

Mandates of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the human rights of internally displaced persons; the Special Rapporteur on extreme poverty and the Working Group on discrimination against women and girls

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(Please use this reference in your reply)

22 December 2022

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the human rights of internally displaced persons; Special Rapporteur on extreme poverty and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 43/14, 51/21, 50/L4, 44/13 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **ongoing forced evictions and home demolitions along Karachi's nullahs that are allegedly taking place in the context of climate change adaptation, against the backdrop of the severe impacts caused by the monsoon rains. The evictions and home demolitions are being carried out without consultation with the affected people and in the absence of a rehabilitation plan, with provision of disparate and inadequate compensation.**

The special procedures mandate-holders have previously issued a communication (UA PAK 6/2021) raising concerns over ongoing forced evictions and demolitions along two of Karachi's nullahs (watercourses) - Gujjar and Orangi nullah, carried out in an untransparent manner without any consultations with the affected populations, with little to no notice to the affected residents, with no regard for different degrees of tenure they may hold, and with disparate provisions for redress and compensation. They also raised concerns about the risk of extreme poverty and homelessness that the people affected by those forced evictions and demolitions faced. Reportedly, the forced evictions and the demolitions were carried out to implement an order issued by the Supreme Court on 12 August 2020, which, among other things, instructed the National Disaster Management Authority to ensure that all encroachments in and around the nullahs are removed, and started taking place in January 2021. This followed the devastating flooding of the city during the monsoon season of 2020. According to the information received, informal settlements established along the watercourses have been linked to an increased risk of flooding. We regret that the Government has not yet responded to this letter and to the concerns expressed therein.

According to the information received:

Unusually heavy monsoon rains from mid-June to September 2022 provoked flash floods and standing water across the country that resulted in more than 1,600 deaths and over 12,850 injuries. As of 23 September 2022, more than

1.2 million houses were damaged and over 805,000 houses were destroyed.¹ Approximately 7.9 million people are reportedly displaced. An estimated 83,000 flood-affected women are pregnant and due to give birth in the coming months. Reports indicate that around 23,900 schools, 1,460 health facilities and 13,000 km of roads have been damaged. As of 28 October 2022, more than 3.5 million children's education was interrupted due to the impact of floods.² Some 5,000 schools are being used as temporary relief camps. More than 1 million livestock have been lost and 1.2 million hectares of agricultural land was damaged by the floods.³

Whereas floodwaters have receded in many areas, parts of Sindh and eastern Balochistan remain underwater.⁴ The provinces of Sindh and Balochistan received seven to eight times the average annual rainfall as a result of the impacts of climate change, which include glacial melt and early and prolonged monsoon season. Infrastructure development along the rivers, such as embankments and roads, that impeded the flow of excess water into the sea by interfering with the natural slope of the land has reportedly compounded the negative effects of climate change. The lack of a properly functioning sewage and draining system has also allegedly contributed to the heavy floods, along with delays and negligence in the management of solid wastes.

According to reports by the OCHA Humanitarian Advisory Team (HAT) in Pakistan, cases of vector-borne and water-borne diseases have been recorded in the provinces of Sindh and Balochistan. Instances of diarrhoea, typhoid and malaria are increasing as many people live in unsanitary conditions in temporary shelters or sleep in the open near stagnating water, with only very limited access to basic services.⁵ Needed treatments are frequently not available or are not affordable. As of 28 October 2022, the incidence of diarrhoea was at least five times higher than usual. Moreover, more than 1 in 9 children under five admitted to health facilities suffered from severe acute malnutrition.⁶ IN the winter season, it is expected that the affected population will be severely impacted by the harsh weather conditions, requiring adequate shelter and non-food items such as tents and blankets.⁷

The 2022 floods aggravated the already dire situation facing the residents of the informal settlements situated along the watercourses (nullahs) of Karachi (Province of Sindh) who, following the wave of forced evictions and home demolitions started in 2021, have been left homeless in the thousands, while others have remained living in the rubble of partially demolished homes.⁸

¹ [Pakistan: 2022 Monsoon Floods - Situation Report No. 7 \(As of 23 September 2022\) - Pakistan | ReliefWeb](#)

² [Pakistan: 2022 Monsoon Floods - Situation Report No. 10 \(As of 28 October 2022\) - Pakistan | ReliefWeb](#)

³ [Ibid.; Pakistan: UN experts call for more international solidarity with flood victims | OHCHR](#)

⁴ [Pakistan: 2022 Monsoon Floods - Situation Report No. 7 \(As of 23 September 2022\) - Pakistan | ReliefWeb;](#)

[Pakistan: 2022 Monsoon Floods - Situation Report No. 10 \(As of 28 October 2022\) - Pakistan | ReliefWeb](#)

⁵ [Pakistan: 2022 Monsoon Floods - Situation Report No. 7 \(As of 23 September 2022\) - Pakistan | ReliefWeb;](#)

[Devastating floods in Pakistan | UNICEF](#)

⁶ [Pakistan: 2022 Monsoon Floods - Situation Report No. 10 \(As of 28 October 2022\) - Pakistan | ReliefWeb](#)

⁷ [Pakistan: 2022 Monsoon Floods - Situation Report No. 10 \(As of 28 October 2022\) - Pakistan | ReliefWeb](#)

⁸ [Pakistan: UN experts demand halt to mass evictions along Karachi's watercourses | OHCHR](#)

Impacts of climate change add to the housing crisis in Karachi, province of Sindh

According to the information received, during the last two decades, approximately 1.2 million people migrated from the Indus Delta to Karachi due to the impacts of climate change. They are mainly farmers, fishers and herders who lost their livelihoods and moved to Karachi in search for an alternative livelihood and access to basic services, including health care. Some of them escaped situations of bonded labour on farms or in fisheries. In the absence of support from the State to relocate and owing to the lack of adequate and affordable housing, the majority of them ended up settling in informal settlements. Some of the informal settlements are found along Karachi's nullahs. The *nullahs* have traditionally served as natural storm water drains.

Following the order issued by the Supreme Court on 12 August 2020, forced evictions and demolitions in the nullahs continued throughout 2021. At the end of 2021, it was estimated that approximately 7,000 houses had been demolished, partially or fully, around the Gujjar and Orangi *nullahs*, and almost 100,000 persons had been evicted. Reportedly, many people affected had an entitlement to the land on which their houses were built and most of them had resided there for fifty years. As of October 2022, evictions continued to take place and extended also to Wahid Colony (Nazimabad 4), close to the Gujjar Nullah – where, reportedly, in three days, about 200 homes were demolished -, and the Mujahid Colony, where a small unused *nullah* exists.

Although the Supreme Court in its decision of 12 August 2020 indicated that the people affected by the removal of the encroachments were to be rehabilitated, no rehabilitation plan has been adopted by the Government of Sindh. The only compensation envisaged consists of four payments of PRK 90,000 (currently equivalent to around USD400), which was to cover rent for 2 years. This has been regarded as insufficient to help evictees find alternative housing in Karachi. Reportedly, more than 600 families have not received any payment yet and many others have received only a part of the payments promised. For many families, the costs of going to the Karachi Municipal Corporation (KMC) to solicit and follow-up on pending payments is prohibitive. Moreover, no compensation has been envisaged for commercial structures, such as family-owned shops, small factories and livestock sheds, nor for religious structures, including churches, mosques, and mazars.

Since demolitions started, rent prices have almost doubled in remaining houses in the *nullah* areas. People affected by total demolitions moved to other localities, further away from their children's schools, which caused many drops-out. Other families went to live with relatives. Those who have stayed on the demolition site owing to lack of housing alternatives face extremely challenging circumstances. Electricity, water and gas lines have been cut. Partial demolition of houses has left entire families living in overcrowded spaces (sometimes only in one room). In some cases, the rooms left do not have all the walls. Thus, fabric curtains are used for the sake of privacy and security, but residents remain exposed to weather events and risks of trespass and burglary as well as rats, mosquitoes, and pest infestation. Families' requests to the Government for permission to rebuild the walls has not received a response yet. Moreover, some of the homes that have been only

partially demolished have become highly unsecure because of the risk of land sliding due to incorrect works (digging) during the demolition and the damage made to the foundations.

Due to the economic impact of home demolitions on their lives and livelihoods, many people, in particular women and girls, are unable to afford health care expenses, while many have developed illnesses due to the stressful living conditions under current circumstances.

Furthermore, reports indicate that road construction works along the *nullahs* are adversely affecting the living conditions of local residents, including by weakening the foundations of buildings, exposing them to sewerage water because of damage provoked to the pipes; disrupting communications due to the demolition of link roads and pedestrian bridges; and causing injuries and deaths due to the lack of warning signs or protective barriers. Left with no alternative routes to reach their homes in the nullahs, residents have been forced to take precarious paths at the channel edges, and there is anecdotal evidence that several have fallen in and drowned in the sewerage water. Plans concerning these works have not been disclosed to local residents. Allegedly, the original width of the *Nullahs* has been reduced and its course has been straightened to pave the way for the road construction, which adversely impacts the water flow and the functioning of the *nullahs*.

Gendered impacts of the forced evictions undertaken in 2021-22 in Gujjar and Orangi Nullahs, Karachi

Whereas women have been mobilizing against home demolitions, most of them are unable to file legal complaints as they do not have homes in their names. Reportedly, the disparate impact on them of demolitions and forced evictions is not documented nor addressed due to the absence of gender-sensitive laws, policies and programmes on resettlement and rehabilitation.

Many women living around the Orangi *nullah* engaged in home-based work and used their houses as “make-shift factory floors”, acquiring piece rate garment and other work through middle-men and completing their tasks at home. Therefore, for these women, the loss of housing as the result of total or partial demolitions has entailed also the loss of livelihood. Women in Gujjar *nullah* reported loss of income from tailoring and tutoring at home because of home demolitions. For those who remain living in the nullahs, loss of income has also been ascribed to the fact of spending more time on obtaining water - because wells no longer function - and other essential items, including wood for cooking in order to replace gas that is no longer available following the demolitions in order to fulfil their routine care responsibilities.

Although provincial legislation provides for social security covering home-based work, affected women did not have access to the labour department nor did they receive relevant information and guidance at the time of the forced evictions and home demolitions. Women have reported high levels of stress having to struggle to make ends meet under these difficult circumstances.

In addition, women living around the Gujjar and Orangi *nullahs* face increased risks of harassment by locals and state officials in charge of home demolitions.

Women have also been stigmatized for negotiating with public officials to save part of their home from the demolitions.

Without prejudging the accuracy of the information received, we wish to express our serious concern about the continued forced evictions and home demolitions that are being undertaken without consultation with the affected people and without rehabilitation and resettlement policy or plans, leaving many people forcibly displaced, homeless or inadequately housed, in violation of international human rights law, including those related to the right to an adequate standard of living, including adequate food, housing, water and sanitation, as well as adequate access to health care services.

We fully appraise the enormity of the challenges before Pakistan in the wake of the massive recent floods and we wish to offer our sincere compassion to Pakistan and its people for the tremendous losses. We are also mindful that Pakistan and its people have only modestly contributed to the climate crisis that is resulting in extreme weather events and climate change. We believe that in the spirit of building back better, these forced evictions need to end, alternatives must be explored, and suitable solutions be found for those who have already been displaced or whose homes have been partially destroyed

We are deeply concerned that not only the people affected by the ongoing home demolitions have been left without protection against the negative impacts of climate change, but they have also been adversely affected by climate change adaptation measures that have allegedly been developed and implemented without consulting them and without taking into account the impact on the enjoyment of their human rights. We are furthermore concerned at the disparate impacts of the home demolitions on women and girls and the lack of gender-sensitive responses, notwithstanding the specific vulnerabilities and risks faced by women and girls in these situations as a consequence of discriminatory legal provisions related to property ownership, lack of timely access to reproductive health care, an increased risk of sexual violence and deeply entrenched gender roles.

We recall that in situations where communities are particularly vulnerable to the effects of climate change and climate change-related disasters, such as those living on or near waterways and shorelines, priority should be given to adaptation measures to preserve existing communities and States must consult with residents to identify the measures needed for their protection (A/HRC/43/43, para. 72, A/64/255, para. 74). We are concerned that for Gujjar and Orangi nullah residents, the implementation of adaptation measures may deepen pre-existing inequalities and make them more vulnerable to climate change impacts, rather than enhancing their protection against climate events. Resettlement and relocation should only be considered when strictly necessitated by the unsustainability of maintaining human settlements in at-risk zones.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information on the housing conditions of the current residents of informal settlements along the Gujjar and Orangi Nullahs, disaggregated by gender, age, disability, socioeconomic status and other indicators and the number of persons living in these settlements. Please provide in this context information on the measures taken to ensure access to safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage, emergency services and access to education, health care and relevant cultural facilities and programs.
3. Please provide information on the housing conditions of the persons affected by the home demolitions and forced evictions that have been taking place in the informal settlements along the Gujjar and Orangi Nullahs since January 2021, disaggregated by gender, age, disabilities, socioeconomic status and other indicators, and the rehabilitation measures adopted by the Government in consultation with the affected people, including information on the measures taken to implement the decision of the Supreme Court of 12 August 2020.
4. Please provide information on whether and how the authorities are tackling the forced displacement of persons rendered homeless as a result of home demolitions along the Gujjar and Orangi Nullahs. Please provide information on any measures taken to respond to this forced displacement, and to support long-term and lasting solutions for internally displaced persons, including local reintegration and resettlement; rehabilitation plans and compensation schemes that are gender-responsive; and whether these measures have received the support of local authorities.
5. Please provide information on the consultations held with the affected people with a view to exploring feasible alternatives to the evictions, including the possibility to remain *in situ* or the provision of alternative housing and adequate compensation, and the outcome of these consultations.
6. Please provide information on the impact of the 2022 monsoon rains on the realization of human rights of the residents in the informal settlements along the Gujjar and Orangi Nullahs as well as on the measures adopted to minimize and address such impacts.
7. Please provide detailed information on the measures adopted to address the disparate impacts produced by the monsoon rains and the home demolitions on women and girls, with specific reference to loss of livelihood and inaccessibility of healthcare facilities, particularly reproductive health services and commodities, measures to protect

them against physical and/or sexual violence, and on any consultations undertaken with them to this purpose.

8. Please provide information on the human-rights impact assessment of the climate change adaptation measures adopted by your Excellency's Government with respect to residents of the informal settlements around the *nullahs*, as well as information on the consultation and participation of these communities in the design, implementation, monitoring and evaluation of climate change adaptation and mitigation measures affecting them.
9. Please provide information on how it is ensured that the climate change strategies, policies and plans are coordinated with national strategies on housing, sustainable development and poverty reduction with a view to ensuring the respect, protection and fulfilment of all human rights, without discrimination.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Tlaleng Mofokeng

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Dorothy Estrada-Tanck

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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw your Excellency's Government's attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation.

We would like to draw the attention of your Excellency's Government to its obligations under article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Pakistan in 2008, which recognizes the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and stipulates that States shall take appropriate steps to ensure the realization of this right. In addition, we would like to bring to the attention of your Excellency's Government article 12 of the ICESCR, which enshrines the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. These articles must be read in conjunction with article 2.2 of the Covenant, which provides for the exercise of any right under the Covenant without discrimination of any kind, including that based on social or economic situation, such as homelessness.

We also would like to draw the attention of your Excellency's Government's to its obligations under articles 6 and 17 of the International Covenant on Civil and Political Rights (ICCPR), ratified in 1976, on the rights to life and to non-interference with privacy, family, home or correspondence.

In its General Comment No. 4 on the right to adequate housing, the Committee on Economic, Social and Cultural Rights has clarified that the right to housing should not be interpreted in a narrow or restrictive sense, such as merely having a roof over one's head; rather, it should be seen as the right to live somewhere in security, peace and dignity. It has clarified that characteristics of housing adequacy include security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy. It has also underscored that adequate housing must protect inhabitants from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors.

Furthermore, the Committee on Economic, Social and Cultural Rights has indicated that States must allocate sufficient resources to the realization of the right to adequate housing and prioritize the needs of disadvantaged and marginalized individuals or groups. The Committee has further clarified that the obligation to progressively realize the right to housing will almost invariably require the adoption of a national housing strategy which should be developed in consultation with affected groups, include clearly defined goals, identify the resources to be allocated and clarify responsibilities and a time frame for implementation. Moreover, steps should be taken to ensure coordination between ministries and regional and local authorities in order to reconcile related policies with the obligations under article 11 of the ICESCR. The Committee has also indicated that monitoring of the situation with respect to housing is an obligation of immediate effect.

We also wish to recall that, as clarified by the Committee on Economic, Social and Cultural Rights, in its General Comment No. 7, forced evictions are a gross

violation of the right to adequate housing and may also result in violations of other human rights, such as the right to life, the right to security of the person, the right to non-interference with privacy, family and home and the right to the peaceful enjoyment of possessions. Paragraph 15 of the same General Comment provides that if an eviction is to take place, procedural protections are essential, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation made available in a reasonable time, and provision of legal remedies and legal aid. Under no circumstances, evictions should result in homelessness, and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available to affected individuals, where they are unable to provide for themselves.

In addition, the Guiding Principles on extreme poverty and human rights, adopted by the Human Rights Council by consensus on 27 September 2012 in resolution 21/11, recommend in particular that States "adopt laws protecting all individuals, groups and communities, including those living in poverty, against forced eviction by State and non-State actors. This should include preventive measures to avoid and/or eliminate the underlying causes of forced evictions, such as speculation in land and real estate" (para. 80, b)).

We wish to underscore that, notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons. We furthermore wish to recall the United Nations Basic Principles and Guidelines on Development-based Evictions and Displacement (A/HRC/4/18, Annex 1) which specify that evictions can only take place in 'exceptional circumstances'; that they must be authorized by law, and ensure full and fair compensation and rehabilitation. The Guidelines indicates that States should take immediate measures aimed at conferring legal security of tenure upon those persons, households and communities currently lacking such protection, including all those who do not have formal titles to home and land; and should take specific preventive measures to avoid and/or eliminate underlying causes of forced evictions.

As spelt out in the Guidelines, urban or rural planning and development processes should involve all those likely to be affected and should include the following elements: (a) appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives; (b) effective dissemination by the authorities of relevant information in advance, including land records and proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; (c) a reasonable time period for public review of, comment on, and/or objection to the proposed plan; (d) opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and (e) holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities. The Guidelines further states that States should explore fully all possible alternatives to evictions. All potentially affected groups and persons, have the right to relevant information, full consultation and participation throughout the entire process, and to propose alternatives that authorities should duly consider. In the event that agreement cannot

be reached on a proposed alternative among concerned parties, an independent body having constitutional authority, such as a court of law, tribunal or ombudsperson should mediate, arbitrate or adjudicate as appropriate.

Moreover, the Guidelines states that States must give priority to exploring strategies that minimize displacement. Comprehensive and holistic impact assessments should be carried out prior to the initiation of any project that could result in development-based eviction and displacement, with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. “Eviction-impact” assessment should also include exploration of alternatives and strategies for minimizing harm. Furthermore, the Guidelines specify that, at a minimum, regardless of the circumstances and without discrimination, competent authorities shall ensure that evicted persons or groups, especially those who are unable to provide for themselves, have safe and secure access to: (a) essential food, potable water and sanitation; (b) basic shelter and housing; (c) appropriate clothing; (d) essential medical services; (e) livelihood sources; (f) fodder for livestock and access to common property resources previously depended upon; and (g) education for children and childcare facilities. States should also ensure that members of the same extended family or community are not separated as a result of evictions. Alternative housing should be situated as close as possible to the original place of residence and source of livelihood of those evicted. Special efforts should be made to ensure equal participation of women in all planning processes and in the distribution of basic services and supplies.

We recall that the Special Rapporteur on the right to adequate housing has noted that people are frequently driven to live in informal settlements by environmental factors such as natural disasters, climate change and environmental degradation, but the settlements to which they migrate also place them at increased environmental risks. It is essential that the full scope of all the environmental risks faced by informal settlements be assessed, drawing on the knowledge of inhabitants or experts hired on their behalf, since they are more familiar with the environment in which they live and have often adopted risk management practices. Where settlements exist in areas at risk from natural disasters and climate change-induced disasters, States should designate these areas for immediate and effective disaster risk management measures, tailoring approaches to suit the specific needs of the community. States should not, however, use risk management as an excuse for unnecessary displacement. Where relocation and resettlement to a nearby site is necessary for the protection and safety of residents, this should be accomplished through collaboration and agreement, as described above (A/73/310/Rev.1, para. 95ff.)

We wish to refer to the Guidelines for the Implementation of the Right to Adequate Housing, which underscore that the right to adequate housing should be integrated into strategies for the adaptation to and mitigation of climate change, as well as in planning, preparing and implementing strategies for addressing climate change displacement. States should ensure that these strategies do not undermine or impede the realization of the right to adequate housing (A/HRC/43/43, para. 72) Moreover, we would like to emphasize that, as indicated by the Committee on Economic, Social and Cultural Rights, in its General Comment No. 4, States should ensure coordination and coherence between climate change-related policies and plans and the housing strategy. The consultation with, and participation by, all of those affected is essential.

We also wish to draw the attention of your Excellency's Government to the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), in particular we would like to refer to Principle 5 that establishes that "All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons" and Principle 6, which acknowledged that "Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence". Principle 28 establishes that "Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons".

The Special Rapporteur on the right to adequate housing has underscored that when planning and implementing mitigation and adaptation projects, the consultation and participation of concerned communities in decision-making must be ensured; projects must be gender-sensitive, and local knowledge recognized. Climate change adaptation efforts should give priority to the needs of the people in most vulnerable situation and start by identifying the measures to be introduced for their protection. This includes installing protective infrastructure, supporting buildings of better quality, through technical support and appropriate finance systems, and assisting those who live in the most dangerous sites to move to safer sites. In this context, access to affordable and well-located land for the urban poor is essential in order to avoid further unplanned settlement expansions or settling the poor far away from income-earning or human development opportunities. Resettlement plans are only an alternative to be used in extreme circumstances where protection of residents cannot be guaranteed in areas proven to be unsafe. During all relocation stages, human rights standards concerning adequacy of housing must be respected and decision-making must involve all affected groups (A/64/255, para. 74ff.).

We recall that the Paris Agreement on Climate Change (ratified by Pakistan in 2016) acknowledges that States Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights (preamble).

We furthermore wish to recall that the UN Committee on Economic, Social and Cultural Rights has underscored that a State's failure to prevent foreseeable harm to human rights caused by climate change, or a failure to mobilize the maximum available resources in an effort to do so, could constitute a breach of its obligations under the Covenant (E/C.12/2018/1). Likewise, the UN Human Rights Committee, in its General Comment No. 36, has clarified that in order to implement the obligation to respect and ensure the right to life, and in particular life with dignity, States should preserve the environment and protect it against harm, pollution and climate change caused by public and private actors.

In this regard, we also wish to recall that the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment has underscored that the "foreseeable and potentially catastrophic adverse effects of climate change on the enjoyment of a wide range of

human rights give rise to extensive duties of States to take immediate actions to prevent those harms. To comply with their international human rights obligations, States should apply a rights-based approach to all aspects of climate change and climate action. Applying a rights-based approach clarifies the obligations of States and businesses; catalyses ambitious action; highlights the plight of the poorest and most vulnerable; and empowers people to become involved in designing and implementing solutions. The framework principles on human rights and the environment clarify three categories of State obligations: procedural, substantive, and special obligations towards those in vulnerable situations. The framework principles can be operationalized in the context of climate change in order to respect, protect and fulfil human rights” (A/74/161, para. 62).

We refer to the Convention on the Elimination of All Forms of Discrimination against Women, ratified by Pakistan in 1996, and recall the general recommendation no. 37 on gender-related dimensions of disaster risk reduction in a changing climate of the Committee on the Elimination of Discrimination Against Women in which the Committee highlights that failure to address the structural barriers faced by women in gaining access to their rights in the context of climate change mitigation and adaptation programmes will increase gender-based inequalities and intersecting forms of discrimination (CEDAW/C/GC/37, para. 3).

The Working Group on discrimination against women and girls has observed that marginalized women, particularly those in poor countries, are most affected by environmental degradation due to underlying structural discrimination, including women’s unequal access to land and natural resources, sustainable infrastructure and public services, which jeopardizes their income and food security, health, and livelihoods. By noting that in order to fully understand the nature and scope of discrimination against women in the world of work, it is important to take an intersectional approach, given that there are multiple forms of discrimination at play that result in very specific vulnerabilities and differences in employment outcomes, the Working Group has recommended that States ensure informal and non-standard workers have access to workplace rights and entitlements, including access to social protection, health care, paid leave and occupational health and safety provisions, in particular providing protection in the context of economic and environmental shocks (A/HRC/44/51).

The Working Group has insisted that recognizing and addressing the nature and consequences of multiple and intersectional discrimination against women in national laws and practices is essential for protecting women’s health and safety and has urged States to be guided by an understanding of women’s right to equality, which requires differential treatment in health, including and beyond their sexual and reproductive health, in designing policy measures and resource allocations (A/HRC/32/44).

In addition, the Working Group has noted that secure rights over resources, including property, land, housing, food, water and sanitation, are essential to women’s equality and well-being, and to their economic independence and autonomy and failure to provide access to housing, food and water has disproportionately burdened women as vulnerable members of communities. Unfortunately, informal economy, on which overwhelming numbers of women depend for their livelihood, remains beyond the reach of labour regulation and thus, the Working Group has recommended States to recognize that vulnerability and economic disadvantage for women are exacerbated

by macroeconomic policies which increase inequalities and reduce social protection floors and the disparate impact of austerity measures on women in response to economic crisis and adopt gender-sensitive strategies that avoid labour market exclusion, loss of social protection floors and reduction of social services (A/HRC/26/39).

Furthermore, we would like to recall that the Committee on Economic, Social and Cultural Rights has indicated that the obligation to *protect* the right to health includes, *inter alia*, the duties of States to take measures to protect all vulnerable or marginalized groups of society and interprets the right to health as “an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information, including on sexual and reproductive health. (General Comment No. 14, paras. 11 and 35). It has also indicated that public health infrastructures should provide for sexual and reproductive health services, including safe motherhood (General Comment n° 14, para.36).

We also recall that the Special Rapporteur on the right to adequate housing has underlined that women’s right to adequate housing is intimately connected to their security, health, livelihood and overall well-being. When a woman is unable to access adequate housing and land mainly because she is a woman, she is not only affected in terms of her immediate material needs, she is also relegated to a subordinate and dependent position within society because of her gender. Ensuring that women have access to and control over, vital resources such as housing and land is essential to challenging and changing gender power structures and patterns of gender inequality which continue to oppress, exclude and relegate women to the margins (A/HRC/19/53, para. 3). The Special Rapporteur has recommended, among other things, that housing law, policy and programming should also recognize joint or co-ownership of housing and land, and ensure that women have the legal literacy and legal resources needed to effectively claim and enforce their rights. Moreover, States should ensure that housing includes water points and sanitation facilities available for and accessible to women, ensuring women their rights to water and sanitation, as well as to health. States should also ensure that housing is adequately located in order to provide women with access to employment options, health-care services, schools, childcare centres and other social facilities, such that they are non-discriminatory, adequate, available and fully accessible to women and girls (A/HRC/19/53, para. 69ff).