



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the second periodic report of Pakistan*

1. The State party is invited to submit in writing the information requested below (preferably not exceeding 10,700 words) by 30 November 2024.

A. General information

2. Please provide information on measures taken to ensure that the Covenant rights are fully justiciable in the domestic legal order. Please indicate whether the rights enshrined in the Covenant have been invoked before or applied by national courts, either as grounds for a case or as interpretative guidance for legal norms and examples thereof. Please specify the steps taken to ensure the independence of the judiciary at all levels. Please also provide information on training provided to judges, lawyers and law enforcement officials on the provisions of the Covenant and their justiciability. Furthermore, please indicate how the legislature was involved in the implementation of and follow-up to the previous concluding observations¹ and in the development of the second periodic report.²

3. In the light of the Committee's previous recommendations,³ please provide further information on measures taken and their outcomes over the past five years with regard to the strengthening of the financial and administrative capacities of the provincial and territorial governments. Please also provide information on efforts made to enhance coordination among the federal, provincial and territorial governments with a view to ensuring that all persons in the State party can enjoy economic, social and cultural rights on an equal basis, regardless of their place of residence, particularly regarding employment, social security, housing, health care and education.

4. Please provide information on measures taken to ensure the functional and financial autonomy of the National Commission for Human Rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please also indicate the steps taken to ensure that sufficient human and financial resources are allocated to enable the Commission to carry out its mandate effectively. Please provide an update on any steps taken to seek accreditation from the Global Alliance of National Human Rights Institutions. Furthermore, please provide information on the activities carried out by the Commission in the field of economic, social and cultural rights.

5. Please provide information on the measures taken by the State party to effectively prevent and address cases of harassment, intimidation and reprisals against human rights defenders, including reported cases of enforced disappearances, particularly of those belonging to religious or ethnic minority groups, including Baluchis and Pashtuns, and what

* Adopted by the pre-sessional working group at its seventy-fourth session (4–8 March 2024).

¹ [E/C.12/PAK/CO/1](#).

² [E/C.12/PAK/2](#).

³ [E/C.12/PAK/CO/1](#), para. 8.



steps have been taken to criminalize enforced disappearances. Please provide information on the number of cases investigated, the number of prosecutions and convictions, and the penalties imposed on the perpetrators. In particular, please provide information on the effectiveness and impact of the implementation of the Policy Guidelines on Protection of Human Rights Defenders, mentioned in paragraph 14 of the State party's report,⁴ and on steps taken to ensure that cybersecurity laws, anti-terrorism laws and the Penal Code are not used to criminalize and defame human rights defenders and members of their families. Furthermore, please provide information on measures taken to ensure that civil society organizations, including those working on economic, social and cultural rights, can be registered and operate without undue restrictions.

6. Please provide information on the preliminary results achieved and the challenges encountered in the implementation of the National Action Plan on Business and Human Rights (2021–2026), in particular regarding the rights protected under the Covenant. Please provide information on cases brought by persons or groups affected by business operations and on the remedies provided to them.

7. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures, and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, in particular for marginalized and disadvantaged individuals and groups;

(b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights. Please provide information on the State party's response to the aftermath of the 2022 flood and its implications for future adaptation policies;

(c) Measures taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures, and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;

(d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, water, food security, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

8. Please provide information on the application and enforcement of the principle of free, prior and informed consent of Indigenous Peoples and local communities, regarding commercial, mining and real estate projects, as well as development initiatives. Regarding the reported seizure of 45,000 acres of land for commercial purposes near Gadap Town in Malir district, please indicate whether proportionality tests were carried out and elaborate on the outcomes of such tests. Please also provide an update on measures taken to ensure adequate compensation for Indigenous and tribal peoples in Malir district. Furthermore, please provide an update on the safeguards available to Indigenous Peoples and peasants affected by the Malir Expressway Project. Please also provide information on the ownership and legal enforceability of natural resources of tribal and Indigenous Peoples associated with mining concessions in the Provinces of Balochistan and Khyber Pakhtunkhwa.

⁴ E/C.12/PAK/2, para. 14.

Maximum available resources (art. 2 (1))

9. Please provide updated information on the evolution of the following, covering the past 10 years:

(a) The proportion of the population living below the nationally defined poverty line;

(b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;

(c) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;

(d) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education. Please provide information on establishing an effective and transparent monitoring process based on reliable and disaggregated data, accounting for regional disparities, to improve the effectiveness of accounting and distribution of public funding regarding the provision of essential services and the enjoyment of Covenant rights, particularly regarding the most vulnerable, within the context of budget constraints due to the external debt crisis;

(e) The proportion of the public budget allocated to defence;

(f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

10. In the light of the ongoing external debt crisis and the ongoing and forthcoming repayment of external loans, please provide information on projections for the public debt to GDP ratio and economic growth rate for the next five years. Please also provide information on the management and servicing of those debts.

Corruption (art. 2 (1))

11. Please provide information on the outcomes of the legislative and institutional measures mentioned by the State party⁵ with regard to preventing and addressing corruption cases, including efforts to ensure transparency and accountability in the conduct of public affairs and to provide effective protection for victims of corruption, their lawyers, anti-corruption activists, whistle-blowers and witnesses. Please also provide information on the cases filed with anti-corruption bodies in the past five years, particularly those brought against high-level officials, including the number of cases filed, investigated and prosecuted and the sentences passed in relation to those involved in corruption.

Non-discrimination (art. 2 (2))

12. In view of the Committee's previous concluding observations⁶ and paragraphs 33 and 34 of the State party's report,⁷ please provide an update on the bill amending article 25 of the Constitution and further information on the adoption of comprehensive anti-discrimination legislation to prohibit direct, indirect, multiple and intersecting forms of discrimination in the exercise of economic, social and cultural rights, on all prohibited grounds and in both the public and the private spheres. Please indicate steps taken to decriminalize same-sex relationships between consenting adults. Moreover, please provide information on measures taken to prevent and address hatred, violence, particularly mob violence by non-State actors

⁵ Ibid., paras. 24–32.

⁶ E/C.12/PAK/CO/1, paras. 19 and 20.

⁷ E/C.12/PAK/2, paras. 33 and 34.

targeting minority communities, and discrimination against groups and individuals whose access to economic, social and cultural rights has been hindered, including lesbian, gay, bisexual, transgender and intersex persons, religious minorities, particularly Christians, Hindus, Sikhs and Ahmadis, and members of the “scheduled castes” or Dalits. Please provide information on the application of the blasphemy law and its provision on the use of the death penalty as a form of punishment, and provide data on the rate of legal complaints and investigations, as well as incarcerations, under it, as also raised by the Human Rights Committee in its list of issues.⁸ Please provide information on the level of political representation of minority groups, at the regional and national levels, in the Government and Parliament.

13. In the light of paragraph 34 of the State party’s report⁹ and the decision of the Federal Shariat Court of Pakistan to declare sections 2 (f), 3 and 7 of the Transgender Persons (Protection of Rights) Act, 2018, as having no legal effect and subsequent indications that the Government would amend critical aspects of the Act, please provide an update on the current status of enforcing the Act in its original form based on gender self-identification and in line with the principle of non-discrimination as set forth in the Covenant. Please provide information on the number of discrimination cases brought before the national courts and any other complaint bodies in the past five years, detailing the types of discrimination involved, the penalties imposed on perpetrators and the remedies provided to the victims.

14. Please provide detailed information on measures taken to effectively prevent and address discrimination in the enjoyment of economic, social and cultural rights by persons with disabilities, particularly women and girls with disabilities. Please provide updated information on the number and the situation of persons with disabilities, disaggregated by sex, age, ethnicity and rural/urban area of residence, with regard to their enjoyment of economic, social and cultural rights.

15. Please provide information on measures taken to address the reports of violations of the economic, social and cultural rights of Afghans, including women and children, in the context of deportations from the State party. In line with the principle of non-refoulement, and in view of the information provided in paragraph 43 of the State party’s report,¹⁰ please indicate the measures taken to ensure individual assessments of irreparable harm and risks, including of violations of economic, social and cultural rights, that may be faced by Afghan nationals upon their forced return to Afghanistan. Please provide updated data on documented and undocumented Afghans who have been repatriated since October 2023 and those who are currently residing in the territory of the State party.

16. Please provide an update on the enjoyment of economic, social and cultural rights by internally displaced persons, using disaggregated data. Please also report on progress made to protect internally displaced women and girls from sexual abuse and trafficking in persons. Furthermore, please indicate the number of newly displaced persons due to the floods and outline the challenges in providing essential social services to them.

Equal rights of men and women (art. 3)

17. Please provide updated information on the progress made by the State party in conducting a review of its legislation to repeal all the remaining provisions that discriminate against women and on measures taken to enhance women’s access to justice. Please provide information on the measures taken by the State party to identify and address the root causes of gender inequality that hinder women’s equal access to economic, social and cultural rights, taking into account the multiple and intersecting discrimination faced by women belonging to ethnic and religious minorities and women with disabilities. Furthermore, please indicate the progress made by the State party in overcoming persistent gender stereotypes relating to the roles of men and women, which perpetuate gender inequality. Please also provide information about measures taken to increase women’s economic participation and representation in political affairs and decision-making positions in both public and private

⁸ CCPR/C/PAK/Q/2, para. 22.

⁹ E/C.12/PAK/2, para. 34.

¹⁰ Ibid., para. 43.

sectors. Please provide information on progress made in addressing women's limited access in practice to ownership and inheritance of property, assets, land and other productive resources. In that regard, please provide information on the preliminary results of the implementation of the Enforcement of Women's Property Rights Act, 2020, referred to in paragraph 35 of the State party's report.¹¹

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

18. Please provide updated comprehensive data on the realization of the right to work, including labour force participation, employment, unemployment and underemployment, disaggregated by age, disability, sex, religious affiliation, ethnic or national origin, and urban/rural area of residence, as well as by the sectors of the economy. Please provide information on specific measures taken to create decent employment opportunities, particularly for women, and to ensure that vocational training and education programmes prepare young persons, especially women, to meet the requirements of the labour market.

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

19. Please provide information on:

(a) Steps taken to strengthen the labour inspection system, particularly to address occupational safety and health issues in the workplace, including training for labour inspectors and allocation of financial and human resources to labour inspection. In that regard, please provide information on labour inspections carried out in the past five years, including relevant annual statistical data, the main areas of labour legislation violations identified through inspections and the measures taken to address them;

(b) Progress made to ensure that the minimum wages set across provinces guarantee a decent standard of living for workers and their families, and on compliance with the minimum wage, including details on compliance rates and penalties imposed for non-compliance;

(c) Measures taken to guarantee just and favourable conditions of work and access to social protection for workers in the informal economy;

(d) Steps taken to address structural causes of the gender pay gap in the State party, including occupational gender segregation of the labour market and the low rates of remuneration for jobs predominantly occupied by women;

(e) Steps taken to prevent discriminatory hiring practices and workplace harassment against religious minorities.

Trade union rights (art. 8)

20. Please provide information on measures taken:

(a) To ensure protection in law and practice against acts of anti-union discrimination and interference;

(b) To remove legal barriers to the establishment of workers' organizations and to their right to organize the administration thereof;

(c) To ensure that all categories of workers can enjoy the right to form and join organizations of their own choosing, with the only admissible exception being the police and the armed forces;

(d) To address legal obstacles to and promote the right to collective bargaining;

(e) To remove any legal barriers to the enjoyment of the right to strike.

¹¹ Ibid., para. 35.

Right to social security (art. 9)

21. Please provide detailed information, including disaggregated statistical data, on social security coverage, including both contributory and non-contributory schemes, particularly regarding public spending allocated to each programme and the eligibility, coverage, take-up rates and level of benefits of each programme. Please provide information on initiatives taken, if any, aimed at introducing unemployment benefits, pensions and child benefits. Please provide information on specific programmes for older persons and persons with disabilities who are not covered by contributory schemes.

Protection of the family and children (art. 10)

22. Please provide detailed information on the impact of the measures outlined in paragraphs 100 to 126 of the State party's report¹² and other measures in preventing and addressing harmful practices and violence against women and girls, including honour killings, rape, acid attacks, abductions, early and forced marriage and domestic violence. Please provide information on any specific measures taken to protect women and girls from religious minority communities. In that regard, the Committee also looks forward to the information that the State party will provide to the Human Rights Committee in relation to its list of issues.¹³

23. Please provide information on the results of the past five years of the measures outlined by the State party in paragraphs 128 and 129,¹⁴ to increase birth registration rates. Please also provide information on steps taken to ensure that the absence of birth registration does not prevent individuals from exercising their economic, social and cultural rights, including with regard to their access to social security benefits, health-care services and education.

24. Please provide information on progress made regarding the effective eradication of child labour, particularly hazardous child work. In that regard, please provide up-to-date information on the number of labour inspections carried out over the past five years, the number and nature of violations detected and penalties imposed relating to the employment of children.

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

25. Please provide information on the results and effectiveness of the poverty alleviation programmes in the State party. Please provide statistical data on poverty rates in the State party, disaggregated by age, sex, gender, disability, religious affiliation, ethnic or national origin and rural/urban area of residence. Please also provide data on the prevalence of malnutrition and hunger in the State party, particularly in flood-affected districts, and detail the measures taken to mitigate such problems. Furthermore, please provide information on the efforts made to improve access to safe drinking water and adequate sanitation facilities.

26. Please provide information on the cases of forced evictions and home demolitions linked to large infrastructure projects and along Karachi's nullahs (watercourses), allegedly taking place in the context of climate change adaptation. Please provide information on the procedures being followed, the consultations with the affected people, the adequacy of the compensations provided and the progress in the development of a rehabilitation plan, in accordance with the decision of the Supreme Court of 12 August 2020.

Right to physical and mental health (art. 12)

27. Please provide information on measures taken to ensure the availability and accessibility of quality health care in the State party, particularly in flood-affected districts, including the allocation of adequate financial and human resources, adequate medical equipment and infrastructure, and the availability of essential medicines and medical supplies at health-care facilities. Please provide information on specific measures taken to deal with

¹² Ibid., paras. 100–126.

¹³ CCPR/C/PAK/Q/2, paras. 5 and 27.

¹⁴ E/C.12/PAK/2, paras. 128 and 129.

disease outbreaks, such as malaria, dengue and acute watery diarrhoea, particularly in flood-affected districts, including in Sindh and Balochistan Provinces. Please provide information on the implementation of the National Vision 2016–2025 for Coordinated Priority Actions to Address Challenges of Reproductive, Maternal, Newborn, Child, Adolescent Health and Nutrition and its action plan. Please also provide information on the mental health policy of the State party, any specific measures taken, and their impact on the accessibility and availability of adequate mental health services throughout the country.

28. Please provide information on measures taken to ensure the availability, accessibility and quality of sexual and reproductive health services, information and education, including the availability of affordable, safe and effective contraceptive methods, including modern contraceptive methods. Please also provide information on progress made in reducing the rate of maternal mortality and ensuring access to safe and legal abortion and post-abortion care for all women and girls. Please provide information on any measures taken to review the restrictive abortion legislation with a view to decriminalizing abortion and expanding the circumstances in which it is legally permitted. Please also provide information on steps taken to prevent female foeticide and infanticide.

29. Please provide information on the measures taken to review drug policies and laws from a human rights perspective and evidenced-based approach, including measures taken to provide harm reduction services on a large scale, as well as drug-use prevention and treatment services for disadvantaged populations, in particular for women, children and prisoners. Please provide information on measures taken to increase access to HIV prevention, treatment and care services for persons who use intravenous drugs in communities and prisons.

Right to education (arts. 13 and 14)

30. Please provide information on effective measures taken and their impact on increasing school enrolment and attendance rates and preventing primary and secondary schoolchildren, particularly girls, from dropping out. Please provide information on measures taken and their outcomes to improve the quality of education, including the availability of qualified teachers and steps taken to improve school infrastructure. Please also provide information on the steps taken to prevent harassment and discrimination of students from minority communities and to prevent their negative cultural portrayal in textbooks and school curricula. Furthermore, please provide information on steps taken by the State party to prevent the radicalization of madrasas and to stop the use of school infrastructure by armed militant groups.

Cultural rights (art. 15)

31. Please provide information on measures taken to protect cultural diversity and the cultural practices and activities of religious minorities in the State party and prevent and address attacks against their religious sites.

32. Please provide information on the measures taken to address inequalities, especially gender disparities, in access to and utilization of digital technology. Please provide information on steps taken to increase access to information and communications technology and enhance digital connectivity.