



# **BRINGING DISABILITY IN THE CONSTITUTIONAL NET**

**Study Conducted By**

**POTOHAR MENTAL HEALTH ASSOCIATION  
(PMHA)**

# **BRINGING DISABILITY IN THE CONSTITUTIONAL NET**

**Study Conducted By**

**POTOHAR MENTAL HEALTH ASSOCIATION  
(PMHA)**

© PMHA 2018

PMHA holds the intellectual property right of this study. No part of this study report may be reproduced, shared, or transmitted in any form or by any means without the prior written permission of PMHA.

For permission requests, please write to: [zulqurnainasghar@pmha.org.pk](mailto:zulqurnainasghar@pmha.org.pk)



## Table of Content

<b>Foreword</b>	<b>7</b>
<b>Executive Summary</b>	<b>11</b>
<b>Recommendations</b>	<b>14</b>
<b>To parliamentarians</b>	<b>14</b>
<b>To Central and Provincial Governments</b>	<b>14</b>
<b>To Election Commission of Pakistan (Islamabad and provincial)</b>	<b>16</b>
<b>To political parties</b>	<b>16</b>
<b>To NGOs</b>	<b>17</b>
<b>Section 1: Documentation of PWDs</b>	<b>19</b>
<b>Rare legislation</b>	<b>19</b>
<b>Inconsistent figures &amp; exclusion</b>	<b>20</b>
<b>Civil documentation: From “disability certificate” to “special CNIC”</b>	<b>23</b>
<b>Women Living with Disabilities: Reality of Pakistan</b>	<b>25</b>
<b>Session 2: Managing Polls</b>	<b>26</b>
<b>Structure</b>	<b>26</b>
<b>Delimitation</b>	<b>28</b>
<b>Conducting polls</b>	<b>28</b>
<b>Engaging civil society and political parties to influence ECP</b>	<b>29</b>
<b>Section 3: Institutional / Infrastructural Exclusions</b>	<b>31</b>
<b>Box item: Poverty-disability nexus and voting</b>	<b>32</b>
<b>Accessibility</b>	<b>33</b>
<b>Transportations for persons living with disabilities</b>	<b>36</b>
<b>Conclusion</b>	<b>37</b>
<b>References</b>	<b>38</b>
<b>Annexure 1</b>	<b>39</b>
<b>Introduction</b>	
<b>Annexure 2</b>	<b>40</b>
<b>Scope of study</b>	
<b>Annexure 3</b>	<b>41</b>
<b>Methodology</b>	
<b>Annexure 4</b>	<b>42</b>
<b>Introduction of PMHA</b>	

## ACKNOWLEDGEMENTS



**Zulqurnain Asghar**  
**Chief Executive PMHA**

I would like to convey my deepest gratitude to PMHA team to complete this study report under my supervision and guidance.

My heartfelt appreciation to Mr. Muhammad Ismail Khan for his tireless support and valuable contribution to conduct this comprehensive study, without his remarkable commitment, support, and proficiency this study report would not have been possible.

I am especially grateful to Farah Zulqurnain, Vice President / Project Director PMHA for her commitment, continuous input and careful attention to detail throughout this entire process.

Acknowledgement is also due to the Dr. Idrees Akbar, Ms. Noureen Khan, Ms. Shazia Danial, Dr. Bashir Hussain Shah, Mr. Asim Rauf Satti and Mr. Nadeem Zubair for their kind support and cooperation.

My special thanks to Ms. Khadija Ali, Ms. Marvi Sirmed and Mr. Farhatullah Babar for their valuable review and feedback.

PMHA would like to thank more than 100 persons living with disabilities including men and women for their valuable participation which led to the successful completion of the study report.

Last but not the least, I must thank Rawail Zulqurnain (my 4 years old lovely daughter) who travelled with us during the study period, inspiring me to follow my dreams and enhance my strength to work for the well being of persons living with disabilities to make this society inclusive.

*This study is dedicated to*

*all Persons Living with Disabilities (PWDs) of Pakistan*



## FOREWORD



**Khadija Ali**

**LL.B (Hons) (London)**

**LL.M (International Development Law) (Warwick, UK)**

Pakistan signed the United Nations Convention on the Rights of Persons with Disabilities (CRPD) on 25<sup>th</sup> September 2008 and ratified it on 5<sup>th</sup> July 2011, making the UN treaty part of Pakistan's international human rights obligations. However, despite ratification, the political will to implement the rights of persons with disabilities remains elusive. The initial state report of Pakistan to the UN's Committee on the Rights of Persons with Disabilities has been pending since 4<sup>th</sup> August, 2013. Despite a lapse of five years, a detailed report documenting Pakistan's efforts to implement rights of persons with disabilities is still awaited. The international consensus for the rights of persons with disabilities presents interesting and stark contradictions to the current legislative framework of Pakistan – which is part of the major findings of this report.

While the legal definition of 'persons with disabilities' in Pakistan are flawed with restriction and an insensitive terminology, the framework based on law does little to address the plight and barriers hindering PWDs from enjoying their rights. In contrast, CRPD defines 'persons with disabilities' in the following manner:

'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.'<sup>1</sup>

Therefore, the focus of CRPD is to address disabilities as well as barriers that may hinder PWDs in enjoying their lives. The Convention also lays down the following rights for PWDs:

- *Equality before the law without discrimination*<sup>2</sup>

<sup>1</sup> Convention on the Rights of Persons with Disabilities, Article 1

<sup>2</sup> Ibid Article 5

- *Right to life, liberty and security of the person*<sup>3</sup>
- *Equal recognition before the law and legal capacity*<sup>4</sup>
- *Freedom from torture*<sup>5</sup>
- *Freedom from exploitation, violence and abuse*<sup>6</sup>
- *Right to respect physical and mental integrity*<sup>7</sup>
- *Freedom of movement and nationality*<sup>8</sup>
- *Right to live in the community*<sup>9</sup>
- *Freedom of expression and opinion*<sup>10</sup>
- *Respect for privacy*<sup>11</sup>
- *Respect for home and the family*<sup>12</sup>
- *Right to education*<sup>13</sup>
- *Right to health*<sup>14</sup>
- *Right to work*<sup>15</sup>
- *Right to adequate standard of living*<sup>16</sup>
- *Right to participate in political and public life*<sup>17</sup>
- *Right to participation in cultural life*<sup>18</sup>

CRPD is a document which is cross-sectoral and cross-disability in nature. The Convention provides a comprehensive framework for rights of PWDs to be implemented by state parties that have ratified the Convention. Therefore, the inadequacy of the legal framework of Pakistan, especially with regards to political participation of PWDs has been extrapolated in this study. This research study undertaken by PMHA is a one of a kind effort to document the barriers faced by PWDs in selected district within the political context and upcoming election of 2018.

The findings of the research study highlight significant gaps not only in legal framework but also in service provision for PWDs. The findings and recommendations provided in this research study can therefore serve as a roadmap for federal and provincial governments to implement CRPD at domestic level and guarantee the rights enshrined in such international treaties. While the struggle to harmonize legislation and service provision for PWDs in

---

<sup>3</sup> Ibid Articles 10 and 14

<sup>4</sup> Ibid Article 12

<sup>5</sup> Ibid Article 15

<sup>6</sup> Ibid Article 16

<sup>7</sup> Ibid Article 17

<sup>8</sup> Ibid Article 18

<sup>9</sup> Ibid Article 19

<sup>10</sup> Ibid Article 21

<sup>11</sup> Ibid Article 22

<sup>12</sup> Ibid Article 23

<sup>13</sup> Ibid Article 24

<sup>14</sup> Ibid Article 25

<sup>15</sup> Ibid Article 27

<sup>16</sup> Ibid Article 28

<sup>17</sup> Ibid Article 29

<sup>18</sup> Ibid Article 30



line with international standards is a long and arduous one, it is hoped that research studies like these would pave the way for evidence based advocacy for legislative reform and service provision for marginalized groups. I would therefore, congratulate Zulqurnain Asghar and PMHA for their efforts and commitment to the cause of ensuring the rights of PWDs in Pakistan.

## FOREWORD



**Farhatullah Babar**  
**General Secretary**  
**Pakistan Peoples Party (PPP)**

There has always been a need for a study of the condition of the persons living with disabilities in the country and suggest practical steps to mainstream them.

I wish to compliment the Potohar Mental Health Association (PMHA) and its President Mr. Zulqurnain Asghar for carrying out a comprehensive field study on improving electoral participation of the persons living with disabilities.

The recommendations made in the study to the Parliament, the Political parties, the NGOs and the Election Commission of Pakistan are practicable and doable. The year 2018 is Election Year and the recommendations made deserve to receive the highest consideration of all to mainstream the persons living with disabilities in the electoral processes.

Disability can hit anyone at any time. They therefore owe it to themselves also to create, through legislative and administrative action, a conducive environment for the mainstreaming of persons living with disabilities enabling them to live with honor, dignity and comfort.

## Executive Summary

There is a great need for passing a comprehensive law for the well-being of persons living with disabilities, with proper checks and balances, so as to enable them to participate in all spheres of life and to ensure that their fundamental rights are upheld. It will go a long way in ultimately mainstreaming them. Specifically, to increase political/electoral participation of persons living with disabilities, the existing electoral laws shall be implemented in spirit so that different departments dealing with the PWDs are sensitized in the first place and they get conducive infrastructure so that they can exercise their fundamental rights such as civil, political and electoral rights with ease.

These are broad findings of the study based on the civil, political and electoral participation of PWDs.

It has long been alleged that voter turnout of the persons living with disabilities is low; their involvement in political processes is hardly noticed. They are also questioned about the need of undergoing the entire process of voting, from registration their vote to casting it. This trend has been on decline in some mainstream districts, where political parties do not formally stop anyone from voting.

The problem, however, persists for women living with disabilities in the face of societal expectations that restrict their movement. Majority of PWDs have to rely on escorts, who become equal partners in decisions of the PWDs. The study suggests that women with disabilities are more likely to experience domestic issues, emotional abuse, and sexual assault than women without disabilities. Women with disabilities may also feel more isolated and feel they are unable to report the abuse, or they may be dependent on the abuser for their care. Like many women who are abused, women with disabilities are usually abused by someone they know, such as a partner or family member. Thus the study observed that the chances of a woman living with disability can also decrease in a conservative setting.

People's attitude is also shaped by absence of any proper institutional mechanism for persons living with disabilities. To date, no comprehensive law covering the PWDs exists; the one that exists deals mostly with their employment. It essentially means that there is no binding law in the context of broader issues of PWDs. Even if policies are inferred to have accessible infrastructure, it is questionable if violation of those policies can be penalized, again due to absence of law. Electoral laws, otherwise neutral for most of the people, have to infer to broader legal mechanism, which in the case of PWDs is missing. Thus, when it comes to civil, political and electoral participation of PWDs as with any other sphere of their lives, there is no enabling environment.

The path from disability to get registered as “person living with disability” is long: A PWD is supposed to come to the city’s public hospital, present relevant documents proving residence and disability, appear before assessment board, get a disability certificate, furnish that to get special national-identity card, on the basis of which, his or her vote will be registered. This sequential process runs the risk of excluding the PWD from any one layer: as this report shows, citing government’s own figures, the total number of PWDs in the country is greater than those counted officially, which is greater than total number of disability-certificate holders, which in turn is greater than total number of special national-identity card holders, which in turn is slightly greater than registered voters. It clearly shows that the existing documentation procedures are a clear-cut challenge to PWDs. This should change in different spheres, including electoral participation.

Much of the staff and resources of the Election Commission of Pakistan are dedicated towards conducting elections in general, rather than reaching out to any marginalized groups, including PWDs. There is a need for proper allocation of funds and resources to that end. Even though the ECP has charted two five-year plans that, inter alia, commit to involve marginalized groups, which include PWDs besides women and minorities, in the voting process. It is questionable if there has been any progress to this end.

If anything, sensitization of those tasked to deal with PWDs could be initiated, which could include the recruitment of PWDs in the ECP as a starting point. Else, the election staff might continue to treat the PWDs like other persons, expecting them to make their own arrangements to the stations, walk to the booths, and cast their votes. Through these findings of this study, it calls for a consensus-backed law, followed by subsidiary regulation that binds institutions and the people from different walks of life, to mainstream PWDs.

Any attempt to mainstream the PWD in the electoral process should also redress their other alienations. For instance, bringing women living with disability in the electoral process would also reduce restrictions of their mobility.



## Recommendations

### To Parliamentarians:

- Draft and pass a comprehensive legislation on “Persons Living with Disabilities” for their mainstreaming and well-being, which among other things, ensures that their rights are upheld and violations are penalized; electoral rights or laws can be later inferred to this
- Either draft and pass subsidiary legislation for the electoral rights of the PWDs, ensuring that an enabling environment is provided for them to cast their vote; or ensure that the existing electoral laws are linked with the broader law upholding rights of PWDs
- Update the existing statutes with a singular definition of the PWD as identified in 1981 Ordinance or in the proposed legislation about PWDs, so that the identification of PWDs is not at the discretion of individuals like election staff in the polling station
- Provide a statutory grounding to the five-year strategic guidelines, which includes a section on involving marginalized groups, including persons living with disabilities; provide for penalties in case the targets on the sections are completely missed
- Explore how to provide for seats to the persons living with disabilities in different tiers; specifically, allocate some special seats for the PWDs in national, provincial and local government system, so as to enable political participation of PWDs
- Change Election Law binding the ECP to release segregated data about PWD voters

### To Central and Provincial Governments:

- Relay a single definition of the “person living with disability”, along with identity markers, to all government departments to ensure that identification of PWD is uniform
- Make public the total count of: persons living with disabilities, disability certificate holders, special CNIC holders, and voter list
- Study the causes of discrepancies in the gender-segregated data about persons living with disabilities, collected by different departments, especially Pakistan Bureau of Statistics, Social Welfare department, and NADRA

- Prioritize the delivery of special CNIC to all persons living with disabilities
- Task Benazir Income Support Program to document afresh the PWDs, especially the newer ones; make special efforts at reaching out to women living with disabilities; the BISP helps in producing relevant and reliable data and is also known to be incentivizing poor people to apply for identity cards
- Sensitize all those responsible directly or indirectly for PWDs to exercised political/electoral constitutional rights register and cast their votes, including of social welfare department, NADRA, ECP, as education department which sends personnel to conduct election, on identifying the PWDs and dealing with them sensitively; allocate special funds for this purpose
- Assign a dedicated desk in NADRA to deal with the PWDs; brainstorm if such desk in sub-district can issue disability certificates too, either on its own or by arrange for liaison with the Social Welfare department
- Task Social Welfare Department to provide a “one-window and one-day procedure” for the PWDs to acquire disability certificate
- Establish disability assessment Centre’s in areas outside of the main city; for feasibility’s city, task the assessment team to visit different each sub-district on different days of week, so that the PWDs do not have to commute all the way to the city; one possible way is by liaison with NADRA’s office in sub-districts
- Ensure that any attempt to including women with disability in the electoral process, should aim at expanding their choices such as increasing their mobility rather than letting them rely on dependents for their choices
- For PWDs whose hometown is other than where they are residing, task social welfare department of the present district to synchronize with social welfare departments of the districts of the hometowns, in verifying documents and releasing the certificates in any district
- Task district administration, together with civil society organizations and NADRA, to draw a priority list of areas that require basic infrastructure for the PWDs to vote as well as of the type of support required, and share that information with ECP, so as to ensure that the response is in line with limitations of the departments

- Task district administration, relay updated information about registration of different documents of the PWD on a regular basis, such as for registering vote, acquiring CNIC or disability form, applying for privileges; text messages to the PWDs as well as the assistants escorting them
- Ensure that buildings are designed along the lines of the manual for accessibility in Pakistan

### **To Election Commission of Pakistan (Islamabad and Provincial):**

- Launch special initiatives to register persons living with disabilities, and to encourage them on voting day, such as media campaign, seminar, SMS campaign
- Conduct an internal inquiry on why ECP's five-year strategic plans and guidelines, including those involving marginalized groups like PWDs, are missed; identify if the issue pertains to finance, capacity, or human resource
- Hire persons living with disabilities in the ECP offices in the Centre as well as provinces
- Dedicate a special cell or official the duty to ensure participation of persons living with disabilities in the electoral processes
- Include in the training of the ECP staff, how to deal with persons living with disabilities
- Release list of registered voters, polling stations, and polling booths, "much before" the voting day, at least 60 days prior
- Arrange for special transports to facilitate PWDs, especially women, on polling day

### **To Political Parties:**

- Re-write the constitution of parties by allocate seats for persons living with disabilities in the party decision-making Structure a special wing on persons living with disabilities, or activate the ones already present
- Encourage participation of persons living with disabilities in different electoral and political process such as by canvassing votes, contesting as candidates, among other



## To NGOs:

- Sensitize or train different departments especially ECP and NADRA on the rights of persons living with disabilities and how to facilitate different types of PWDs cast their votes
- Provide for employment opportunities to persons living with disabilities, so that their experiences are not ignored in all aspects of the work conducted including those aimed at increasing electoral participation of PWDs
- Conduct technical audit of the ECP's 5-year strategic plan, especially that dealing with marginalized groups including persons living with disabilities; and identify intervention avenues on the basis of that audit
- Facilitate PWDs in accessing updated information about documenting for voting process
- Train organizations working for PWD and journalists on Punjab Right to Information Act with the purpose of auditing funds released for PWDs; such funds including meant for accessibility infrastructure during election, can be spent unaccounted for, with little fear that anyone will hold them accountable
- Facilitate PWDs in jobs by checking if the public departments are providing the mandatory 1-2% quota to PWDs
- Sensitize the PWDs on the importance of election tribunal in adjudicating about matters pertaining to disputes involving participation of PWDs
- Bring to Centre-stage the collective rights of PWDs, shaping a common narrative
- Sensitize different segments of society on PWDs, especially teachers, assistants of the PWDs
- Engage with parties beyond ideological confines
- Assign monitors to assess participation of PWDs especially women on Election Day



## Section 1: Documentation of PWDs

- *Rare legislation*

It has been more than thirty years that any comprehensive legislation has been passed to incorporate the persons living with disabilities in the mainstream of Pakistan.

Persons living with disabilities in Pakistan are subjected to the *Disabled Persons (Employment & Rehabilitation) Ordinance, 1981*. This law largely deals with the provision of employment and rehabilitation services to the PWDs. Additionally, because it has no sanctions attached to it, its disrespect has no repercussions. That this legislation was passed as ordinance in a military regime also puts to doubt its credibility. Moreover, besides the 1981 ordinance, subsidiary legislation has been missing.

A consensus-backed law, followed by subsidiary regulation that bounds institutions and people from different walks of lives, is greatly needed. It will ensure Pakistan's commitment to UN Convention on the Rights of PWDs, which accords rights to the PWDs.

The law should clearly spell on the rights of the PWDs, along with the penalties of violating those rights. A broad legislation will ultimately pave way for more specific legislation related to civil, political and electoral participation of PWD. Besides, it will enable the society to internalize respect for the PWD.

- *Variable definition*

One outcomes of the absence of holistic law for the PWD is the inconsistency in the usage of term used to identify PWD.

The 1981 ordinance defines the disabled person in the following words:

*“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.”*

This definition identifies four types of disabilities: “a person who is blind, deaf, physically handicapped or mentally retarded.” Government departments have often referred to this definition in their recruitment policies. Similarly, when the ECP was asked for registered PWD voters, they provided with a list of four types of PWDs. That much is consistent.

Yet, variations are commonly noted even within different legal statutes. For example, the new election law passed in 2017 granted voting right via postal ballot to, what the law says, “physically disabled” persons. While the intention might have been to include all the PWDs, it is quite possible that this relaxation may not be provided to those who are not physically-disabled.

There can be no harm in variation in the definitions from law to law, but for the sake of claiming rights and services, it is important that a singular definition be charted out, with the consultation of the PWDs themselves. That definition should then be referred by other laws.

- *Inconsistent figures & exclusion*

Public data about the persons living with disabilities is scarce and inconsistent.

The inconsistency is largely because several organizations are collecting their data for different purposes. As per 1998 census, 2.38-2.5 percent of the population was PWDs. If that percent persists, it should around 4,760,000 in the population of much-talked about 200 million. But as per latest census, documented in 2017, the percentage is reported to have declined, standing at around 1.6%.

The total number of the documented PWDs is around 3.2 million. An expert wondered if the decline is possible, given that Pakistan's population has increased, the growth rate is higher, and there have been terrorism incidents in the last years rendering many people physically disabled. Rights activists, however, question government figures, estimating that the total percentage of persons living with disabilities in Pakistan, like everywhere else in the world, should stand at around 15% of the population. Even the lower estimates should fall in the range of around 20 million, in the estimated population of 200 million.

The World Health Organization has also made similar estimates some years ago, putting the figure at 18 million in the population of 180 million. It means that the figure of 4 to 8 million too is half of what is projected by WHO or other experts. Yet, even if government's estimates are taken on face value, those having special CNIC is low too – showing that not many opt for this card. For instance, let us assume that the population is 3.2 million as per the latest census.

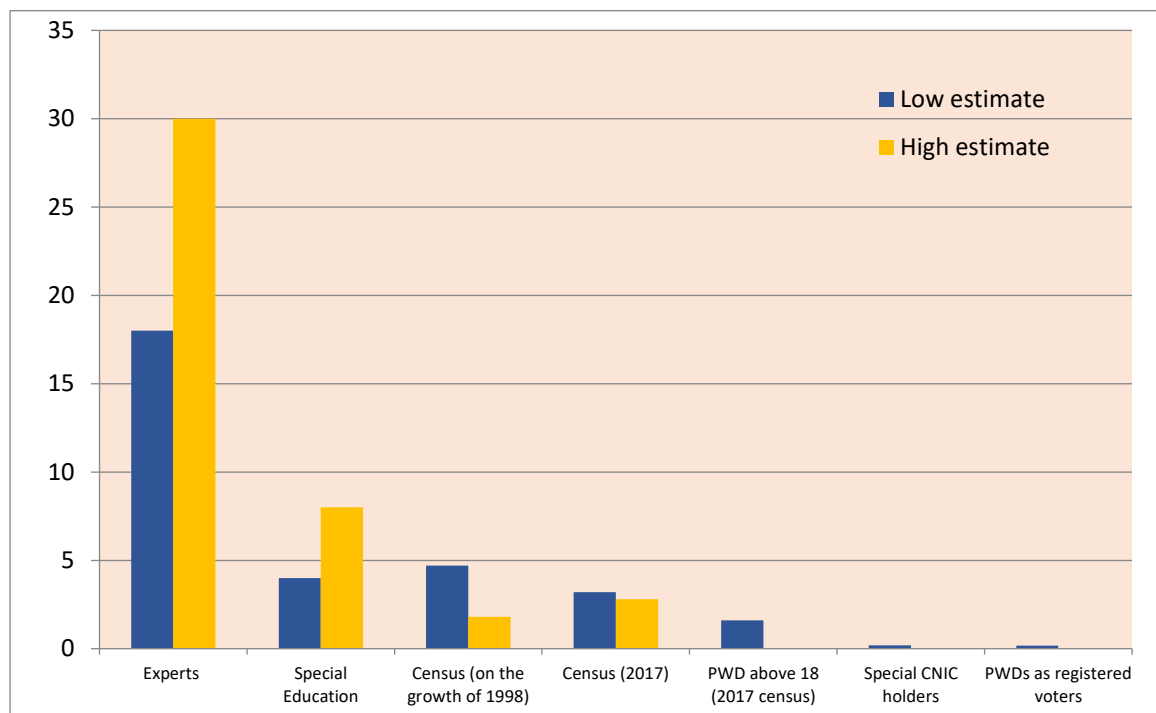
It would mean that those who are above 18 years are around 1.2-1.6 million, given that 45-50% of the population is above, this is still far more than those with special CNIC. In 2017, a top election official told parliamentary delegation that the total persons living with disabilities, as per NADRA, are 190,000. Even in these, it is quite possible that some are not PWDs; still if this figure is taken, the difference is of around 1 million. It means that by government's own estimate, the percentage of PWDs with special CNIC is mere 16%. That is why the whole issue of documentation is critical.

Yet, many of the special CNIC-holders are registered as voters. It is largely because the registration is an automatic process undertaken by the ECP. These are the persons living with disabilities above the age of 18 years. As per fresh figures of the Election Commission of Pakistan, which conducts elections, total

numbers of PWDs are registered as voters are 165,972. This means that 87% of the special CNIC-holder PWDs are registered as voters.

	Experts	Directorate of Special Education	Census (on the growth of 1998)	Census (2017)	Total PWD above 18 as per 2017 census	Special CNIC holders	PWDs as registered voters <sup>19</sup>
Low estimate	18 million	4 million	4.7 million	3.2 million	1.6 million	190,000	165,972
High estimate	30 million	8 million					

*Table: Estimates of PWDs in Pakistan*



Special CNIC, as discussed earlier, is contingent on disability certificate, about which the persons living with disabilities are either uninformed or getting that is deemed too cumbersome. That should be priority thus. All in all, there are seemingly several government organizations that play pivotal role in registering any disabled person as a voter.

Ideally, National Database and Registration Authority (NADRA) should have all the data. Pakistan Bureau of Statistics (PBS) conducts census, including the

recent one in 2017. Each has its own data, at times, inconsistent. Yet another authority that can quote the figures of the persons living with disabilities is the provincial Social Welfare Department which is tasked with issuing disability certificates.

The figures of Social Welfare Department and NADRA should match ideally, as the latter uses the certificate issued by the former to release special CNIC. And yet, when it comes to election, the ECP carries out its own exercise. The ECP registers a person as voter based on his residence along with a proof of documentation in the form of CNIC. The risk is that with so many departments, there can be different layers of exclusion of persons from being disabled. Any one department, out of social welfare department, NADRA, or the ECP, besides the Pakistan Bureau of Statistics, can end up excluding the PWDs.

Strikingly, the first form they introduced for counting the total number of individuals in the country in 2017, even ignored any separate column about the disability – a basic requirement. Subsequently, some legislators questioned in the parliament, and the matter was resolved. That the census staff, on field, merely relied on what the person told meeting him on the door, told him. The PBS, it appeared, lack any sensitization on the importance of the persons living with disabilities. It is to be seen if the PBS provides training to their staff. Such has been the case with NADRA too, which decides on its own whether to issue a common CNIC to a PWD in case he or she doesn't have disability certificate.

Again, while many special CNIC holders get their vote registered, not many are able to get themselves the special CNIC. A research study conducted in 2012 in ten villages of Chakwal and Rawalpindi by the Initiative for Raising Awareness, Development and Assimilation of the Handicapped (IRADAH), an NGO that works for the welfare of the PWDs, reveals that out of the 214 respondents including 47 women and 140 men, only eight women and 20 men were registered voters. This stands at around 13%. There is a thus a need to work with officials as well as individuals to get the special CNIC.

One program that contributed in application of CNIC is the Benazir Income Support Program (BISP). A microfinance scheme for the poor, the BISP counted individuals way back in 2010. Because a lot of the persons living with disabilities are poor, often by their very disability, they got in their loop too. Today, however, many recommended that exercise be repeated as many new persons will be added in the BISP's list.

There is a need to consolidate the data, relying of course on the documentation of the disability and with the NADRA. But it is important to understand why there is discrepancy between the two. Similarly, there needs to be a consolidated mechanism. People be given the option at their doorsteps, and hospitals at local level should cater to the people too. Special initiatives to register the persons living with disabilities can also be undertaken. In 2013, "NADRA also implemented targeted initiatives to facilitate CNIC registration among non-Muslims in order to increase their representation on the electoral

rolls.” The same can be repeated for the PWDs. The new Election Law passed in 2017 asks the NADRA to expedite the release of special CNICs for the PWDs. Its implementation should be ensured.

- ***Civil documentation: From “disability certificate” to “special CNIC”***

The basic legal proof of anyone’s disability in Pakistan comes from the “Disability Certificate”, issued by the provincial social welfare department in the district of the PWD.

To get the certificate, a PWD has to visit in person a government-sanctioned hospital in the district, usually the DHQ; submit several documents authenticating his or her basic identification and education; and appear before a board that decides about the person’s disability.<sup>20</sup> The board usually sits for two days in every month.

What can be tiresome is the entire process. One PWD complained:

*“To get a certificate, you have to make sure that someone is with you who is willing to accompany you, arrange conveyance for you, and once you get there [to Rawalpindi], your turn comes up on that very day. At times, people come back empty-handed because they are asked to come later.”*

Clearly, many opt not to go to the board. This is especially true for residents living in remote areas. If any of the documents is missing, the applicant cannot be facilitated. Each applicant has to meet certain criteria, such as belonging to the district where he/she is applying for CNIC. Many people who are refused the certificate are those whose hometown is not the one where they are residing now, even for a generation.

It is recommended that the social welfare department should synchronize with hospitals in other districts of the provinces as well as with provincial social welfare department in other provinces, to assure that PWD are not asked to go all the way to their home districts.

To be sure, some individuals and institutions are lauded for their support. A Rawalpindi-based PWD appreciated that the staff of the District Headquarters Hospital; the hospital’s management claim to be providing “one-window operation” – facilitation of the persons in one go. “No person goes empty-

<sup>20</sup> A PWD is supposed to submit several documents to the board; these include Form-B, basic registration document of any citizen issued after birth; CNIC of father; all educational degrees; and a special form issued by social welfare department; along with an acknowledgment by physician that the person has disability.

handed”, claims the hospital management, saying they have reduced the entire procedure to one day.<sup>21</sup> Clearly, this can be replicated.

Like others, PWDs have to apply for the Computerized National Identity Card (CNIC) at NADRA, the national identity card-issuing authority, in their tehsil, a sub-district unit. The “Disability Certificate” is a mandatory document to acquire “special CNIC”, distinct from the CNIC issued to persons living without disabilities. Without the certificate, the person applying for CNIC is at the discretion of the NADRA personnel.

Some PWDs, for instance, have been issued common CNIC. Oddly enough, the very identity marker in the CNICs of some PWDS with common CNICs was identified as “disability”. This shows that the staff itself is not trained now to deal with the persons living with disabilities.

Such experiences show the discrepancies between individuals who were issued disability certificate versus those who were issued CNICs. The number of disability certificate holders is far less than the special CNIC cards. It will be far better that some sort of direct engagement of NADRA with social welfare department is undertaken for facilitating them in getting certificates from NADRA office directly. A person without disability does not have to go through any process to prove he or she is not.

The denial of special CNIC essentially excludes the person legally from being called as person living with disability. At later stages, he or she may not even be given amenities such as pertaining to election. Pointedly, those persons living with disabilities that show interest in applying for the disabilities certificates, and therefore get special CNICs, are those who are close to district. They can commute relatively easier than others who are from tehsil outside of the districts. On the other hand, outside of the city, and for much of the district, there is not a single hospital to take care of the PWD.

Putting in place conducive procedures to document PWDs will be a great step forward for the PWDs to get their rights, including that pertaining to voting.



### *Women Living with Disabilities: Reality of Pakistan*

Women living with disabilities are on the least priority from the state, the society and their own families. The challenges they face magnify when compared with others. For one, they are restricted within confines of the four walls of their homes, thereby being discouraged from participating and contributing to the world outside their homes. A lot of the resistance that the women living with disabilities face is from those around them – the society. People around them have fixed biases who question the very purpose of a PWD of voting on the election.

The attitudinal resistance often emanates from the presumption that a PWD specifically a woman living with disability may not vote on the polling day. This emanates from the broader discrimination the PWDs face from the society. One of the respondents said, “People ridicule us”; another said, “They take pity on us.”

Generally, societal responses lay somewhere between ridicule to discrimination. Several recounted that they felt their lives were worthless having no use for their families and the society. In this context, they thought political participation was meaningless. Many respondents showed general hopelessness with their lives and the meaning thereof. Thus, any attempt to bring women living with disabilities should also aim at instilling hope in them.

Surely, voting itself is a potent symbol, and the sense of voting or being asked to vote can instill that hope in persons living with disabilities in general as it not only requires a voter to go to the polling stations, but it also gives the voter a sense of belongingness, ownership of the larger political process and confidence of having direct stake in the socio-political system. Like other women, women living with disabilities (WWDs) too face mobility concerns that usually translated into lack of action on their behalf. For instance, while a man with disability can be assisted by any one of his relatives or friend, it is often difficult for women to find someone to escort them to polling station.

Similarly, infrastructure barriers impact women with disability severely. It is nearly impossible that in traditional or conservative setting, they can be facilitated physically by the individuals they don't know.

It is suggested that any attempt to bring women living with disability into the political/electoral process be done in a way to empower them and reduce checks on their mobility. The recently passed amendment in election law that allows persons living with disabilities to vote through postal ballot has a drawback of denying PWDs the option of going out to cast their vote. The focus should be to ensure inclusion and removal of any possibility of their exclusion.

## Section 2: Managing Polls

In Pakistan, Article 218 of the Constitution mandates the Election Commission of Pakistan, a federal body, to conduct polls at national, central, and local level. ECP is responsible for managing all aspects of polls, starting from delimitating the constituencies to conducting polls to announcing. In all areas, the involvement of the persons living with disabilities is minimal, despite that the body has charted some plans to include them. This section notes that much of the staff and resources of the ECP are dedicated towards conducting elections in general, rather than reaching out to any marginalized groups, including PWDs.

### Structure

Top leadership of the ECP, such as Chief Election Commissioner, usually comes from judicial backgrounds. When it comes to managing polls in districts, the ECP officials include provincial election commissioner, regional election commissioner, and district election commissioner. In addition to the higher leadership, the ECP has around more than 2000 staff, who works on permanent basis. These include at the central level, a federal secretary, additional secretary, followed by deputy and joint secretaries.

Following observations are critical about their interface with voting rights of the PWD:

- The tasks of the over 2000 ECP staff are assigned on the basis of a particular functional areas, such as financial affairs, human resources, training, and so on. PWDs are recognized as one of the marginalized groups, but it is unclear if there is specific allocation of resources in the defined functional areas. The focus of all these skills are on conducting election rather than ensuring outreach to any specific group per se. The most important point is that the staff receives general training, not specialized one in electoral administration
- One additional secretary is responsible for charting long-term plan, which includes involving marginalized group including persons living with disabilities

“Special measures be taken to provide for effective electoral participation by persons living with disabilities, such as facilitating CNIC registration, making postal voting possible if needed, specialized voter education activities, and sensitization of the polling staff.”

But as per European Union’s report of 2016, the progress to ECP’s own commitment is minimal. Worst of all, when it comes to PWDs, the ECP could hardly make itself commit to its own five-year strategic plan (2014-2018), that vowed to including persons living with disabilities in the staff of the ECP. As of 2014, there was reportedly not a single staff member with disabilities.

As per ECP, one of its strategic goals is to include minorities and PWDs in the electoral processes. Below is the chart along with the months by which these were to be completed.

Sr. No.	Objectives	To be accomplished by				
		2014	2015	2016	2017	2018
1	Focus on ensuring participation of minorities in the electoral processes while developing voter education material					Dec
2	Undertake a gender-sensitive survey on barriers to participation of persons living with disabilities in the electoral processes		3SU			
3	Develop training modules on persons living with disabilities' participation in electoral processes					Dec
4	Conduct training of the ECP officials on inclusion of persons living with disabilities in the electoral processes					Dec

One reason why the PWDs are ignored is because their representatives are ignored in consultations. An EU report notes that “civil society organizations broadly representing persons living with disabilities (PWDs) have not been consulted by the PCER and reported problems with accessing documentation, CNICs and polling. The ECP is in the process of establishing a forum for discussing PWDs inclusion.”

Following are some of the ways the PWDs can be included:

- *There needs to be some restructuring in terms of areas of work; a person, for instance, may be assigned on permanent basis to look after the marginalized groups, including the persons living with disabilities.*
- *Alternatively, a committee may be constituted within the ECP to do so. It can be plugged with the ECP's own five-year plan, as mentioned later.*
- *The government has assigned two percent quota for PWDs in all public-sector jobs. But that is not availed. There is no better place to avail this than that at the ECP, on the immediate basis.*
- *Sensitization of the ECP staff on including PWD in electoral processes should be part of their mandatory knowledge.*

## Delimitation

The ECP also draws constituencies in which a person's vote is registered; constituencies are charted on the basis of the population count.

As of 2018, two points are worth considering when it comes to delimitation, with regards to PWDs:

- Legally, delimitation is to be carried out after every census. But the recent delimitation exercise is carried out on the basis of 2017 census, which, as discussed previously, was contested by PWD representatives. This factually applies to all, including PWDs
- Still, delimitation is supposed to look after “public convenience, communication facilities” to ensure “homogeneity in the creation of constituencies”. By that token, the ECP be urged to make polling stations accessible to the persons living with disabilities, at least in those areas where they are greater in number. As with other aspects of elections, the persons living with disabilities are not taken into consideration, and the constituency demarcation is about population in general

## Conducting Polls

The real person who manages conduct of poll is district election commissioner, in this case, district election commissioner.

Following points are worth considering:

- As discussed previously, the district EC is largely responsible to maintain the district's electoral rolls. Others include District Returning Officer (DRO) for district and Returning Officer (RO) for each constituency as well as Assistant Returning Officer (ARO) for each RO. They are mostly public officials. Their selection criterion is to be scrutinized especially in light of whether any person from marginalized groups especially the PWDs has been inducted as any of polling official. To repeat the earlier point, the focus seems to be electoral roll in general rather than of any specific group like persons living with disabilities
- It is pertinent to mention that the election laws of Pakistan sets criteria for a member of parliament as someone who is mentally normal, a criterion that is open to subjective interpretation of the Returning Officer, who scrutinizes and receives paper filed to contest elections. This is mere based on conjecture, the possibility of which cannot be denied. It doesn't mean this has happened for sure, but the wording should be taken into account. In the past it has been observed that different Returning Officers can have different criteria

- The grounds, on which polling stations are notified, are to be evaluated too. In 2013, a district was commended for having only “15% of the observed polling stations were assessed as not fully accessible for persons living with disabilities in different provinces and districts.” It is important that the Returning Officer interact with civil society and/or government departments like NADRA to ensure that the stations selected are accessible for the persons living with disabilities. Usually, one person shared, polling stations are made accessible for persons living with disabilities upon receipt of any request
- Similarly, those conducting the polls, such as Presiding Officer supported by Assistant Presiding Officers and Polling Officers, should be sensitized too. More than merely sensitizing this staff about how to approach the persons living with disabilities, these field-day individuals should rather be trained about dealing with different categories of persons living with disabilities. It is for instance suggested that the Assistant Presiding Officer assist person living with hearing-impairment in casting vote. Other roles may also be assigned
- Finally, there is temporary staff. There has to be certain criteria to this end. Mostly, they are teachers. Arguably, it is less likely to have persons living with disabilities there, because they are not been given much of the higher level of education in the first place
- An election tribunal also adjudicates about electoral disputes. Compared to complaints of stopping women from voting especially under developed areas such as Baluchistan or other minorities because their voters are not considered as fruitful. There has hardly been any public complaint about stopping or obstructing the PWDs from voting, largely because they are excluded from much of the process already

### **Engaging civil society and political parties to influence ECP**

- Compared to public sector, the non-governmental sector has been supportive of the persons living with disabilities. Yet, organizations working on PWDs are few and far between. It has been only recently that the disability has been included as a crosscutting theme by some organizations such as National council for rehabilitation for disabled persons, Cholistan special education centre and Shah Faisal special education centre along with some other centres. As of election per se, election observers should be engaged. PMHA is part of Pakistan Inclusive Election Alliance. The network has been calling for including the persons living with disabilities in the voting exercise; the network may itself be asked to monitor in particular how the persons living with disabilities participate in the election

- It is important to engage all political parties, including those in the opposition, as much as the government departments, in advocacy for policy change as well as to create an inclusive culture for persons living with disabilities. After all, the head of the ECP is to be appointed with mutual consultation of government and opposition party
- Secondly, parties can influence legislation too. As discussed, there is hardly any comprehensive legislation about the persons living with disabilities. In any case, as noted, political parties do not necessarily bar PWD from voting, but it is social expectations. Also, it is important to note that much of the complaints with regards to violation of election code have come from the parties and civil society. Engaging them will be a great step in ensuring the participation of the PWDs in its own rights. Parties can also be pushed to include PWDs in their own rights, in the decision-making sphere

### Section 3: Institutional/Infrastructural Exclusions

This topic should not only matter to people close to persons living with disabilities, but to everyone. In some way, every one of us is affected by this topic; we want everyone in our family to lead “successful” lives (have a job/have somewhere to live). The same goes for families with people living with disabilities. Globally, there are 150 million children living with disabilities. They are often denied an education because they are the most vulnerable and excluded people in their communities.

Specifically, women are being ignored:

- *Have always been ignored*
- *Empowerment programmes for women do not include issues of women living with disabilities*
- *Development programmes rarely address the needs of women living with disabilities or include them in community development programmes*
- *Women living with disabilities are seen imperfect, incomplete, inferior, asexual, and non-productive and denial recognition as women and human beings. The fact is their movement is controlled by women living without disabilities and women living with disabilities lack the confidence and ability to raise their voice*

A lot of the resistance that the persons living with disabilities face is from those around them – the society. People around them have fixed biases, which question them to exercise their fundamental rights, include the very purpose of a PWD of voting on the election. Infrastructural barriers impact person living with disability severely.

It is nearly impossible that in traditional or conservative setting, they can be facilitated physically not only by family but also persons they don't know without being discriminated. It is suggested that any attempt to bring persons living with disabilities in general, specifically women living with disabilities in to the mainstream that include political electoral process be done in a way to empower them and reduce checks on their mobility. The very first obstacle that the persons living with disabilities face is that many of them do not have the CNIC. They are, in simple words, unable to proof their citizenship. Having no CNIC means they cannot register as voter which led to the automatic exclusion to exercise their fundamental rights. Also due to the discrimination some PWDs also think that voting right is much of a secondary or tertiary right, rather than privilege, unlike other fundamental rights.

These *institutional barriers* emanate from the way the system documenting the persons living with disabilities. The *attitudinal resistance* often emanates from the presumption that a PWD may not vote on the polling day. The ECP does not provide for disaggregated data of the PWD. In 2017, it has been bound to release that of women; similar effort should be made for the PWDs. This emanates from the broader discrimination the PWDs face from the society and family. One woman did not register her CNIC owing to non-facilitation by her family, who thought there was no use of registering her.

One of the respondents argued that even the basic rights of the PWDs are violated let alone their right of vote. Similarly, a political party member, when asked about representation of PWDs in political processes, responded that the PWDs are in need of health and education rather than voting right. This shows, voting is not considered a priority when it comes to PWDs. One of the respondents said, “People ridicule us”; another said, “They take pity on us.” Generally, societal responses lay somewhere between ridicule to discrimination. Several recounted that they felt their lives were worthless having no use for their families and the society. In this context, they thought voting was meaningless. Many respondents showed general hopelessness with their lives and the meaning thereof, any attempt to bring persons living with disabilities should also aim at instilling hope in them. Surely, voting itself is a potent symbol, and the sense of voting or being asked to vote can instill that hope in persons living with disabilities.

Hence, no serious effort is made to register them. What is required is automatic inclusion of the persons living with disabilities in the voting list, based on the special CNICs, which itself should be plugged with the disability certificates, either in NADRA or Social Welfare Department. The process of voting not only requires a voter to go to the polling stations, but also it gives the voter a sense of belonging, ownership of the larger political process and confidence of having direct stake in the socio-political system.

### ***Box item: Poverty-disability nexus and voting***

There is often a strong link between persistence of relative disability and poverty. The term relative is used to compare with the people without disability in the immediate vicinity of that person. When asked about services like education or health, they responded in the negative, linking it to their poverty. In several discussions, individuals referred to PWDs as poor persons living with disabilities; they assumed that disability is struck on poverty. Women living with disabilities suffer the most.

Because many PWDs are from poor background, the challenges they face are the ones coming from low socio-economic status, but compounded in the case of PWDs. They for instance have to cater to themselves on their own, despite being a person with disability. Even the basic amenity like toilet becomes a problem. They have to fetch water with difficulty or take care of hygiene.



Much of this poverty, however, came from the way a PWD was treated. Many were denied basic schooling and asked to sit in homes, thereby pushing them to the margins. Others could not work much, or were asked not to do so, thereby lessening review. One recalled of his pre-disability and post-disability life, “Initially, I would earn; now, it’s all about expenditure.” According to one report, around 14% of the persons living with disabilities work; rest are dependent on families. Some understand why they are excluded. “It appears no one is interested in giving me job because of my disability.”

- *Accessibility*

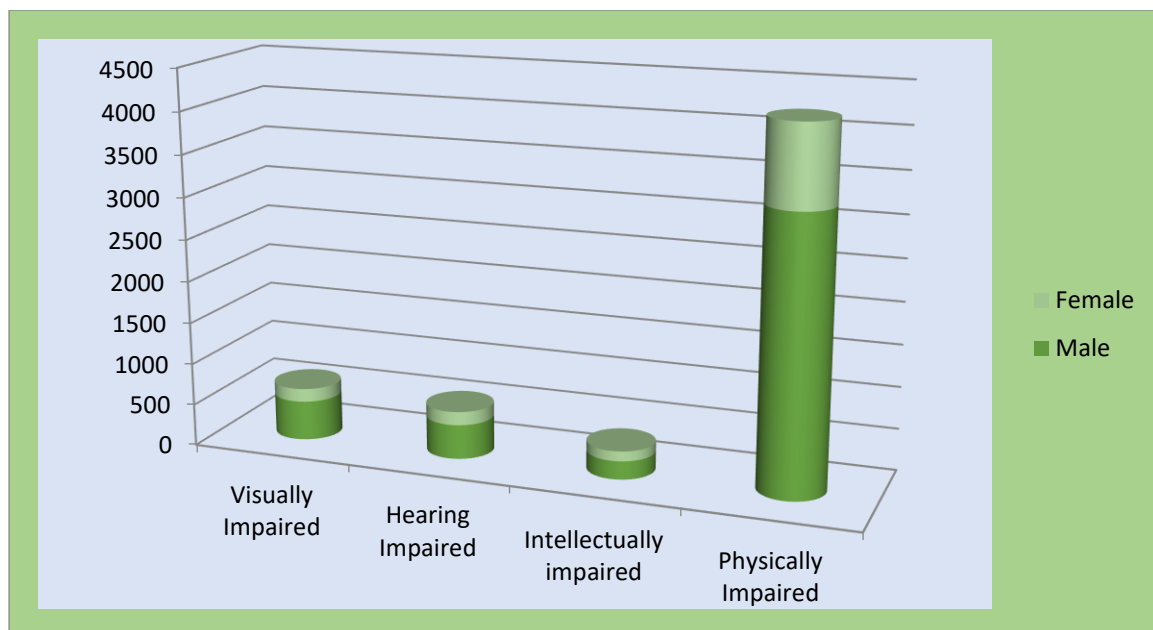
**As potential voters, given** the rule of one person, one vote, many persons living with disabilities could be seen as potential voters. They are at times, actively courted by political parties to vote for them. The study found that many persons living with disabilities had at least once registered as voters. Many of the respondents said they had exercised their right to vote too. Yet, data to this end is inconclusive. Community or social workers in the district argue that the participation of the persons living with disabilities is low

For example;

In Rawalpindi district, the total number of registered female PWDs voters are 1395 and male PWDs at 4,359. The difference between men and women is obvious. Most importantly, the total number of registered PWDs as registered voters is quite low; anecdotal evidence would suggest that any single constituency has 3000 PWDs.

Rawalpindi	Female	Male
Total	1,395	4,359
Visually Impaired	158	474
Hearing Impaired	160	413
Intellectually-impaired	118	219
Physically Impaired	959	3,253

**Table: Number of voters in Rawalpindi**  
**Source: Election Commission of Pakistan.**



Mobility is critical for casting vote as the voter in Pakistan has to physically travel to the polling stations. Lack of mobility is the key obstacle PWDs face especially during the electoral / polling process. The problem is usually compounded PWDs belongs to lower socio economic status.

The problems are compounded for WWDs. Because of the socio-culture barriers in addition to the physical restrictions, WWDs cannot have access to the polling process unless special arrangements for them are made. Some more blatantly evident impediments to WWDs' participation in the electoral process are detailed below.

Despite the fact that many polling stations might be established in closer vicinity of the voters of that constituency, but the disability hampers the movement of the PWDs. Since the types of their disabilities vary, some of them might not be able to move for even very short distance owing to the severe nature of their disability.

*“It is difficult for me to commute anywhere. I have to have a car to travel. Even when go for shopping, I take a car. I cannot take two steps. I feel like losing breath. When it comes to Election Day, I need a car too. And that too, in which I can properly sit. I cannot stand on the board level of the car, nor can I sit on the roof of the car [public transport]. I need to have space in the car. At times, you are asked to wait for one hour in the queue. This is not possible for me.”<sup>22</sup>*

Women PWDs suffer the worst. They have to endure societal obstacles not only for being women but also a PWD. ***Exclusion yet on the other hand polling stations are not Accessible for the persons living with disabilities*** Pakistan Alliance for Inclusive Elections ( ***PAIE***) ***conducted disability survey of Three constituencies on the poling day even a single constituencies was not accessible for the persons living with disabilities***

- *Only 5% of the polling stations in NA-4 meet essential accessibility criteria*
- *Only 27% of the polling stations in NA-154 meet essential accessibility criteria*
- *Only 16% of the polling stations in PP-20 meet essential accessibility criteria*
- *This indicates that situation is quite verse.*

### ***Exclusions of PWDs from Political Process***

Persons living with disabilities are being denied from their right to political participation, very few PWDs have joined political parties as workers even lesser number of PWDs holds any office within these parties. Similarly, hardly any example can be found of PWDs contesting elections. Much of this emanates from the way they are excluded from social and political processes.

One of the respondents said, “I cannot participate in a public gathering. A PWD is mostly expected to be confined to home.” The candidates having any disability are electorally seen as part of the other groups. For instance, women and religious minorities have reserved seats elected through proportional representative system drawn from party’s performance. A disabled religious minority can contest elections on religious minority seats, as much as a woman living with disability on women seat.

- *Transportations for persons living with disabilities*

Transport system of Pakistan is not accessible for persons living with disabilities; barely any train station is accessible for persons living with disabilities. Private airlines denied their right to travel, for instance they do not allowed PWDs to travel alone, person living with disabilities is asked to fill out the form that airline will not be responsible for any casualty this itself is denial of right to travel. For example, the metro bus services. This service was completed only one year ago, and the government claims credit for it being state-of-the-art service.

The service is relatively hassle-free compared with other public services and can be conducive for the PWDs to travel in. When planned, it was said that the Metro bus will have a pedal level to board and alight people, as well as elevators at each station. However, while the buses do have some support mechanism for the persons living with disabilities, not so with the elevators in all the stations. Yet, some buses in the service can be well opened for the PWDs. This option should be explored.

- *Right to information*

The importance of information for the persons living with disabilities multiplies, as they are in search of some basic facts like how many candidates are contesting to how far the polling station is. As with other activities, the search for information for the PWDs becomes heavily dependent on the other persons. Yet, it is about access or supply of information that persons living with disabilities can really feel empowered, making one's own decision. Because of their inability to move all the time, the PWDs prefer to be informed of any documentation in time.

These apply to get disability certificate, CNIC, as well as political/voting right – all ultimately interlinked to each other. Many cannot read or hear. Information in accessible forms, a big challenge for PWDs. The existing modes of communication are usually for persons living without disabilities. Technology can be used in the upcoming election, especially to supply basic information to voters, so that they can exercise their right with ease.

## Conclusion

As title of the study suggests – “Bringing Disability in the Constitutional Net” – this report does not merely emphasize on the legislation about PWDs. It also calls for increasing political will about PWDs. Government of Pakistan has signed the UNCRPD and has also rectified the CRPD; these bound the government to pass necessary legislation related to persons living with disabilities. The social contract between citizens and the state also makes it imperative for the state/government to develop credible systems of data collection of the disabled to gauge their needs and take steps to rehabilitate them in society.

Civil society and community-based organisations must also come forward with new ideas and solutions. But at the end of the day, a strong, buoyant and people-friendly local government is most effective, as demonstrated by the developed countries. It is on this level that data collection is the easiest, and this is an area that has been totally neglected in Pakistan by our politicians. There is no law according to which department/institution can be made accountable/penalized to ensure the fundamental rights of persons living with disabilities.

The report also indicates that persons living with disabilities faced challenges pertaining to their civil documentations. This study also reveals that there is strong need to pass the law at national level, which binds the all institutions/departments to ensure the rights of the persons living with disabilities. Persons living with disabilities face lot of challenges to acquire their civil documentations. The said study highlights to allocate the seats for PWDs and set a site budget for their rehabilitation. It also indicates that persons living with disabilities are being excluded in the census of 2017.

The third section of the study highlights the issues pertaining to the political rights such as managing the polls; in this chapter it was discuss that persons living with disabilities face challenges to exercise their political/electoral rights. Study also indicates that persons living with disabilities cannot exercise their fundamental rights including political rights.

This study also reveals that fundamental rights of persons living with disabilities are being compromised, during the study it was also reveals that national counsel for the rehabilitation for the persons living with disabilities is ineffective and no meeting of NCRWPD has been held since last 12 years. During the study it was also revealed that data about persons living with disabilities is missing or not reliable, there is no law which provide legal cover and all the efforts were made in bits and pieces. Yet report on CRPD is pending which was due in last year. In SDGs health and education for all is mandatory but no measure has been taken to insure the right to health and education for all.

## References:

- <https://plan-international.org/education/inclusive-education-children-disability>
- <https://tribune.com.pk/story/538657/disabled-persons-still-on-margins-of-society/>
- Waqar, K. Dr. (2014, May). Disability: Situation in Pakistan. Retrieved February 27, 2017
- <http://itacec.org/document/gaw/gaw2014/2.%20Disability%20Pages%202.pdf>
- <http://www.123helpme.com/societys-attitude-toward-people-with-disabilities-preview.asp?id=248968>
- <https://www.dawn.com/news/1170433>
- <https://www.womenshealth.gov/relationships-and-safety/other-types/violence-against-women-disabilities>
- <http://www.pffb.org.pk/old-site/rehab.html>
- [www.sciencedirect.com/science/article/pii/S](http://www.sciencedirect.com/science/article/pii/S)
- <https://www.britishcouncil.org/organisation/press/pakistan-losing-billions-disability-failures>
- [http://www.who.int/disabilities/world\\_report/2011/en/index.html](http://www.who.int/disabilities/world_report/2011/en/index.html)
- [https://en.wikipedia.org/wiki/Convention\\_on\\_the\\_Rights\\_of\\_Persons\\_with\\_Disabilities](https://en.wikipedia.org/wiki/Convention_on_the_Rights_of_Persons_with_Disabilities)
- <http://www.forbesindia.com/blog/accidental-investor/what-we-can-learn-from-people-with-disabilities/>
- <https://www.theguardian.com/world/2015/may/29/women-barred-voting-pakistan-khyber-pakhtunkh>
- <http://www.pbs.gov.pk/sites/default/files//tables/DISABLED%20POPULATION%20BY%20NATURE%20OF%20DISABILITY.pdf>
- <https://tribune.com.pk/story/538657/disabled-persons-still-on-margins-of-society/>
- [https://eeas.europa.eu/sites/eeas/files/20160419\\_01\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/20160419_01_en.pdf)
- <http://testecp.ecp.gov.pk/sp/goals-objectives.html>
- [https://eeas.europa.eu/sites/eeas/files/20160419\\_01\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/20160419_01_en.pdf)
- Advocate Asim Rauf Satti. (1981). Employment and Rehabilitation Ordinance.
- In-text: (Advocate Asim Rauf Satti, 1981, p. xx)
- Noureen Khan Advocate. (2011). Women living with Physical Impairment.
- In-text: (Noureen Khan advocate, 2011, p. xx)
- Noureen Khan Advocate. (2017). Baitul Maal.
- In-text: (Noureen Khan Advocate, 2017, p. xx)

## Annexure 1

### Introduction

All citizens of Pakistan above the age of 18 and possessing national identity card are entitled to civil and political rights to vote and contest elections in the country. In practice, however, those on the margins are likely to face obstacles to exercising their right to vote. These include persons living with disabilities in general and women living with disabilities in specific. So blatant is the denial of their participation that there is hardly any debate about the issue. Any casual voter would share that there are hardly any physical and social spaces for persons living with disabilities, to vote. While physical spaces include infrastructure, social ones includes the discrimination they face by society at large, who question their purpose of voting or undertaking the exercise of casting vote. This is especially true for PWDs who have to rely on escort to cast vote. The issue of denial pervades across the country, including the relatively well-off urban areas. It needs to be seen what can be done to assure that they are able to vote and contest elections? As Pakistan braces for fresh election this year, there is a need to understand if persons living with disabilities especially women are accounted in the political/electoral processes, what are their challenges, and what can be done to create opportunities for them to exercise their civil, political and electoral right.

Below are two key objectives of the study:

- *To explore barriers and challenges which result in low participation of persons living with disabilities specifically women living with disabilities in all walks of life which includes to exercise their fundamental rights civil, political and electoral rights*
- *To facilitate government departments through advocacy to develop an inclusive and conducive infrastructure where they can exercise their fundamental rights. Such as civil rights includes political/electoral process for persons living with disabilities*

## **Annexure 2**

### **Scope of study**

This study will provide understanding of the existing status of persons living with disabilities (PWDs) in general and specifically women living with disabilities regarding to exercise their fundamental rights such as political/electoral rights. This study will also identify the barriers and challenges faced by PWDs to practice their fundamental right political/electoral rights. The result of the study will derive solutions / recommendations from PWDs which led to the development of further interventions and key messages to ensure inclusion of PWDs specifically women living with disabilities in political/electoral process.



## Annexure 3

### Methodology

This study is qualitative in nature. It also uses data to establish key arguments and observations. The study is exploratory, as identified by the first objective. The purpose was to explore the barriers to political/electoral participation of PWDs, taking Rawalpindi as case study to draw conclusions from. The purpose was also to come up with a document that identifies practical solution to a range of stakeholders, so as to achieve the second objective – advocacy through disseminating the report.

This is clearly evident by the fact that there is not a single person with disability in the community of parliamentarians. In addition, PWDs as voters also face numerous problems to cast their votes and be part of electoral processes in pre and post-election times. There has always been a lack of political will to include persons with disabilities; a recent example of this is government's refusal to include PWDs in the national census. The estimates of number of persons with disabilities in Pakistan also vary from 2% to 15% of the population depending on whether they are based on government reports or other independent agencies. The last census held in 1998 counted PWDs at only 2.54% but the international prevalence rate of PWDs according to World Report on Disability published in 2011 by World Health Organization is 15%.

The study incorporated a review of secondary and primary data such as the Constitution of Pakistan, election laws, newspaper articles, NGO reports. Meanwhile, five (5) **focused-group discussions** in Taxila, Kotli Sattian, and Kahuta were conducted. One of these was exclusively with the women living with disabilities, while the others were with men and women living with disabilities. Sample of these FGDs was drawn from convenient sampling technique, in which purposive sample technique was used. Snow-ball technique was also used during the study, which helped in identifying people for further interviews from the interviewee.

Additionally, twenty (20) **key informant in-depth interviews**, with diverse individuals were conducted. Interviewee includes Pakistan's first visually-impaired lawyer, rights activists, political workers, social workers, and government official. Respondents of the FGDs were aged between 18 to 50 years, having different types of disabilities. Majority were from low socio-economic background. Questions were asked as per topic guideline with their prior consent to be part of the discussion or interviewee. Most importantly, the arguments of the study were thoroughly analyzed with Chief Executive of PMHA, himself an expert on the subject.

## **Annexure 4**

### **Introduction of PMHA**

Potohar Mental Health Association (PMHA) is a registered non government organization, working on mental health of persons living with disabilities including children, youth, adults (men and women).

PMHA is registered under the Voluntary Social Welfare Agencies; Ordinance 1961 on September 12th 2002, registration number is VSWA328 ICT.

Our aim is to striving for a society that is well informed, educated, mentally healthy and progressive, in a way that it lives beyond differences and has acceptance for those who are differently able without any distinction of class, sex, color or creed and disability.

We endeavour to attain these goals through research projects and by playing an advisory role to motivate government to introduce better legislation for the betterment of the mental health and disability scenario in Pakistan specifically and over all society in general.