31 (C) of the Constitution of Islamic Republic of Pakistan (1973) provides that State shall endeavour to secure the proper organization of Zakat and Ushr. Zakat plays an important role in poverty alleviation as social safety net. Zakat funds are utilized for assistance to the needy, indigent, poor, orphans, widows, handicapped and persons with disabilities. These poor segments of society are provided Zakat funds either directly through respective local Zakat Committee or indirectly through institutions i.e. educational, vocational, social institutions and hospitals, etc. The Zakat funds disbursed to the provinces and federal areas during FY2017 was Rs. 7570.910 (Million).

- Punjab Zakat Department is currently running various programs for the poor which include Guzara Allowance for the chronic poor, marriage grant for unmarried poor women, free treatment for the needy patients, and educational stipends for the students of Deeni Madaris and Government Institutes. PWDs are major beneficiaries under these schemes particularly in the areas i.e. Guzara (financial) allowance, education Stipend, medical treatment and social rehabilitation. It arranges, through PVTC, free technical and vocational training of poor and needy youth in order to enhance their chances of independent livelihoods. The department has earmarked Rs. 4397million for these interventions for FY 2017–18;
- The Zakat & Ushr Department in Sindh is an integral component of poverty alleviation efforts of the Government and operating in all the districts. To alleviate sufferings, poverty and support for skill trainings and education the Zakat & Ushr Department provides financial assistance to different segments of the society through District Zakat & Ushr Committees. Over one billion annually are disbursed among deserving persons belonging to the various categories including PWDs during FY2017 is Rs. 2490.00 Million;
- The Zakat Administration is not only catering for its ‘mustahiqeen’ through ‘Guzara Allowance’ but also contributing other Departments like education, Health, Social

Welfare, Religious Affairs, and Technical Education, in the field of stipends, health care facilities, technical and vocational training and Rehabilitation etc, including PWDs thus reducing financial burden on resources to a greater extent, Allocated budget for the year 2017 is Rs. 973.059 (Million);

- Zakat Department is playing an important role in Balochistan for rehabilitation of destitutes, PWDs, orphans and widows. Budget allocation for Balochistan for the year 2017–18 is Rs. 359.792 (Million).

Article 20 – Personal Mobility

104. The right to freedom of movement is enshrined in the Constitution of Pakistan in Article 15 and it guarantees that, “every citizen shall have the right to remain in, and, subject to any reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof”. The Article 26 of the Constitution ensures non-discrimination in respect of access to public places, “in respect of access to places of public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth. Nothing in clause shall prevent the State from making any special provision for women and children.” These two Constitutional references ensure the personal mobility to every citizen including PWDs.

105. Government has been making the concerned authorities bound to provide the facility of access of wheelchairs in educational institutions, banks, hospitals, shopping malls, police stations, airports, railway stations, bus stops, hotels and at every public place. Under the law, special persons should be given priority while crossing the roads and traffic police is responsible for its implementation.

106. The Assistive Technology Program is being implemented by the GoP as well as many NGOs/CBOs/societies that enables PWDs to become more independent through the use of assistive technologies and devices such as wheelchairs, white canes, text mobile phones and repairing of different devices on discounted rates.

Article 21 – Freedom of expression and opinion, and access to information

107. The Constitution of Pakistan guarantees the freedom of speech as a fundamental right through its Article 19(A), it states, “every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law”.

108. The Freedom of Information Ordinance was promulgated in October 2002. The law allows any citizen access to public records held by a public body of the federal government including ministries, departments, boards, councils, courts and tribunals. The bodies must respond within 21 days. More recently, by virtue of the 18th Amendment of 2010, article 19A has been inserted in the Constitution of Pakistan. It gives the right to access to information the status of a fundamental constitutional right. Accordingly these provisions ensure that PWDs can exercise their right to freedom of expression and opinion on an equal basis with others.

109. GoP has recognized the sign language as a medium of communication and provides facilities for PWDs in using sign language, Braille and all other methods of accessible communication to obtain information. The Ministry of Information and Communications regularly runs campaigns for the promotion and protection of the Persons with Disabilities through Pakistan Television (PTV). It supports the production and distribution of audio materials (cassettes and CDs) and software to be used by persons with vision problems. It also supports a talking library which maintains library of university text books on audio materials. In addition; GoP has formulated a national IT Policy in 2016. Efforts are underway to make the websites of Ministries/Departments accessible for PWDs. In this

regard, Ministry of Information Technology & Telecommunication has taken the initiative & made their website accessible for PWDs.

110. With support of GoP, the NGOs/CBOs/Societies have also been working for the well-being of PWDs and protecting their right of expression, opinion, and access to information. In this regard, an NGO, Voice of Special publishes a bi-lingual monthly magazine which is the largest circulated magazine by and for the PWDs in Pakistan. In order to promote the information assistance, the organization STEP in collaboration with PTA, National ICT R&D, Telenor and ISOC launched Pakistan mobile app awards in 2016. The theme was “Embracing Mobile Accessibility” with the aim to focus on the development of mobile applications on the needs of PWDs. These mobile applications enabled the persons with disabilities to have an inclusive environment with the help of mobile phones and to work and communicate with other people for daily affairs. In these app awards, those applications were awarded which directly provide mobility assistant or informational assistance to PWDs in Pakistan.

111. Sign Language is very important for integration of PWDs with electronic media. Keeping in view the importance, Pakistan television has recently re-started sign language interpretation of the major news bulletin twice a day, in addition to couple of talk shows.

Article 22 – Respect for privacy

112. The Constitution of Pakistan 1973 defines the violability of the dignity of the man if the privacy of the home is disturbed and through its Article 14 guarantees Inviolability of dignity of man, it states “the dignity of man and, subject to law, the privacy of home, shall be inviolable”. Nobody can interfere in people’s private affairs, whether they disable or non-disable. The Article 28 of the Constitution also provides that, the privacy of any person, residence, property, document, statistics, correspondence or matters relating to his or her character are inviolable.

113. The Government has done necessary legislation for the protection of the right to privacy in the form of Prevention of Electronic Crimes Act, 2016. This Act contains a system of checks and balances in order to avoid any misuses. For instance most of the offences under the Act are non-cognizable. Investigation agency cannot proceed against any person without approval of the court.

114. As per the “Code of Ethics” prepared by Pakistan Medical and Dental Council, all healthcare professionals are bound to respect and protect the privacy of record of the patients. The National Bioethics Committee also ensures that confidentiality and privacy any person who participates in medical research should not be breached by medical researchers.

Article 23 – Respect for Home and the Family

115. The Constitution of Pakistan and other related laws ensure that PWDs like all other citizens, can exercise their rights relating to marriage, family, parenthood and relationships, without discrimination, on an equal basis and on the basis of their free and full consent.

116. PWDs like all other citizens exercise their rights and responsibilities regarding guardianship, adoption of children or similar institutions on an equal basis with others and in Pakistan no child is separated from her/his parents because of the impairment of either the child, or one or both of the parents. The National Policy for PWDs, 2002, focuses on family guidance, so the PWDs may learn the life skills at early stage of their lives and can live respectfully in a society. The section “Family Guidance” focuses on “the provision of family based guidance about children at early age level as requires a combination of teaching competence and skills essential for social work”.

Article 24 – Education

117. The Constitution of Pakistan through its Article (25A) ensures the right to education for all citizens in Pakistan, it states, “the State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law”. With the introduction of the 18th Amendment in the constitution, the education is now a provincial subject and each provincial government has initiated different projects to boost literacy rates and reduce dropouts.

118. Since the 1970s Pakistan has focused on provision of education for PWDs. The “Education Policy (1972–80)” emphasized to open new institutions or strengthening the existing ones for the special education for handicapped children.

119. A Ministry of Social Welfare and Special Education was established 1981, which opened over 100 schools offering special education. The Government also opened national vocational training centers for PWDs and a “National Trust for the Disabled (NTD)”. The DGSE was established in 1985 to protect and promote rights of PWDs. After this, the Ministry of Health, Special Education, and Social Welfare envisaged the “National Policy for Rehabilitation of the Disabled” in December 1986, and this was the first policy on special education in Pakistan. The National Policy, 1986 was primarily concerned with issues of organizing services for the PWDs and the implementation of programs for the welfare and education for PWDs.

120. A review of “National Policy for Rehabilitation of the Disabled, 1986” Policy was undertaken in 1988 that referred to a category-based system of special education in Pakistan. The five categories of special needs education were identified in the policy. In this regard, according to a survey conducted in 1986 in Islamabad/Rawalpindi, the distribution/percentage of the five different disabilities were: (i) mental disability, 21%; (ii) visual impairment 15%; (iii) hearing impairment, 9%; (iv) physical disability, 33%; (v) multiple disability, 19% , and (vi) not classified, 3%.

121. A “National Institute of Special Education (NISE)”, was also established in 1986 with the aims to: (i) develop programs for manpower training in special education by organizing short and long-term courses in collaboration with Universities and International agencies; (ii) develop and publish material for the guidance of teachers, parents and other professionals and to promote research activities; (iii) uniform policy regarding admission; (iv) assessment and placement of Special Children; and (v) curriculum development and evaluate the progress of children.

122. The faculty of Mental Retardation (MR), National Institute of Special Education (NISE) has developed a Curriculum Intervention Model and implemented in 1998 in the Centers for MR run by Directorate General of Special Education and some NGOs who were willing to use it. The NISE under the DGSE is taking a lead role for training of teachers using multiple methods, material and approaches. The institute develops programmes for teacher’s training and training of other professionals in the field of Special Education through short and long-term courses. It also disseminates materials to guide parents, teachers and general public about special needs education and assists the Centers in responding to curriculum problems. The areas covered in designing training programs for disabilities include: (i) basic introduction to a particular disability, (ii) assessment, (iii) teaching methodology, (iv) class room management, (v) parent-teacher partnership rehabilitation, (vii) vocational skills, and (viii) career guidance etc.

123. The National Policy for PWDs, 2002, covers aspects of special education and recognizes that there should be “equal opportunities for and access to education, vocational training, employment & rehabilitation services for PWDs”. The provision of special facilities for the education, training and rehabilitation of PWDs is of central importance which concerns a significant percentage of our population. The Policy was followed by a ‘National Plan of Action for Persons with Disabilities,’ introduced in 2006. It was based on an integrated operational approach which identified 17 critical areas of intervention from assessment of the magnitude of the problem to service delivery systems.

124. In 2005, the Ministries of Education and Social Welfare signed “Declaration on Inclusive Education” at Islamabad. The Declaration was drafted during a comprehensive national consultation process, involving federal ministries, provincial departments, universities, DPOs, UN agencies and international organizations. This was followed up by a national conference in February 2007, where a pilot scheme was launched.

125. In 2007, ten schools in Islamabad were selected by the Federal Directorate of Education as pilot schools for inclusive education in cooperation with the civil society. The number of pilot schools was extended from 10 to 16, in both rural and urban areas. In July and August 2007, the trained teachers from the pilot schools went out into their communities to find children who were out of school and identified hundreds of out of school children. In line with the findings of these efforts, the teachers successfully sensitized the parents to enrol the PWDs in nearest pilot schools. These efforts yielded good results with increase in enrolment of children with disabilities.

126. The NISE under the DGSE is taking a lead role in training teachers using multiple methods, material and approaches. The institute develops programmes for training teachers and other professionals in Special Education through short and long-term courses. It also disseminates materials to guide parents, teachers and general public of special needs education and assists the Centers in responding to curriculum problems. The areas covered in designing training programs for disabilities covers: (i) basic introduction to a particular disability, (ii) assessment, (iii) teaching methodology, (iv) class room management, (v) parent-teacher partnership rehabilitation, (vi) vocational skills, and (vii) career guidance etc.

127. The Education Department in each province is responsible for primary, secondary and technical education. Education of children with disabilities, especially hearing and speech impairment, blind and low vision forms a distinct part of the department’s mandate.

128. A number of Special Education Institutions/Centers are working under the DGSE for the welfare, training, education and rehabilitation of PWDs, such as: (i) National Special Education Center for mentally /intellectually retired children, Islamabad; (ii) National Special Education Center for hearing impaired children, Islamabad; (iii) National Special Education Center for physically Handicapped children, Islamabad; (iv) National Library and resources center, Islamabad; (v) Vocational rehabilitation and employment of disabled persons Islamabad; (vi) National Computerized Braille Press, Islamabad; (vii) National Mobility and independence Training Center, Islamabad; and (viii) National Training Center for Special persons, Islamabad.

129. The above mentioned special education centers/institutions are providing specialized services to the PWDs in four categories: (i) Hearing impairment; (ii) physically handicapped; (iii) visually handicapped; and (iv) mentally retardation persons. The DGSE with these special education centers/institutions has achieved many millstones such as (i) provision of education, training and rehabilitation (ii) financial assistance to start self-employment in collaboration with NGOs; (iii) fabrication of artificial limbs for physically disabled students; (iv) transcriptions to Braille books by National Braille press at national special education centers for visually disabled children, Islamabad; (v) services for autistic children through autism resource center established in the National Special Education Center for instinctually Disabled at Islamabad; (vi) library facilities provided by the National Library and Resources Center, Islamabad; (vii) provision of physiotherapy services to the physically handicapped children/ adult free of cost; (viii) speech therapy services to all the children with disabilities are rendered free of cost; (ix) audiometric services i.e. assessment of hearing and provision of hearing aids (x) optometry and provision of glasses for visually impaired children; (xi) job oriented vocational training in different field i.e. Radio, T.V, mobile repairing, knitting, Art and craft, electrician skill and welding (xii) professional in-services training to the teachers of special education centers/Institutions/regular schools established in the public and private sector dealing with care, rehabilitation, training, welfare and education of PWD is imparted free of cost.

130. After 18th Amendment (Devolution), the federal government is providing all the facilities only to Islamabad Capital Territory (ICT) and the special education centers/institutions in ICT are: (i) National Special Education center for visually Handicapped

children Islamabad, (ii) National Special Education center for hearing impaired children Islamabad, (iii) National Special Education center for physical Handicapped children Islamabad, (iv) National Special Education center for mentally retarded children Islamabad, (v) National Institute of special education, Islamabad, (vi) National training centers for special persons, Islamabad, (vii) Autism Resource Center Islamabad, (viii) National Library and resources center, Islamabad, (ix) National Braille Press, Islamabad, (x) Vocational Rehabilitation and employment of disabled person Islamabad, National Mobility and independence Training center Islamabad, (xi) Provision of hostel facilities at NSEC (VHC), (HIC) and (NTCSP) Islamabad (Directorate General of Special Education) (DGSE).

131. The DGSE has a network of institutions offering free educational facilities in specially designed settings for PWDs. These facilities are mainly limited to primary level education; however some secondary level facilities are also available. Moreover, a 2% quota is reserved for PWDs in the general educational schools/institutions both public and private. At federal level, the DGSE runs 51 institutions for children with various impairments as single disability schools. The provincial governments run over 200 institutions. There are about 230 private special schools with a total enrolment of about 13,122 children with disabilities. More than 30,000 children with disabilities are already in ordinary schools.

132. In view of specific requirements of students with disabilities, a special examination system is also being developed under the existing Board of Intermediate and Secondary Education across Pakistan and other relevant authorities, with slight changes suited to the needs of PWDs. Moreover, the GoP also offers free vocational training facilities for PWDs and has built vocational training centers across Pakistan, while some initiatives are also under consideration.

133. In order to encourage the PWDs to pursue higher studies, one percent quota is reserved for them in each university across Pakistan. The Higher Education Commission of Pakistan has launched a Policy for Students with Disabilities for Higher Learning Institutes in Pakistan. The certificates issued by the District Disability Assessment Board, is added as eligibility criteria for getting admission to all educational institutions for higher education, both in technical as well as non-technical areas. However, the GoP recognizes that the existing system of post-graduate training in special education at the university level should be further strengthened. The training institutes like NISE was proposed to further strengthen their programme of Teacher Training and Research to improve special education services. Similarly, the number of training institutions available for occupational therapy and physiotherapy were planned to increase along with training centers for speech therapists and other relevant professionals.

134. A number of federal and private universities across Pakistan are providing facilities for PWDs. Examples from some universities is being discussed here. The Virtual University of Pakistan offers a number of undergraduate and graduate level study programs across Pakistan most of which these have large enrolment of PWDs. In order to encourage and facilitates the PWDs, the university offers 75% fee waiver to all PWDs; gives due attention to their needs at the campus and exam centers; makes necessary arrangements in the examination halls by allowing typist/writer facility to blind/handicapped students and provides extra time for solving exam/paper. In addition, virtual university conduct exams at home in special cases for those who are unable to travel.

135. The University of the Punjab has “Department for Special Education”, where a number of students with different disabilities complete their graduate and post-graduate courses every year. The department has all equipment and accessibilities to facilitate the students with disabilities. The department is also open for other students to ensure inclusive education and this provides an opportunity for PWDs to learn different socio-cultural dynamics of the society. The department creates a high quality academic environment of teaching, research and human services for prospective teachers and leaders in the field of special Education.

136. National University of Science and Technology provides Braille software to students having disabilities in order to facilitate them in their studies. The Department of Professional Psychology of Bahria University (BU) provides Special Career Counselling

not only to PWDs but also to students with psycho-social issues. Training workshops are being conducted to augment the understanding of students towards various social development skills with special focus on rights of persons with disabilities in the society. Braille or other type of communication skills at present are not available with the BU as degree programmers run by it such as Engineering, Medical Science and Computer have minimal possibility of their use, however the same are introduced on requirement basis.

137. Like many other Government colleges, Islamia College Peshawar offers reserved seats for PWDs students at intermediate and undergraduate level. It provides counselling and facilitation to students with disabilities to help them cope with the academic programmes.

138. The GoP focuses to develop need based curriculum for PWDs. In this regard, most students with Visual Impairment receive instructions not only in the usual subjects, but also in special skills that are needed specifically to help compensate for poor vision or the loss of vision. Visually impaired children are also taught in the following special areas that can help compensate for a visual loss and develop their skills and concepts more clearly: (i) Sensory development (Visual, auditory, tactile, olfactory/taste), (ii) Concept development (directionality, size, positions, time etc), (iii) Pre-vocational skills (on task-behaviour, task completion), (iv) Visual efficiency training (use of residual vision), (v) Listening skills, (vi) Braille reading & writing (arithmetic frame, math's in Braille and abacus), (vii) Orientation & Mobility (Protective techniques, sighted guide & come travel), Activities of daily living (personal grooming, eating & meal preparation), (ix) Using technology (tape player, computer), (x) Low vision devices (hand magnifiers, telescopes), (xi) Social skills training, (xii) Counselling, (xiii) Career education, (xiv) Vocational education, (xv) The teaching material used is mostly prepared by the teachers according to the visual need of the child along-with prepared/ready-made models of various things.

139. The curriculum for preparatory classes of hearing impaired children has also been developed by the GoP. It is based on pre-reading, pre-writing and pre-arithmetic skills. It also consists of basic religious knowledge and character building. Necessary modification and adjustments in Normal School Curriculum of Class I to V has been made for hearing impaired children and it is being implemented in Federal Government Special Education Centers, Provincial Government Centers and Non-Government Organizations. Work on necessary modifications and adjustments in Middle School Curriculum of ordinary school for Hearing Impaired Children is in progress. Teaching methodology for Hearing Impaired children is through direct experience, visual aids, written language, spoken language, sign language. Emphasis is also given on language teaching with short and easy sentences.

140. The curriculum for physically disabled children is the same as for the non-disabled children in regular schools. Nevertheless, the special instructions are given for children with disabilities to improve their mobility skills, daily living skills and occupational skills. In addition, children with neurological damage, such as Spina Bifida with hydrocephalus or cerebral palsy, due to their complex handicap may have intellectual impairment, sensory deficit, perceptual deficit and possibly speech and language disorders. They are provided special assessment of their educational needs and special teaching following modified curriculum in accordance with their requirements. Audio visual aids and teaching material is also provided by schools according to the child's physical condition. Some other allied services are also provided in special schools like: (i) Physiotherapy, (ii) Speech therapy, (iii) Occupational therapy, (iv) Counselling, (v) Parental Guidance Service, (vi) Physical Adaptation in Building.

141. Provincial Governments play a key role in providing all the required facilities to PWDs at the grass roots level. Each province as well as ICT has Special Education Centers/Institutions for education, training and rehabilitation of special children.

142. The Punjab government has taken numerous initiatives to empower the PWDs through education, such as provide: (i) free text books to PWDs; (ii) free Braille books in Urdu and English; (iii) free uniform and stipend; (iv) food for children admitted to hostels of all Special Education Institutions; (v) free pack of milk 250ml daily; (vi) free Pick and drop facility; free hearing aids for children admitted to Special Education Centers; (xi) free wheel chairs; (x) three specially designed buses for children with wheel chairs. Moreover,

the government of Punjab is providing financial stipend per month to each child and also providing special allowance to teaching and non-teaching staff of special education.

143. The Special Education Department, Government of Punjab is taking all appropriate measures to eliminate discrimination in order to ensure gender equality in the field of Special Education. The department is practically motivated to implement inclusive education and significant budget has been allocated to execute inclusive programme. In this regard, “Punjab Inclusive Education Project” was launched, as a pilot project, in three major cities. The goal of the project was to identify and mainstream children with mild disabilities by providing them formal school opportunities. Under this project, Program Implementation Unit had been established at Lahore and districts teams such as “district Screening Teams, District Monitoring Teams and District Fields Teams” had been placed for execution of project activities. Program Implementation Unit, Punjab Inclusive Education Project made efforts to identify students with mild disabilities and place them in mainstream regular schools. Identification of potential out of school children with mild disabilities, screening and placement in right schools, regular monitoring, training of teachers to build their capacity to accommodate children with mild disabilities, enhancing school infrastructure to make it inclusive & friendly and Provision of assistive devices, etc, were the major components of the project. This project was aligned with and supportive to the Chief Minister’s initiative “Parho Punjab, Barho Punjab” which aimed at ensuring 100% enrolment, retention and quality education to all school going age children without any discrimination.

144. Besides, the Special Education Department, Punjab has also launched a “Voucher Scheme” for inclusive education to mainstream children with special needs. The goal of this innovative programme is to enrol children with mild disabilities in Private Sector Schools thereby providing them formal schooling opportunities. According to the scheme, the schools that opted for this programme are paid Rs. 400/- in addition to existing voucher of Rs. 550/- for enrolment of each child with a mild disability. Moreover, they will also be supported by provision of one-time grant of Rs. 40,000/- for making an inclusive and disability friendly infrastructure of PEF School. The Department has a close liaison with other departments like, School Education Department, Social Welfare Department, Women Development Department, etc. to make them aware of the challenges faced by PWDs and to persuade them to make their policies flexible to include persons with disabilities at large.

145. According to Punjab Government Rules of Business 2011, functions of School Education Department includes: (i) Legislation and policy formulation for special education (ii) Matters relating to education and vocational training of special children (iii) Teachers training in special education (iv) Printing of Braille Books and other reading material (v) Development of curriculum for special education (vi) Sports of special children and other related matters (vii) Campaign for public awareness, social integration and friendly environment for special children including their economic rehabilitation (viii) Centers of Excellence, Research Centers and Building of Database for Special Education.

146. In 2013, the Sindh Government enacted the Sindh Right to Free and Compulsory Education Act pursuant to Article 25A of the constitution. The “Sindh Right of Children to Free and Compulsory Education Act, 2013” ensures the education for PWDs in its various chapters. Under the law, all children between the ages of 5–16 are entitled to free and compulsory education.

Article 25 – Health

147. The GoP attaches priority to realization of the right to health of all its citizens including PWDs and has put in place a range of policies and programs to materialize the “health for all” agenda. Necessary steps are being taken to find and address the causes of preventable disabilities including through active campaigns for prevention of disability through free vaccination and immunization of children across Pakistan.

148. The Mental Health Ordinance 2001 repealed the Lunacy Act, 1912. In order to provide a better health care and prevention of mental disorder, the Ordinance: (i) provides to establish the federal mental health authority, and regulates its powers and functions; (ii)

ensure to protect of human rights of persons with mental disorders. (iii) deals to regulates duration of periods of detention of persons with mental disorders; (iv) deals with leave and discharge of persons with mental disorders from psychiatric facilities; and v) provides for judicial proceedings for appointment of guardian of person and manager of the property of persons with mental disorders.

149. The National Plan of Action (NPA) for Children (2006 to 2015) has an exclusive Section (21) on the rights of PWDs. In Goal V, the NPA promises to take special measures to eliminate discrimination against children on the basis of disability and other matters and ensure their equal access to education, health and basic social services. The National Commission for Child Welfare and Development (NCCWD) facilitates the implementation process of the NPA as per the objectives of the project. The NPA was reviewed in 2015 and efforts are underway to revise one of its chapters pertaining to child abuse in consultation with relevant stakeholders, keeping in view the current wave of violence against children.

150. The vision of the “National Health Policy, 2009” is to improve the health and quality of life of all citizen of Pakistan including PWDs, particularly women and children. The policies introduce six policy objectives to reform and strengthen critical aspects of its health systems to enable it to: (i) provide and deliver a basic package of quality essential health care services; (ii) develop and manage competent and committed health care providers; (iii) generate reliable health information to manage and evaluate health services; (iv) adopt appropriate health technology to deliver quality services; (v) finance the costs of providing basic health care to all citizen of Pakistan; and (vi) reform the health administration to make it accountable to the public. This policy was like a blueprint of the healthcare in key areas such as i) reducing prevalence of communicable diseases ii) addressing inadequacies in primary/secondary health care services iii) removing professional/managerial deficiencies in the district health system iv) promoting greater gender equity v) bridging basic nutrition gaps in the target-population vi) correcting urban bias in health sector vii) introducing required regulation in private medical sector viii) creating mass awareness in Public Health ix) effecting improvements in the Drug Sector; and x) capacity-building for health policy monitoring.

151. The GoP has been striving to operationalize “Vision 2030” through a series of MTDFs each comprising of a five years plan. The emphasis is to continue and strengthen the shift from provision of curative services to preventive, primitive and primary health care irrespective of any difference of class, creed, or gender. Under these policy interventions, public as well as private healthcare sectors are being sensitized to provide an enabling environment for treatment of older persons and PWDs.

152. To provide the health facilities at door step of people, the GoP through Lady Health Workers (LHWs) Program has hired more than 100,000 LHWs to provide healthcare services to women in disadvantaged neighborhoods at their doorsteps. The program has a profound impact on mother and child care and it has improved awareness among the masses regarding hygiene, immunization, and birth spacing. The program has trained 10,000 community midwives and provides comprehensive Emergency Obstetric and Neonatal Care (EmONC) services in 275 health care facilities and basic EmONC in 550 health facilities. In order to provide nutritional services, an Integrated Nutrition Policy Guidance Notes and Strategic & Operational Planning for Development of a National Nutrition Policy and formulation of plans for five years have been completed with help of LHWs. These healthcare services are contributing in reduction of disability cases by providing preventive, protective and need based services to mothers and community members.

153. In order to reduce the preventable diseases and different forms of disability, GoP introduced Expanded Program for Immunization (EPI) across Pakistan which provides immunizations to the children under the age of one year. This program provides vaccinations for diseases including childhood tuberculosis, poliomyelitis, diphtheria, pertussis, neonatal tetanus, measles and hepatitis B. The EPI is one of the successful health programs in Pakistan with aim to target to increase 100% coverage.

154. In another preventive measure to eradicate polio, the Prime Minister Polio Monitoring and Coordination Cell in collaboration with the Ministry of National Health

Services, Regulation and Coordination launched a National Emergency Action Plan in 2012. This plan is being executed under an intensified strategy (Supplementary Immunization Activities) which aims to eradicate polio virus from the country by the end of 2015. This strategy was fully implemented across the country and has achieved remarkable success across Pakistan.

155. In order to decrease malnutrition, a National Zero Hunger Program is also in place which helps to cater for the nutritional needs of the vulnerable, especially children and pregnant women. Moreover, the Social safety net schemes such as National Income Support Program and Bait-ul-Maal provide financial support to the disadvantaged sections of society to improve their nutritional intake. Iodine deficiency is one of the leading causes of preventable mental handicaps worldwide including Pakistan. In this regard, the Universal Salt Iodization has been launched in all provinces of Pakistan and it has achieved remarkable success to sensitize the people across Pakistan.

156. After 18th amendment, Health became a provincial subject and accordingly each province has introduced different programs to improve the healthcare services in addition to the on-going national programs. In Punjab, the “Punjab Health Sector Reforms Programme” has been launched to improve quality and coverage of healthcare services at primary health care facilities including Rural health Centers (RHCs) and Basic Health Units (BHUs). Under this programme, technical, logistic and human resource support is provided to the BHUs throughout the province which has resulted in a positive impact on service delivery at these units. This programme has put in place smart monitoring and reporting mechanism by use of mobile phones to improve monitoring and data collection at BHUs.

157. The Government of KP has adopted a set of policy priorities which include up-gradation of primary, secondary, and tertiary healthcare; autonomy and empowerment of district/tehsil headquarter teaching hospitals; and provision of MCH services and health protection for marginalized groups. The Government of KP has launched a comprehensive social health protection scheme (costing Rs.1399.156 million) for outreach of health care. Among other initiatives, projects for TB control (Rs.946.01 million), for EPI (Rs.53 million) and dengue eradication (Rs.59 million) have been approved and are being implemented. KP has also launched “Sehat Ka Insaf Programme” in 2014 in Peshawar to curb the crippling disease of polio and more than 10 million doses of OPV delivered in 12 weeks, wherein 15,000 volunteers and 11,000 policemen participated in this programme.

158. The Governments of Balochistan and Sindh are also fully cognizant of the right to health of the citizens and are providing primary health services through BHUs, RHCs and DHQs. The “Peoples Primary Healthcare Initiative” Balochistan provides primary health care in the entire province, with special outreach in the scattered rural areas. Provincial Eye Care Cell at Skardu has been established with the support of some international NGOs and Department of Health to promote eye health in Gilgit-Baltistan. The cell is headed by a local ophthalmologist who is responsible for raising awareness and increasing eye health services in remote and hard to reach areas.

159. The DGSE is providing OPD facilities for the children with disabilities below 5 years of age in Islamabad. It also runs awareness programs for the community and parents by arranging seminars, conferences, workshops and training courses. Regarding early intervention, the Federal as well as Provincial Departments of Health, National and international organization such as WHO, UNICEF, and Sight Savers have taken substantial steps to improve healthcare services, particularly in controlling polio and blindness.

160. To maintain the ethical standards in medical research, a National Bioethics Committee is operational since 2004. It works to safeguard the dignity, rights, safety and well-being of subjects who seek assistance to safeguard their health, their treatment, as well as the participants in research projects and publications in the medical field. The NBC also ensures the equitable distribution of resources for health service delivery.

Article 26 – Habilitation and Rehabilitation

161. Pakistan has state-of-the-art facilities for artificial limbs, prosthetics and cataract treatment. In Pakistan, the need for making preventive, curative, and rehabilitation efforts are well recognized at the government and non-governmental levels.

162. Under the “Disabled Persons (Employment and Rehabilitation) Ordinance, 1981” a “National Council for Rehabilitation of Disabled Persons” was constituted along with its auxiliary councils working in all provinces to oversee and execute the policy made for employment, rehabilitation and welfare of the PWDs. Provincial Councils for Rehabilitation of Disabled Persons (PCRDP) are working in each province under the statutory preview of the Ordinance 1981. For instance, there are two set-ups working in Punjab for the development of disabled persons: (i) District Assessment Boards and (ii) District Rehabilitation and Training Committees. The PCRDP has set up DABs in all districts of Punjab to assess the nature and extent of disability and to issue disability certificate. These boards are working in all District Head Quarter (DHQ) Hospitals of Punjab. The DRTCs are working in 36 districts of Punjab for the rehabilitation of PWDs while paying due regard to the nature of their disability.

163. To implement the Agenda for Action of the Asia and Pacific Decade of Disabled Persons (1993–2003), a National Coordinating Committee was formed by the DGSE under the then Ministry of Social Welfare & Special Education. The National Council for Rehabilitation of Disabled Persons (NCRDP) and NTD along with civil society representatives constituted the membership of the Committee. It was decided to adopt a triangular approach for the welfare and rehabilitation of PWDs by involving the Departments of Health, Education and Social Welfare. The communities were also involved in preparing and implementing community based integrated programmes for the welfare, education and rehabilitation of disabled.¹⁴ This strategy achieved a remarkable goals including the sensitization of people and PWDs as well as sensitizing the communities to send the PWDs at special education centers/schools.

164. “National Disaster Management Act, 2010” makes specific provisions to the vulnerable groups in Section 11 and 37. The Section 11 deals with guidelines for minimum standards of relief and sub section (b) of it asked to make special provisions to be made for vulnerable groups. Section 37 deals with prohibition against discrimination by ensuring to provide compensation and relief to the victims of disaster and holds that there shall be no discrimination on grounds of sex, caste, community, descent or religion.

165. National Disaster Management Plan (2012–2022) is considered a milestone in the history of the disaster management system in Pakistan. It was formulated to translate DRM policy imperatives into implementation framework. Prior to this plan, a National Disaster Risk Management Framework also drew attention to the needs of vulnerable social groups including children, women, older persons and PWDs, minorities to establish and strengthen policies.

166. The “National Disaster Risk Management Reduction Policy, 2013” focuses on prevention and preparedness aspects of disaster and risk reduction. The policy specifically focuses on the rehabilitation of vulnerable groups including PWDs and emphasizes to provide equitable or gender balanced approach to reduce the disaster and risk.

167. There are two training Institutes namely National Training Centers for Special Persons (NTCSP) and Vocational Rehabilitation and Employment Of Disabled Person (VREDP) in Islamabad which are delivering occupation specific skills education to PWDs. The Technologies Education and Vocational Training Authority (TEVTA) and National Vocational and Technical Education Commission (NAVTEC) have been providing services to introduce more accommodating marketable trades to PWDs.

¹⁴ Government of Pakistan Ministry of Women Development, Social Welfare & Special Education Directorate General of Special Education: http://www.nise.go.jp/kenshuka/josa/kankobutsu/pub_d/d-175/d-175_1_9.pdf.

168. After the mega floods of 2010, the Government of Sindh established the Rehabilitation Department to ensure rehabilitation of displaced/affected population. The Provisional Council for Rehabilitation of Disabled Persons (PCRDP) of Sindh is also working for the habilitation and rehabilitation of the PWDs and affectees of flood.

169. Pakistan Bait-ul-Mal provides financial assistance to deserving PWDs amounting to PKR 25,000 to a family having one special person and PKR 50,000 to a family having two or more special persons. Further to this, during last two years, 2,323 persons have benefited at the cost of 46 Million PKR for financial assistance, artificial limbs, hearing aid, and wheel chairs.

170. The largest programme under Bait-ul-Mal is the Food Support Programme for the poor. Through this programmer, a total 2400 PKR is provided to the needy persons for a year in two six-monthly instalments. The programme guidelines require that assistance be provided to “needy individuals having no support or source of income.

Article 27 – Work and Employment

171. Article 11 of the Constitution clearly prohibits slavery and forced labor, and protects children from labor. It holds, “slavery is non-existent and forbidden and no law shall permit or facilitate its introduction into Pakistan in any form. All forms of forced labor and traffic in human beings are prohibited and no child below the age of fourteen years shall be engaged in any factory or mine or any other hazardous employment”.

172. The Constitution of Pakistan focuses on provision of decent work environment in its Articles 37 (e) and 38(a). Under Article 37(e) of the Constitution, encourages the employers to make “provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment”. Article 38(a) ensures to “secure the well-being of the people, irrespective of their sex by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants”. These provisions are equally applicable in the context of PWDs.

173. The GoP introduced a Labor Policy in 2002, which empowers the Labor Courts to order re-instatement of illegally dismissed workers (whether non-disabled or disabled) or award reasonable compensation in lieu of re-instatement. The policy pledges equal opportunities for all, including women and PWDs and categorically bans child and bonded labor, and discrimination on the basis of gender, sex, race, disability etc.

174. The support for equal employment opportunities for women and PWDs further improved with the implementation of Pakistan’s obligations under international instruments such as (i) ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111, ratified on 24/1/1961); (ii) ILO Equal Remuneration Convention, 1951 (No. 100; ratified on 11/10/2001); (iii) UN Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (ratified on 12/3/1996); (iv) ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159; ratified on 25/10/1994); (v) ILO Underground Work (Women) Convention, 1935 (No. 45; ratified on 25/3/1938); (vi) ILO Night Work (Women)(Revised) Convention, 1948; and Protocol, 1990 (No. 89; ratified on 14/2/1951); (vii) ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98, ratified on 26/5/1952).

175. A particular focus of the employment rights of the PWDs was paid in “Labour Policy, 2010”. The section on PWDs in the policy states that “the GoP will ensure the special quota for employment of disabled persons in all establishments in private as well as public sector”. It also ensured that discrimination in any case should not be practiced in appointments and/or promotions of PWDs. Moreover, it was aimed to provide equal status and equal opportunities to all workers including the handicapped. It was planned that the Government will establish complexes for education and training of disabled workers and

disabled children of workers under one roof, especially in remote parts of the country from the Workers Welfare Fund.

176. After 18th Amendment, all provincial governments adopted the “Disabled Persons (Employment and Rehabilitation) Ordinance, 1981” with some amendments. The Ordinance provides that no less than 1% employment quota would be reserved for PWDs, which was increased to 2% by P.M’s special directive. The Ordinance protects the rights of equal pay for PWDs by stipulating that terms and conditions of employment of PWDs can’t be less favourable than those of other non-disabled persons employed in an establishment. Therefore, the PWDs can’t be hired on lower wages and benefits. The Federal Government and the Government of Khyber Pakhtunkhwa have 2% employment quota reserved for PWDs in the public sector, whereas, such quota is 3% in the province of Punjab. The Government of Sindh and Balochistan have enhanced this quota to 5% under the new legislation. Directions have been issued to all the respective departments of the Federal and Provincial Governments for implementation of reserved quota in letter and spirit.

177. To ensure the implementation of the quota, the institutions/establishments/organizations which do not employ the PWDs are required to pay into the “Disabled Persons Rehabilitation Fund” each month. The fund is operated by the provincial Council for Disabled Persons. The Government utilizes the collected money for the distribution of stipends or scholarships to PWDs or provide financial assistance to those PWDs who are not fit to undertake any employment.

178. Ministry of Overseas Pakistanis and Human Resource Development has drafted laws on “Anti-Discrimination” and “Occupational Safety and Health”. The proposed legislation, under consultation, on anti-discrimination provides equal treatment in the course of employment and aims to curb discrimination on grounds of race, religion, caste, sex, color, creed, marital status, disability, trade union membership, residence or place of birth. The drafted law on Occupational Safety and Health aims to prompt a culture of healthier and safer work places to avoid occupational accidents, injuries and deaths.

179. To ensure the implementation of the employment quota for PWDs, the Federal Public Service Commission, Punjab Public Service Commission, Sindh Public Service Commission (SPSC), Balochistan Public Service Commission (BPSC) and Khyber Pukthkhwawa Public Service Commission have made a provision allowing a PWD candidate who has difficulty to write to be accompanied by a writing assistant in a written exam held by commissions. In order to avail of this provision, a PWD should make an application and obtain permission beforehand.

180. National Training Centre for the Disabled (NTCD) conducts specialized training programs in carefully selected skills in order to equip the PWDs to become productive members of the society. The objectives of NTCD are: To provide vocational training and rehabilitation services. Training is imparted in trades like welding, bench fitting (machinists), and knitting, tailoring and electrical/electronic equipment. National Training Center for Special Person working under DGSE is effectively imparting skills to enhance employment prospects of PWDs. It has trained 1,025 PWDs on different skills pertaining to income generation.

181. Around 14,960 PWDs are beneficiaries of the department of Vocational Rehabilitation and Employment of Disabled since 2001. They have been trained on different vocational skills so they can start their own businesses or can utilize those skills to secure employment at any relevant private and public department. The department has been working on Community Based Rehabilitation approach and provides facilities in Islamabad.

182. In order to provide equal work opportunities for PWDs, the Government has launched special schemes and is strengthening its existing programs in the area of self-employment. The PWDs are being provided financial support for attaining economic independence through these self-employment programs. Pakistan Bait-ul-Mal, Khushhali Bank, Tameer, Micro-Credit Schemes, and many civil society organizations are providing financial and social assistance to PWDs to become entrepreneurs. Pakistan Bait-ul-Maal provides financial assistance to deserving special friends amounting to PKR 25,000 to a family having one special person and PKR 50,000 to a family having two or more special persons. Moreover, financial assistance up to 10,000 PKR was provided to 242 PWDs to

start self-employment in collaboration with the NGOs/CBOs/DPOs. Moreover, civil society organizations are facilitating thousands of PWDs in getting trainings and employment with the support of Government.

Article 28 – Adequate standard of living and social protection

183. Article 38 of the Constitution of Pakistan deals with promotion of social and economic well-being of all its citizens, including PWDs. It ensures that “the State shall provide for all persons employed in the service of Pakistan or otherwise, social security by compulsory social insurance or other means; provide basic necessities of life such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, creed, caste, or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment; reduce disparity in the income and earnings of individuals”.

184. For improving the adequate standard of living and social protection of PWDs, the DGSE has successfully achieved different milestones such as: (i) around 1025 PWDs have been trained for income generation; (ii) financial assistance up to Rs. 10,000/- each has been provided to 242 PWDs to start self-employment in collaboration with the NGOs; (iii) with the support of International Labour Organization, the DGSE completed Quantitative survey of PWDs and their needs for vocational Rehabilitation in Islamabad capital Territory (ICT). National Training Center for Special Person working under DGSE is effectively functioning in skills development to enhance employment prospects of PWDs.

185. Under Pakistan Poverty Alleviation Program (PPAP), a pilot project of Micro-Credit has been introduced across Pakistan. Through this program, the interested PWDs are provided; (1) training to utilize loan (ii) assistive aids and (iii) construction of ramps at home and work place. Pakistan Poverty Alleviation Fund’s (PPAF) interventions for persons with disabilities are aimed at improving their quality of life through provisioning of better mobility, improved health and increased participation in community life. PPF has developed and launched its disability inclusive development strategy. After the devastating earthquake in October 2005, PPAF rehabilitated approximately 7,000 persons with disabilities in 24% of the selected 22 union councils through: (i) Provision of 6,990 assistive devices worth Rs. 69.6 million (ii) Need-based trainings (iii) Set up of audiology and ear mould fabrication units in Rawlakot (AJK) and Mansehra (KP). The multi-dimensional disability program of PPF entails delivery at two levels:

- Union Council Based:
 - A unique programme, as it provided services to all types of disabilities at the doorstep of approximately 52,157 beneficiaries;
 - Rehabilitation of approximately 30,872 persons with disabilities;
 - PPAF custodian of the largest database of persons with disabilities in Pakistan, identified through a carpet survey of 139,584 households in selected 38 union councils;
 - 39,481 assistive devices distributed;
 - Enterprise development trainings of 3,014 persons with disabilities along with business incubation of 2,755 persons;
 - Inclusion of persons with disabilities in community organizations and of children with disabilities in mainstream schools.
- Institutional Based:
 - Providing financial assistance to institutes working with children suffering from hearing impairment;
 - Providing financial assistance to institutes working for people suffering from visual impairment.

186. The toxically germ-infested unsafe drinking water is one of main cause of disability among children globally including Pakistan. Therefore, the GoP is committed to provide adequate quantity of safe drinking water for personal and domestic use to the entire population at an affordable cost. In order to fulfil the commitment, the Government of Pakistan launched National Water Policy, 2018 which enshrines the right to adequate and safe water in the country. The policy emphasises to put in place the water quality monitoring and surveillance system at every tier.

187. Since its inception in 1964, under the umbrella of the Pakistan Council of Research in Water Resources (PCRWR), the National Water Quality Monitoring Program (NWQMP) has been working since 2002. This program has successfully created a permanent network of water quality in Pakistan and provides the detailed water quality profile of 24 major cities and 23 surface water bodies (rivers, reservoirs/ dams, canals, etc.). Furthermore, rural water quality monitoring project has been initiated across the four provinces covering 64 Tehsils. Moreover, the Public Health Engineering Department in each province mainly deals with Drinking Water Supply and Sanitation Services.

188. Under-nutrition or malnutrition is considered a main cause of various forms of disability among children. Therefore, the GoP has been taking appropriate initiatives towards achieving the progressive realization of right to food. These initiatives include, establishment of the Ministry of National Food Security and Research, and Utility Store Corporations, preparation of the draft of National Food and Nutrition Security Policy, launching of Punjab Food Support Scheme, 2008, Sasti Roti Scheme, and various other informal/non-contributory schemes for ensuring an adequate, affordable and nutritious food to the citizens of Pakistan.

189. In order to protect the right of shelter and improving living standards, the GoP has been taking different initiatives in order to provides facilities and concessions to the needy people and PWDs. In order to provide housing facility to the low income groups, the State Bank of Pakistan, in collaboration with various financial institutions including Commercial Banks, Islamic Banks and Islamic housing finance has been taking various initiatives. Together with the International Finance Corporation of the World Bank, it is working for the establishment of Mortgage Refinancing Company for availability of low cost housing finance and establishment of an observatory for real estate market.

190. The Government of the Punjab launched Aashiyana Housing Scheme for poor, widows, workers, farmers, and PWDs. This scheme aims to provide low cost housing with all modern necessities and facilities of life. It has been launched in Lahore, Faisalabad, Rawalpindi, Sargodha and Gujranwala in its first phase and will be extended to 17 districts of Punjab.

191. Along with the house finance initiatives, the Government has also established several projects which directly aim to provide housing facility to the poorest of the poor, the marginalized, and to the disadvantaged people, including PWDs. In this regard, Pakistan Bait-ul-Maal has established homes for invalid and destitute persons, initially one at each provincial/regional head quarter i.e. Islamabad, Lahore, Karachi, Peshawar, and Quetta. These homes provide free of cost boarding, lodging, food, clothing, medical care, and recreation to the residents in a dignified manner. Moreover, Bait ul Maal has established Pakistan Sweet Homes (PSH) for orphans and children without parental support. So far, it has been able to establish six PSHs across the country, and each PSH accommodates around 100 orphan children between 4 and 6 years. There is no discrimination for PWDs for availing these homes.

192. In the 1970's, three social security schemes targeting formal workers in firms registered with the relevant funds were launched. The Workers Welfare Fund Scheme, for instance, came into being through the promulgation of the Workers Welfare Fund Ordinance in 1971. It provides cash, housing and in-kind support through contributions made by both employers and employees. The Workers' Children Education Ordinance was adopted in 1972 and provides free education for children of workers in establishments with 10 or more workers. Finally, the Employees Old Age Benefits Institution (EOBI), which was established in 1976, aims to provide protection to old age workers of registered establishments also employing 10 or more workers. Employers pay 5% of wages into the

EObI, which is supplemented by an annual federal grant. Workers/older people with disabilities as well as their families are equally beneficiaries of these schemes.

193. The first scheme for workers outside of the public sector was the Employees Social Security Institutions (ESSI) which was introduced in 1967. The ESSI provides protection against contingencies of sickness, work-related injury and death for private formal sector employees and is funded entirely by employee contributions. Benefits are provided in the form of cash support or free health treatments and medicines at designated hospitals.

194. For providing social protection, the Labour Markets Programmes through Khushal or Tameer-e-Watan Programme provides temporary employment to workers through labor intensive construction projects in the public sector. Another labor market intervention is the People's Rozgar initiative which gives access to subsidized credit to unemployed youth for starting their own business. The PWDs are also beneficiaries of these programmes.

195. As a key element of the National Social Protection Strategy, the federal government launched the Benazir Income Support Programme (BISP) in October 2008. BISP is the flagship social protection programme of the Pakistani government and involves a monthly unconditional cash transfer of PKR 1,000 to the female heads of families with a total monthly income of less than PKR 6,000. BISP's 2010/11 National Socio Economic Registry (NSER) captured 6 types of disability for all the surveyed population: disability related to hearing, vision, speech, mentally retarded, lower limb and upper limb. The 2010 NSER data reveals that overall, 2.27 million out of 133 million population in Pakistan has some form of disability. The analysis on the nature of disability exhibits that disability related to lower limb is the most prevalent (0.7%), whereas hearing disability is least prevalent (0.1%) in Pakistan. The prevalence of other forms of disability is as follows: vision (0.3%), speech (0.2%), mentally retarded (0.3%) and upper limb (0.2%). BISP has initiated updating of NSER data and currently the door-to-door survey is completed in 10 districts of Pakistan. The new NSER data also captures the information on disability from all the household members with 7 types of disability: disability related to hearing, vision (partial), vision (full) speech, mentally retarded, lower limb and upper limb. As part of its graduation programme, BISP's management is keen to initiate some programme for disabled members of the beneficiaries' households by providing them such services that enables them to continue leading close to normal lives and being integrated in the mainstream of their communities. As a pilot, Chal Foundation (NGO) has offered BISP to provide free of cost services for BISP's beneficiaries and their members in one district of the country. The services will include: Assessment, prescription, manufacturing and fitting of assistive device, free review, repair and replacement in first three years after provision of device and free transportation and lodging.

Article 29 – Participation in political and public life

196. Through Article 17 of the Constitution of Pakistan, protects the rights to form a political party and ensure freedom to get associated with any union. It states, "every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality. Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan." Likewise, to ensure participation in public life and freedom of speech the Constitution says, "every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan".

197. The contents of Rules 18 of the "Representation of the people (Conduct of Election) Rules, 1977" provide facilitation to PWDs to cast their vote. Rule 18 deals with the manner of marking ballot paper if elector is incapacitated. Needless to mention here that in the existing election laws/rules, there are no restrictions on any disable person "depriving him to be elected".

198. The Election Commission of Pakistan (ECP) and the International Foundation for Electoral Systems highlighted the significance of the rights of PWDs in electoral system during the “Conference on the Inclusion of Persons with Disabilities in Electoral Processes” organized from September 3–4, 2014 in Islamabad. To support inclusiveness and give effect to the recommendations of this Conference, a plan of reforms was introduced.

199. The Election Commission of Pakistan has taken a number of initiatives to ensure that each and every segment of the society participates in the electoral process. These include (a) Establishment of District Voter Education Committees to mobilize, encourage and motivate women and other marginalized groups to register themselves as voters and to participate in the electoral processes. (b) Establishment of Gender & Disability Electoral Working Group which is working to include all the members of the society in the electoral processes by identifying the problems and devising solutions. (c) Consortium of 08 universities (two from each province) is being established to motivate youth and to engage them as agents for mobilizing women. (e) National Voters’ Day was commemorated on 7th December, 2016 to raise awareness regarding the importance of vote and participation in the electoral process among the people of Pakistan. (f) Gender sensitized sessions are being delivered in the six week long Capacity Building Electoral Management Course intended for capacity building of ECP officers and other trainings of polling personnel. (g) ECP has conducted a survey of polling stations to make it accessible to persons with disabilities and recommendations of the survey have been sent to all the Chief Secretaries for implementation.

Article 30 – Participation in cultural life, recreation, leisure and sport

200. The GoP has been undertaking different initiatives to protect cultural life, recreation, leisure and sports for PWDs. Before the 18th Amendment, “Ministry of Culture” made efforts to preserve, promote and increase communities’ participation in cultural life, implementation and enforcement of cultural policies and activities in the country. After the 18th Amendment, these functions have been devolved to the provinces with a mandate to carry out the same at provincial, district, tehsil and even at union council/grassroots level.

201. The provincial governments duly recognize their role to promote the cultural life across the provinces. For that reason, every provincial government has established designated department with a mandate to increase the participation of local communities in cultural life and promote the popular culture within the province.

202. Pakistan National Council of Arts (PNCA) was established in 1973 as an autonomous body and it organizes exhibitions, theatre plays, music and special events, open air theatre, cinema plays and display of paintings. Most of these events are PWD friendly with the use of sign language.

203. The National Institute of Folk & Traditional Heritage (Lok Virsa) is a specialized organization working to create awareness of cultural legacy through collection, documentation, preservation and dissemination of folk and traditional heritage. Lok Virsa is an affiliate member of UNESCO, World Craft Council, International Council of Music, Asian Cultural Centre for UNESCO, International Council of Museums and other similar world organizations for the dissemination of art work. It has been working to preserve culture documentation using Brail software.

204. The GoP has been collaborating with all private national and international authorities for the provision of appropriately designed sports and recreational facilities for PWDs. Such facilities would, wherever possible, be encouraged within general schemes and will not be segregated as far as possible. Each district/local authority has been ensuring the budgetary provisions to enable groups of PWDs to establish clubs for sports & recreation with appropriate premises free of cost.

205. The GoP has been striving to promote the inclusive culture for PWDs where they are no more considered a burden on society. For this, the GoP has launched different programs and sharing success stories of PWDs on Media and supporting them in every walk of life. The GoP has been taking measure to promote the right of PWDs to take part on an equal

basis with others in cultural life, including opportunities to develop and utilize their creative, artistic and intellectual potential. With support of the GoP, a Culture Fashion show, titled “Welcoming 2012: Culture Fashion Show of Persons with Disabilities”, was jointly organized by Special Talent Exchange Programme (STEP), Monthly Pakistan Special, Embers and Shahzads Designs in 2011 at National Library Islamabad.

206. The GoP encourages and promotes participation of PWDs in sporting activities at national and International level. Keeping in view the importance of the sports, children with disabilities have been given training in different sports events. In outcome of these trainings, disabled athletes participated in the Special Olympics world summer Games 2011 held in Athens, Greece and won 56 medals in different categories (17 Gold, 25 Silver, and 14 Bronze) and 51 medals in Australia during December 2013. In Los Angeles Special Olympics 2015 Pakistani athletes won 67 medals. In 2012, the Blind Cricket team was runner up of T-20 world cup and remained world champion of Blind cricket world cup for two times.

Article 31 – Statistics and data collection

207. The last census 1998 had provided data about disability under seven categories: Crippled; Insane; Mentally Retarded; Multiple Disability, Blind; Deaf, Mute and Others’. According to the census data, the PWDs constituted 2.49 percent (3,286,630) of the overall population. Segregating the data by category of disability, it revealed that 18.93 percent were crippled, 8.23 percent having multiple disabilities, 8.06 percent blind, 7.43 percent deaf/mute, 6.39 percent insane, 7.60 percent mentally retarded, and 43.37 percent others (see Table 1). For the appropriate planning and implementation of policies for protecting rights of PWDs, the reliable statistics on disability are needed. Results of Pakistan’s sixth population’s census, conducted in 2017 are yet to be released by the Pakistan Bureau of Statistics, which would reflect the current number of persons with disabilities in the country.

Table 1
Disability Prevalence by different types of disability and gender-wise, 1998 Census

<i>Gender</i>	<i>Total</i>	<i>Blind</i>	<i>Deaf and mute</i>	<i>Crippled</i>	<i>Insane</i>	<i>Mentally retarded</i>	<i>Having more than one disability</i>	<i>Others</i>
Both sex	3 286 630	264 762	244 254	622 025	210 129	249 823	270 381	1 425 256
Male	1 915 102	145 656	139 168	379 989	119 139	134 489	140 393	856 268
Female	1 371 528	119 106	105 086	242 036	90 990	115 334	129 988	568 988

Source: Population Census 1998, by Population Census Organization, Government of Pakistan.

208. As per last population census 1998, the highest number of the PWDs were reported in Punjab (1,826,623), followed by Sindh (929,400), Khyber Pakhtunkhwa (375,448) and Balochistan (146,421). From the total disabled population (3,292,055), the number of male population was higher (1,918,705) as compared to female population (1,373,350) (see Table 2).

Table 2
Disability Prevalence by Province/District, 1998 Census

<i>Province/District</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>Frequency</i>	<i>%</i>	<i>Frequency</i>	<i>%</i>	<i>Frequency</i>	<i>%</i>
Punjab	1 073 840	2.8	752 783	2.1	1 826 623	2.5
Sindh	530 00	3.3	398 800	2.8	929 400	3.1
N.W.F.P	221 983	20.4	153 465	1.8	375 448	2.1
Balochistan	83 420	2.4	63 001	2.1	146 421	2.2

Province/District	Male		Female		Total	
	Frequency	%	Frequency	%	Frequency	%
FANA	12 235	2.6	9 470	2.2	21 705	2.5
AJ&K	46 465	3.1	34 137	2.3	80 333	2.7
Population with Disabilities	1 918 705	2.8	1 373 350	2.2	3 292 055	2.5

Source: Population Census 1998, by Population Census Organization, Government of Pakistan.

209. The main function of the National Database & Registration Authority's (NADRA) is to statistically manage the registration database of all national citizens of Pakistan. NADRA issues four types of identity cards being made by NADRA: (1) Computerized National Identity Card (CNIC); (2) Smart National Identity Card; (3) Special Computerized National Identity Card (SCNIC) for PWDs; and (4) Youth Special Cards. The SCNIC can be obtained on the basis of disability certificate, which is issued by the Social Welfare department. The disability data is maintained at all levels. According to (NADRA), around 136,928 PWDs nationwide have been registered with the authority till 2015.

Article 32 – International Co-operation

210. The Government of Pakistan continues to partner with all relevant stakeholders including United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and Asia-Pacific Development Center on Disability, Thailand to further regional cooperation in advancing the rights of PWDs.

211. The National Blindness Survey in Pakistan is excellent example of national and international organizations cooperation with the Federal Ministry of Health and Provincial Health Departments. The national organizations included: (i) Pakistan Institute of Community Ophthalmology in Peshawar; (ii) Punjab Institute of Preventive Ophthalmology in Lahore; (iii) Prevention and Control of Blindness Cell, Civil Hospital, in Karachi; (iv) Helpers Eye Hospital in Quetta. The International organizations includes: (i) WHO; (ii) Sight Savers International, UK; (iii) International Centre for Eye Health, UK; (iv) Christoffel Blinden Mission, Germany; (v) Fred Hollows Foundation, Australia.

212. Pakistan hosted the Stakeholders' Meeting on Reviewing the Implementation of Second Asian and Pacific Decade of Disabled Persons (2003–2012), from 29 to 30 January 2011 in Islamabad. This meeting was landmark in sharing the progress towards facilitating the PWDs as well as highlights barriers to integrate the PWDs in society.

213. The GoP in collaboration with DPOs and major stakeholders lead the implementation of the "Make the Right Real" campaign in Pakistan towards the end of 2012 with a focus on concrete and measurable outcomes by then to be reported in the Incheon High-level Intergovernmental Meeting. The GoP supported the launching of a new Asian and Pacific Decade of Persons with Disabilities (2013–2022) with aim to accelerate the implementation of the UNCRPD in an inclusive way with a particular focus on the leadership development of PWDs.

214. The DGSE has collaborated with the UNESCAP and APCD in order to establish cooperation in the areas like social economic development of PWDs; CBR, and networking with South Asian countries. The GoP also collaborated with WHO in order to establish CBR, promotion of health, prevention, rehabilitation, legislation and printing material for PWDs. Moreover, the GoP has also collaborated with "Braillo Norway" for the capacity building of visually handicapped. Furthermore, Japan International Cooperation Agency (JICA) successfully implemented two phases of the "Project on the Promotion of Social Participation of Persons with Disabilities".

215. In this regard, Government of Pakistan has established SDGs Support unit in the Ministry of Planning, Development and Reforms, in December, 2016, as a monitoring framework for SDGs. Moreover, a state of the art Secretariat on SDGs, which is the first of

its kind in any Parliament of the world, was established by the Speaker National Assembly of Pakistan, in 2016 for effective oversight, evidence based legislation and representation.

216. Besides a Parliamentary Task Force has also put in place to oversee the implementation of post 2015 development agenda. The SDGs Secretariat of National Assembly has assisted in enhancing the capacity of provincial offices of Pakistan Institute for parliamentary Services (PIPS) to act as provincial SDGs Secretariats and is facilitated in regular vertical and horizontal coordination and knowledge sharing between the Federal Parliament and provincial assemblies. Dedicated sub-committees are working pro-actively on individual SDG targets. Indicators have been developed to measure the progress of the targets set under the SDGs.

217. Pakistan has regularly participated in the UNESCAPs meetings, held in the Secretariat, Bangkok to review progress on implementation of Incheon strategy. In this regard, Pakistan also submitted its response on UNESCAP survey for the Mid-point review of the Asian and Pacific decade of persons with disabilities 2013–2020. Pakistan has welcomed the UNESCAP technical support aimed to collect reliable and comparable disability data needed for tracking progress in achieving the Incheon goals and targets, under the UNESCAP Project on data collection for the Incheon Strategy to Make the Right Real for Persons with Disabilities.

Article 33 – National implementation and monitoring

218. The GoP recognizes the fact that an effective multi-sectoral coordination is essential to ensure the implementation of the UNCRPD up to the grassroots level. The Directorate General of Special Education established a cell at Islamabad namely UNCRPD Secretariat for the implementation of UN Convention on the Rights of Persons with Disabilities (UNCRPD) on 1st January, 2012. A Core Committee was formulated to monitor/coordination with the Federal Ministries/Divisions/Departments/Provincial Government Departments/NGOs/DPOs for the implementation of UNCRPD. First National Consultative Seminar on Implementation of UNCRPD in Pakistan was held on 14th June 2012, at Islamabad with the collaboration of DGSE & Sight Savers International. All stakeholders from Government sector, private sector, NGOs, INGOs, and DPOs were the part of this Consultative Seminar.

219. Later on, the task of preparing UNCRPD report was given to the Ministry of Human Rights. The Ministry of Human Rights constituted a National Committee for Implementation of UNCRPD under the Chair of Federal Minister for Human Rights on 21st November, 2016. The Committee with representation from relevant Federal Ministries/Divisions/ Departments, Provincial Governments including AJK and GB as well as NGOs, INGOs and UN Agencies, is mandated to facilitate relevant actions in different sectors at various levels. Two parliamentarians, i.e. one each Senator and MNA have been included as Members of the Committee. First meeting of the Committee was held on 24th January, 2018 at Islamabad.

220. The implementation committee meets on regular basis to implement the TORs that are to: (i) oversee the implementation of UNCRPD at federal and provincial level; (ii) support to implement the actions required in response to the Incheon strategy and Sustainable Development Goals related to Disabilities; (iii) recommend, policy, legal and administrative measures for protection of rights of PWDs in line with constitutional and international obligations; (iv) improve the coordination mechanism among the stakeholders at the federal and provincial level for protection of rights.

II. Conclusion

221. The Government of Pakistan reiterates that it attaches the highest importance to Human Rights Agenda particularly the rights of weaker segments of the society including PWDs. The Government is taking appropriate measures for protection and promotion of such rights. The Government's Vision 2025 focuses on inclusive and sustainable development, thus ensuring 'Human Dignity' for all, particularly PWDs. This Initial Report

on CRPD paints the picture of our commitment and constructive engagement with the Rights of PWDs. We hope that the information provided in the document will serve the purpose in appropriate manner.

Annex A

List of Stakeholders

1. Directorate General of Special Education (DGSE)
2. Government of Pakistan Cabinet Secretariat Establishment Division
3. Director General, Labour Welfare, Punjab, Lahore
4. Government of the Punjab, School Education Department
5. Government of the Punjab, Human Rights and Minorities Affairs Department
6. Government of the Punjab Law and Parliamentary Affairs Department
7. Government of the Punjab Literacy and Non-formal Basic Education Department
8. Government of the Punjab Information & Culture Department
9. Government of Pakistan Ministry of Inter Provincial Coordination
10. Government of Sindh Provisional Disaster Management Authority
11. Government of Khyber Pakhtunkhwa Information and Public Relations Department
12. Government of Khyber Pakhtunkhwa Labour Department
13. Government of Baluchistan Public Health Engineering Department
14. Government of Baluchistan Population Welfare Department.
15. Government of Baluchistan Science and Information Technology Department
16. Office of the Relief Commissioner / PDMA, Balochistan
17. Government of KP Auqaf, Hajj, Religious and Minority Affairs Department
18. Government of KP Science and Technology and Information Technology Department
19. Government of Sindh women Development Department
20. Government of Pakistan Ministry of Parliamentary Affairs
21. Government of Pakistan Election Commission of Pakistan
22. Minister of Overseas Pakistanis and Human resource development
23. Government of Pakistan Capital Administration and Development Division
24. Government of Pakistan Ministry of Foreign Affairs
25. Government of Pakistan Ministry of Science and Technology
26. Government of Pakistan Ministry of National Food Security and Research
27. Government of Pakistan Election Commission of Pakistan
28. Government of Pakistan (Cabinet Secretariat) Capital Administration & Development Division)
29. Higher Education Commission
30. Virtual University of Pakistan, Lahore
31. National University of Science and Technology
32. Bahria University
33. Government of Pakistan Ministry of Planning, Development and Reform Planning Commission
34. Higher Education Commission

35. Aparo Islamic College Peshawar
36. Government of Pakistan National Disaster Management Authority Islamabad
37. Government of Pakistan Ministry of Federal Education and professional Training
38. National Vocational and Technical Training Commission
39. Government of Sindh Population Welfare Department
40. Government of the Punjab Special Education Department
41. Government of the Punjab Directorate of Special Education

Annex B

List of Abbreviations

AJP	Access to Justice Programme
AJK	Azad Jammu & Kashmir
BISP	Benazir Income Support Programme
CAT	Convention Against Torture
CDA	Capital Development Authority
CBR	Community Based Rehabilitation
CBO	Community Based Organization
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CrPC	Criminal Procedure Code
CSOs	Civil Society Organizations
DPO	Disabled People Organization
ECP	Election Commission of Pakistan
GBV	Gender Based Violence
GoP	Government of Pakistan
HEC	Higher Education Commission
HR	Human Rights
ICT	Islamabad Capital Territory
ILO	International Labour Organization
INGOs	International Non-Governmental Organizations
LHW	Lady Health Worker
MCH	Mother & Child Health
MIS	Management Information System
MTDF	Medium Term Development Framework
NADRA	National Database & Registration
NBP	National Bank of Pakistan
NCC	National Curriculum Council
NCRDP	National Council for Rehabilitation of Disabled Persons
NCCWD	National Commission for Child Welfare and Development
NCHR	National Commission for Human Rights
NCMC	National Crises Management Cell
NCSW	National Commission on the Status of Women
NDMA	National Disaster Management Authority
NDMO	National Disaster Management Ordinance
NGOs	Non-Governmental Organizations
NISE	National Institute of Special Education
NHRIs	National Human Rights Institutions

NTD	National Trust for Disabled
NTCD	National Training Centre for Disabled
NPA	National Plan of Action
NSEC	National Special Education Centre
PBM	Pakistan Bait-ul-Mal
PCSW	Provincial Commission on the Status of Women
PILER	Pakistan Institute of Labour Education and Research
PPC	Pakistan Penal Code
PNCA	Pakistan National Council of Arts
PTV	Pakistan Television
PWDs	Persons with Disabilities
PVTC	Punjab Vocational Training Council
RHC	Rural Health Centre
SOPs	Standard Operating Procedures
SNIC	Smart National Identity Card
STEP	Special Talent Exchange Programme
TICs	Treaty Implementation Cells
UN	United Nations
UNCRPD	UN Convention on the Rights of Persons with Disabilities
UNESCAP	United Nations Economic and Social Commission for Asia and Pacific
UNESCO	United Nations Educational Scientific and Cultural Organization
WCL	Women Complaint Cell
WHO	World Health Organization
