

**GOVERNMENT OF PAKISTAN
MINISTRY OF HUMAN RIGHTS**

Subject: Brief on Protection and Promotion of PWDs' Rights.

The Constitution of Pakistan (1973) guarantees the social and economic well-being of all citizens including Persons with Disabilities, regardless of sex, caste, creed, race, or any other basis. The Article 38 (d) of the Constitution of Pakistan states “provide basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens, 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. Moreover, Pakistan ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) on 5th July, 2011. Ministry of Human Rights is the Focal Ministry to coordinate and facilitate implementation and reporting of the UNCRPD. The Ministry is accordingly making efforts in collaboration with the relevant Federal and Provincial stakeholders to ensure implementation of the Convention.

“The Disabled Persons (Employment and Rehabilitation) Ordinance, 1981” laid formal foundation for institutional care of the persons with disabilities. The Ordinance ensures protection of PWDs’ rights related to education, employment, rehabilitation and emphasizes to create Funds and establish the National Council for the Rehabilitation of Disabled Persons.

After the 18th Amendment in the 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. In June 2018, Sindh promulgated the Sindh Empowerment of Persons with Disabilities Act, 2018 which repealed the ‘Differently Aabled Persons Act, 2014’. Similarly, Balochistan 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. Gilgit Baltistan has also promulgated “Gilgit-Baltistan Persons with Disabilities Act, 2019” Similar legislation is in process in Khyber Pukhtunkha and Punjab.

Moreover, the ICT Rights of Persons with Disability Bill 2018, prepared by the Ministry of Human Rights, in line with UN Convention on the Rights of Persons with Disabilities was introduced in the Parliament on 21st December, 2018, which is currently under consideration in the Parliament. The Bill specifically proposes equity in the employment for PWDs in the public and private sector without discrimination. Under the proposed law, the Government shall reserve quota as prescribed by the Federal Government to be periodically reviewed, at various levels for PWDs in Government Departments, institutions and corporate entities owned and managed by the Government. In case of non-compliance, any establishment which does not employ PWDs, shall pay twice into the fund each month the sum of the money it would have paid as salary or wages to PWDs. It is expected that the law after enactment will ensure protection of rights of PWDs in social, economic and political life including employment.

The Government of Pakistan is committed to ensure protection and promotion of PWDs' Rights in line with its national and international commitments. Key initiatives in this regard are as under:

- I. In line with his vision of universal health coverage, the Prime Minister of Pakistan has launched Sehat Sahulat Programme for PWDs and their families in Pakistan in order to ensure their access to health facility. Through this social health protection initiative all PWDs and their families would be provided with free-of-cost health insurance to secure indoor health care services worth PKR 720,000 from empanelled hospitals through a very transparent and computerized mechanism.
- II. National Committee for Implementation of UNCRPD and other international commitments pertaining to disability has been constituted under the Chair of Federal Minister for Human Rights. The Committee is also mandated to recommend policy, legal and administrative measures for protection of PWDs' Rights in line with Constitutional and international obligations, besides improving coordination mechanism among the stakeholders at Federal and Provincial level.
- III. MoHR has arranged Capacity Building Workshops of Provincial as well as Regional Governments (GB and AJK) during 24th June- 31st July, 2019. The objective of the workshops was to build capacity of officers of the relevant departments for implementation of UNCRPD, relevant laws and follow up actions required in response to Incheon Strategy as well as SDGs pertaining to disability.
- IV. Action Plan for Human Rights to further improve human rights situation in the country, prepared by Ministry of Human Rights is being implemented. The Action Plan covers various actions with regard to rights of marginalized groups including PWDs.
- V. Reserved job quota for Persons with Disabilities (PWDs) is being implemented to ensure their participation in various professions.
- VI. Treaty Implementation Cells (TICs) have been established at Federal and Provincial level including GB & AJK.

- VII. The Directorate General of Special Education (DGSE) has published design manual and guidelines for the accessibility and the accessibility code of Pakistan 2006 to create barrier free environment for PWDs and disseminated the same to all concerned departments.
- VIII. The Federal and Provincial Headquarters have been declared Disabled Friendly. The design manual and guidelines for accessibility aim at an inclusive barrier free and right based society for PWDs in the country. It reflects representation, review and suggestion from all stakeholders and ensures the accessibility standards while designing all new buildings, parks, housing estates, pedestrian walkways and public comfort places.
- IX. The GoP has provided facilities for PWDs at each Bus Station of Metro Bus Service. Elevators and lifts are provided at every entrance/ exit point for PWDs giving them direct access to each bus station. Provision of level boarding to and from the bus without involving any steps has been ensured. One space for PWDs with wheelchair and four designated seats have been reserved for other PWDs.
- X. In most of the 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.
- XI. To promote participation in political processes and in decision-making, awareness campaign was launched by Election Commission of Pakistan (ECP) on Postal Ballot facility offered to PWDs, during the last elections, besides ensuring their access to polling stations/ booths. Trainings of PWDs, and other vulnerable groups were conducted by ECP for casting votes on priority with a view to ensure their participation
- XII. The PWDs receive special attention under Pakistan Bait-ul-Mal in all provinces of Pakistan. A special cell exists there to deal the matters of PWDs on priority basis. PWDs have equal chances to get benefit from any project of Pakistan Bait-ul-Mal. Financial support is extended by Pakistan Bait-ul-Mal to ensure PWDs' accessibility through provision of artificial limbs, hearing aids, wheelchairs, white canes etc.
- XIII. Ministry of Planning Development and Reform has been requested to include Disability Impact Assessment (DIA) in their PC-I like (Environment Impact Assessment) EIA.
- XIV. Transcription to Braille books by National Braille Press at National Special Education Center for Visually Impaired Persons, Islamabad is being ensured.