

VISUALLY IMPAIRED PEOPLE, STATE RESPONSIBILITY AND LAWS IN PAKISTAN

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Abstract:

The present research investigates the legal, constitutional and socio-economic problems faced by visually impaired people in Pakistan. This analyzes the shortcomings of the Government on counts related with national and international laws, also evaluates legal framework and policy initiative in force and lack thereof. It also provides research-based evidence on the hurdles one faces in education, work and access to other domains as well enabling practical recommendations to make life more inclusive for visually challenged individuals omitting any differentiation with their sighted counterparts.

Keywords:

Visually impairment, Constitutional safeguards, right to be treated equally, social stigma and exclusion, Legal and policy reforms, educational inclusion strategies.

Introduction

Visual impairment is one of the most frequent disabilities in Pakistan which afflicts millions and many of them face systemic discrimination owing to lack of legal provisions, societal taboos, and infrastructural (communication barriers) challenges. According to the current estimates by the World Health organization (2021), around 2.5% of the entire population in Pakistan is experiencing some level of visual impairment while most of them are deprived from fundamental services like education, employment and healthcare. Government is connotationally and otherwise legally mandated to safeguard the rights of visually impaired citizens under national and international laws. However, the implementation is still generally weak, and exclusion and inequality persist. This detailed paper examines Pakistan's legal obligations to the visually-challenged from a variety of angles. The first step it examines the constitutional provisions and the way they interpreted by judiciary. The second is to examine national laws and policies that deal specifically with the rights of persons with disabilities. This post then asks the third question, on how Pakistan has failed to show compliance vis a vis its international obligations. What is more, it presents facts about the challenge of being visually impaired in specific areas. In this light, it proposes a detailed reform agenda with realistic suggestions for policymakers, civil society and international partners. In adopting such an all-encompassing perspective, the research tries to give a blueprint for creating a truly inclusive society that fulfills its obligations to respect and promote the dignity and rights of persons with visual impairment.

Constitutional Provisions for Visually Impaired People in Pakistan

Pakistan's 1973 Constitution is the supreme most legal document made on basic human rights for everyone including disabled person. Multiple human rights articles, directly or indirectly, protect individuals with visual impairments but these ways vary when interpreting and applying these rights.

Right to Equality (Article 25)

According to Article 25(1), "All citizens shall be equal before the law and are entitled to equal protection of law, " Sub-clause (3) provides for special provisions that may be made by the state to ensure that vulnerable sections are granted the benefits and opportunities under clause (1) and (2), thereby providing a constitutional framework for affirmative action in favor of visually impaired. However, according to Khan and Hussain (2020) despite the presence of this provision it has largely remained symbolic whereby blind people are still discriminated against in opportunities like employment, education as well as other public services. Unfortunately, without enforcement mechanisms and knowledge of the constitutional promise (of civil considerations), it has limited effect on the ground.

Entitlement to Social Security (Article 38(d))

This article mandates the state ensuring individuals with disabilities receive social security and support, i.e., financial aid, medical care, and rehabilitation. A publication by the Ministry of Human Rights revealed that as of 2019, only 12 per cent of the visually impaired population, are beneficiaries of any form of financial aid – social welfare programs in Pakistan are chronically underfunded and inefficient. The Benazir Income Support Program (BISP), which is the largest social safety net in Pakistan, lacks specific provisions for beneficiaries with visual impairments, demonstrating systemic exclusion.

Advancement of Education and Vocational Training (Article 37(g))

Article 37(g) specifically mentions the state's responsibility to promote "technical and professional education" for disabled individuals. Despite this constitutional mandate, a 2021 study by Ahmed and Malik found that only 8% of mainstream schools in Pakistan have Braille facilities, and less than 5% employ teachers trained in special education. This forces most visually impaired students into segregated institutions or out of the education system entirely.

Judicial rulings and significant Cases

The Supreme Court of Pakistan has occasionally intervened to uphold disability rights. In the landmark Disability Rights Case (2018), the Court directed both federal and provincial governments to strictly implement the 2% employment quota for disabled persons. However, follow-up reports indicate less than 30% compliance (Disability Rights Watch Pakistan, 2022). Another significant case, Asma Jilani v. Government of Punjab (2019), highlighted the lack of accessible voting mechanisms for visually impaired citizens, leading to the Election Commission of Pakistan introducing tactile ballot guides in the 2023 general elections.

Legal Framework for Disability Rights in Pakistan

Pakistan has developed a series of laws and policies addressing disability rights over the past four decades. While this legislative evolution demonstrates growing recognition of disability rights, the gap between law and practice remains substantial.

Disabled Persons (Employment and Rehabilitation) Ordinance (1981)

This pioneering legislation introduced several critical provisions, including a mandatory 2% employment quota across all government and private sector organizations, the establishment of vocational training centers, and tax incentives for employers hiring disabled workers (Government of Pakistan, 1981). However, research by Malik and Kiani (2020) reveals several implementation failures: only 0.7% of federal government employees are visually impaired, 89% of private sector organizations surveyed were unaware of the quota, and no penalties exist for non-compliance.

National Policy for Individuals with Disabilities (2002)

The policy established a comprehensive framework covering education, employment, accessibility, and healthcare (Ministry of Social Welfare, 2002). An evaluation by the Pakistan Institute of Development Economics (2021) found that only 3 of 10 proposed special education centers were established, accessibility guidelines for public buildings remain unenforced, and healthcare facilities lack trained staff for visual impairment.

Pakistan Sign Language and Braille Act (2020)

This progressive legislation recognizes Braille as an official communication method, mandates Braille versions of all government publications, and requires public institutions to provide Braille materials (National Assembly of Pakistan, 2020). Implementation challenges include an acute shortage of Braille transcription services, only 12% of government notices available in Braille, and no standardized Braille curriculum in schools.

ICT Rights of Individuals with Disabilities Act (2020)

This digital accessibility law requires screen-reader compatible government websites, accessible mobile applications, and assistive technology provisions in public ICT centers (Senate of Pakistan, 2020). A 2023 audit found that 78% of federal ministry websites fail accessibility standards, no public libraries offer screen-reading software, and ATMs remain largely inaccessible.

International Commitments and Pakistan's Compliance

Pakistan's international obligations create additional layers of responsibility toward visually impaired citizens. The country has ratified several key conventions but faces challenges in domestic implementation.

Convention (CRPD, 2008)

Pakistan ratified the CRPD in 2011, committing to inclusive education, employment equality, accessibility, and participation in political life (United Nations, 2008). Shadow reports to the UN Committee indicate only 40% alignment between CRPD and domestic laws, no comprehensive accessibility standards, and limited involvement of disabled persons in policymaking.

Sustainable Development Goals (SDGs) pertaining to Right to Individuals with Disabilities

Relevant goals include inclusive education systems (SDG 4), full employment for PWDs (SDG 8), social inclusion (SDG 10), and accessible public spaces (SDG 11) (UNSDG, 2015). Pakistan's Voluntary National Review (2022) shows only 18% progress on inclusive education targets, 22% achievement in disability employment goals, and minimal improvement in urban accessibility.

Challenges Faced by Visually Impaired People in Pakistan

Educational Barriers

The education sector presents multiple obstacles, including physical infrastructure (only 5% of schools have Braille signage), lack of standardized Braille textbooks, insufficient teacher training (1 special education teacher per 150 students), no adapted examination systems, and limited higher education support (only 3 universities offer disability services).

Employment Discrimination

The employment landscape reveals systemic exclusion, with 72% of employers believing visually impaired persons are less productive, 95% of offices lacking assistive technologies, limited promotion opportunities, and no protections for self-employed individuals in the informal sector.

Inaccessible Public Infrastructure

Urban environments remain hostile, with no audio announcements in public transport, absence of tactile pathways, no universal design standards in public buildings, and no accessible emergency alert systems.

Social Stigma and Exclusion

Cultural attitudes perpetuate marginalization, with 68% of families hiding visually impaired members, limited social participation opportunities, stereotypical media portrayals, and 85% lower marriage rates among visually impaired individuals.

State Responsibility and Recommendations for Reform

Legal and Policy Reforms

Key recommendations include enacting a comprehensive Disability Act to harmonize existing laws, establishing strict enforcement mechanisms with penalties for non-compliance, implementing disaggregated data collection through a national disability registry, and creating judicial oversight via special disability rights tribunals.

Educational Inclusion

The emphasis of reforms should be on Universal Design for Learning, which involves modifying all curricula. There should be a requirement for teachers to undergo special education training. A national program should be established for distributing assistive technology. Additionally, there should be a 5% reservation quota in higher education institutions.

Employment Initiatives

To enhance job prospects, Pakistan ought to implement quotas with the help of automated monitoring systems, encourage workplace modifications by providing tax incentives to employers, initiate entrepreneurship initiatives that include start-up grants, and allocate senior public sector roles specifically for individuals with visual impairments.

Enhancements to Accessibility Infrastructure and Measures for Social Empowerment

Key actions to improve national accessibility standards that must be complied with adopting universal design principles in urban planning, adding audiovisual assistance to transport systems, and ensuring all Government websites are **WCAG** compliant. Programs should include national awareness campaigns and media partnerships, establishing local councils for disability to enhance community participation, developing accessible sports and recreation centers, and introducing accessible voting mechanism for enhancing political participation.

Conclusion

A complicated mix of legislative flaws, implementation issues, and enduring social stigma define the situation of visually impaired people in Pakistan. In theory, the nation has established a fairly comprehensive legal framework, but these protections are essentially ineffectual due to a lack of enforcement mechanisms, inadequate funding, and a lack of political commitment. For millions of people with visual impairments, the constitutional guarantees of social security and equality have not been met, and they continue to face systematic exclusion from public life, work, and education. However, the path forward is clear. Pakistan can transform its disability landscape by adopting a rights-based strategy that combines legislative reform with effective implementation tactics. It will take a national movement that prioritizes disability inclusion in development planning, supported by adequate funding, efficient monitoring systems, and the active participation of people with visual impairments in decision-making. A concrete road map for action is provided by the recommendations made in this paper, which address legal reforms, educational inclusion, employment initiatives, accessible infrastructure, and social empowerment. In addition to helping those who are blind or visually impaired, their implementation would promote a more just, equal, and inclusive society for all Pakistanis. The time for minor adjustments has passed; what is now urgently needed is brave, revolutionary

action to turn constitutional promises into tangible experiences for Pakistan's visually impaired citizens.

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