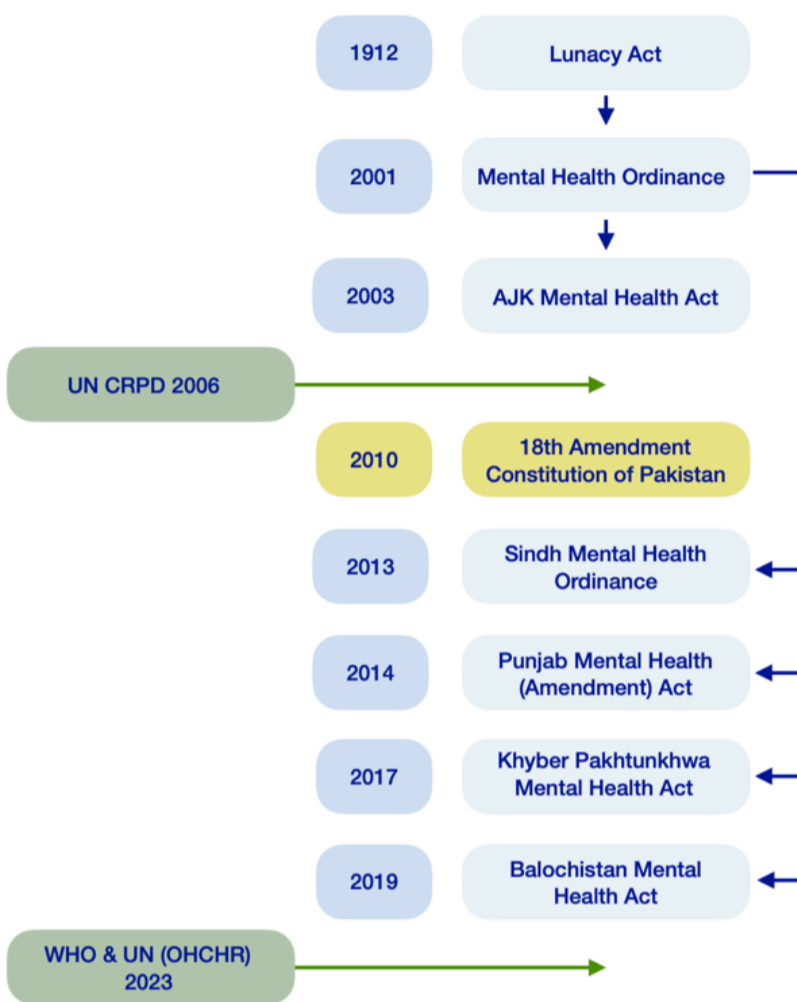




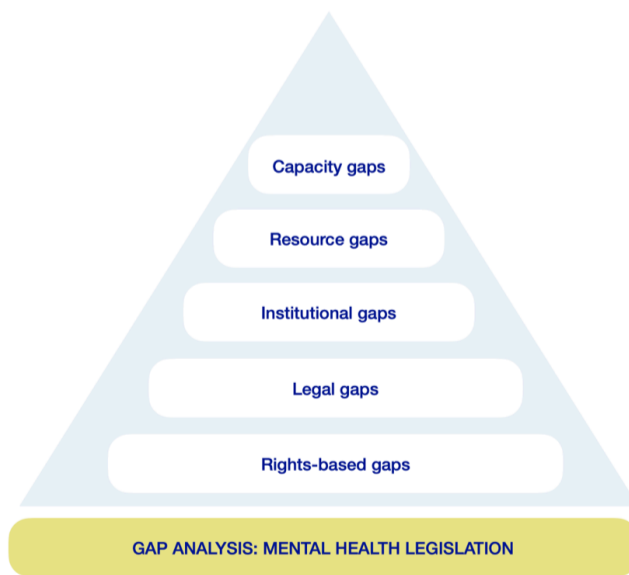
Gaps analysis: Mental Health Legislation

In 2001, the Mental Health Ordinance of Pakistan was enacted to repeal the Lunacy Act of 1912. After the 18th Amendment to the Constitution of Pakistan, the provincial legislations were adapted from the Mental Health Ordinance by the respective provinces.

In 2006, the United Nations adopted the Convention on the Rights of Persons with Disabilities (CRPD), which serves as the primary international legal instrument guiding mental health legislation reform towards rights-based frameworks. Since the Mental Health Ordinance was enacted prior to 2006, it is not fully aligned with a rights-based approach. Beyond the absence of a rights-based framework, mental health legislation in Pakistan faces additional and equally significant challenges – including critical gaps in resources, workforce capacity, and institutional infrastructure.



In response to this complex landscape, and following the Guidance on Mental Health, Human Rights and Legislation (WHO–OHCHR, 2023), we conducted a gap analysis and identified five major domains that collectively explain why legislative provisions failed to translate into practice. These encompass institutional, capacity, resources and legal gaps with many cross-cutting challenges. Gaps in fundamental rights, such as consent, participation, accountability, and safeguards, are closely interlinked and manifest with other gaps.



A digital assessment tool, grounded in the findings of the gap analysis, has been developed and will now be shared with provincial governments for their review and input to ensure that proposed reforms are contextually informed and practically achievable.

We invite all relevant stakeholders to be part of this review process. If you are interested in participating, please reply to this email with your name, institutional affiliation, and contact details; and we will ensure you are kept informed and included in subsequent steps of the process.

Mental Health Strategic Planning & Coordination Unit