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Article 9A and Environmental Rights in Pakistan: A Legal and Jurisprudential Analysis

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Abstract: As natural catastrophes continue to devastate communities and livelihoods across Pakistan, the country finds itself in an existential struggle against the escalating ramifications of climate change. The introduction of Article 9A through the Twenty-Sixth Constitutional Amendment signals Pakistan's growing commitment to confronting this climate crisis through legal and constitutional means. This paper explores the trajectory of Pakistan's evolving environmental jurisprudence and legislative developments that culminated in the recognition of the right to a clean, healthy, and sustainable environment as a fundamental right. It argues that Article 9A represents a pivotal shift in embedding environmental rights within the constitutional framework. The paper concludes by recommending several legal maxims and governing principles that can strengthen the implementation of Article 9A while enhancing Pakistan's legal framework with regard to climate-related litigation and environmental governance.

Keywords: Environment, Climate Change, Right to Clean, Healthy and Sustainable Environment, Climate Legislation, Rio Declaration, UN General Assembly, Shehla Zia vs Wapda.

Introduction:

Historical Background

It was predominantly after World War II that the debate around safeguarding human rights reached a new crescendo. At this time, environmental concerns were not wholly recognized as an impending issue. Thus, the Universal Declaration of Human Rights (UDHR) does not give recognition to any right directly related to the environment (UDHR, 1948). When the environmental movement began to take off in the 1960s, there was an explicit recognition of the need to inculcate some form of environmental right into major international legislative frameworks. Earth Day was observed for the first time in 1970 on the 22nd of April as twenty million people in the USA marched to oppose environmental degradation (Library of Congress, 1970). Soon thereafter, the Environmental Protection Agency (EPA) came to the fore in July 1970 after fierce public demand for cleaner water, air and land (Library of Congress, 1970). This momentum culminated in the adoption of the Stockholm Declaration on the Human Environment in 1972. The

preamble of this landmark declaration explicitly recognised the intimate relationship between the enjoyment of fundamental human rights and a clean and protected environment - no human right could be enjoyed without a healthy environment (Stockholm Declaration, 1972). Here, it is crucial to note that the highest human right afforded to an individual is the right to life, and this very right is rendered meaningless amidst a degraded and deliberated environment. To reconcile the notions of economic development and environmental protection - which were believed to be at odds with each other - the concept of 'sustainable development' was introduced as a possible solution by the World Commission on Environment and Development (WCED) (Brundtland, 1987). To comprehend the underlying rationale of Article 9A in the 26th amendment, it is important to ascertain the intrinsic and complex relationship between economic development, human rights and environmental protection. Environmental collapse leads to inevitable human rights abuses; economic progress usually guarantees environmental deterioration and exploitation; and human rights abuses become more commonplace where environmental issues and ecological disasters are a usual occurrence.

In the *Gabčíkovo-Nagymaros Project*, Justice Weeramantry labelled the right to a healthy and protected environment as a vital component of contemporary basic rights doctrine, as environmental disruption can ultimately threaten the fulfilment of all other human rights provisions included in the UDHR and national constitutions (International Court of Justice, 1997). Moreover, the '*Rio Declaration*' (1992) stated that humans deserve uninterrupted access to a productive and healthy atmosphere in which goals can be achieved while still keeping in synchronisation with nature (Rio Declaration, 1992, Principle 1).

Article 9A in Pakistan: Why now?

More recently, the right to a clean, healthy and sustainable environment was formally recognized, unanimously, through the passing of two major resolutions by the UN Human Rights Council (2021) and UN General Assembly (2022) (United Nations, 2022). This reflects a broader attitude shift in environment and climate related lawmaking and jurisprudence globally. The South Korean constitutional court stopped the government's climate measures on the premise that these violated the constitutional provisions which give citizens the 'right to live in a "healthy and pleasant environment"' (Gregg, 2024).

As the global legal movement to recognise the right to a clean, healthy and sustainable environment has garnered renewed momentum, Pakistan, owing to its own circumstances, could not afford to lag behind. Pakistan has been ranked as the 5th most vulnerable country to climatic disasters by the Global Risk Index (UN-Habitat, 2023). The 2022 floods caused unprecedented damage to the economy, which amounted to an estimated total loss of \$15.2 billion (UN-Habitat, 2023). Alarming, adverse climate change events such as cloud bursts, floods and droughts are becoming a regular occurrence in the country. The monsoon floods in 2025 have once again caused massive destruction and led to loss of precious lives. As lawmakers grapple for a solution and aim for stricter implementation with regard to solving the crisis, the timely insertion of Article 9A in the constitution looks like a poignant move. This paper will look to evaluate the existing legal frameworks and jurisprudence on the matter, to trace the emergence and backdrop of the provision itself. Then, after closely harnessing the power that any article derives as a fundamental right in a constitutional document, the paper will try to chart the path forward. Using Article 9A, environment and climate related policies, implementation measures, and grievance redressal mechanisms can be strengthened.

Existing Environmental Legal Framework:

Federal and Provincial Laws

The architecture of Pakistan's environmental law reflects a gradual evolution, shaped by both domestic crises and international trends. It exists as a culmination of federal statutes, climate-specific enactments, provincial legislation, and a series of policy frameworks. Pakistan's active involvement in the global environment discourse flourished in its role as the presiding chair of the G77 at the 1992 Earth Summit held in Rio De Janeiro (Hassan, 2018), where it became signatory to several international conventions on issues related to biodiversity, environmental degradation and desertification. This undertaking catalysed domestic efforts to create a coherent legislative and regulatory framework which could oversee protection, conservation, treatment and rehabilitation of a clean environment. The earliest step towards environmental regulation was the '*Pakistan Environmental Protection Ordinance, 1993*' (PEPO). PEPO was soon superseded by the '*Pakistan Environmental Protection Act, 1997*' (PEPA). The Act, which remains effective to date, aims to prohibit air pollutants, unregulated discharge of sewage, industrial emissions, and other hazardous materials which are non-compliant with the National Environmental Quality Standards (NEQs) set by concerned authorities. In addition, a licensing system was introduced as a regulatory oversight for the processing, delivery, storage and disposal of dangerous substances. This Act was further supplemented by sectoral laws on wildlife,

factories, forestry, motor vehicles, canal and drainage and local government. Although the objective of environmental awareness was somewhat achieved by the adoption of PEPA, there were several “*techno-legal*” issues which hindered its compliance (WWF-Pakistan, 2018).

Over the years, as climate-related calamities escalated, global climate discussions gathered momentum. For Pakistan, however, it was not until it became a signatory to the Paris Agreement in November 2016 that the legal void within its legislative framework was highlighted (Jamal, 2018). PEPA proved deficient in its ability to address broader climate change challenges, and in effect, Pakistan lagged behind international standards. Recognising this gap, the ‘*Pakistan Climate Change Act, 2017*’ (CCA) was adopted as a timely and necessary intervention. The CCA set up three institutions to effectively pursue its objectives, namely: ‘*the Pakistan Climate Change Council*’, ‘*the Pakistan Climate Change Authority*’ and the ‘*Pakistan Climate Change Fund*’. The Climate Change Council was established in order to guide and construct Pakistan's national policy on climate change. The Prime Minister presides over the council as the chair, and the council also includes members from the bureaucracy, the legal field, environmental experts and civil society. Section 4 of the CCA highlights the powers and functions of the Council. The prerogatives under the CCA include compliance of policies with international treaties, providing strategic direction for implementing Sustainable Development Goals (SDGs) listed by the United Nations (UN), providing a framework for the conservation of ecology, and monitoring the National Climate Change Report. Although the Act envisages the Council to meet at least twice a year, its first meeting was not held until October 2022 (Ministry of Information and Broadcasting, Government of Pakistan, 2022) – four years after its establishment in 2018. The prolonged delay highlights the lack of urgency in addressing climate change concerns, despite Pakistan’s growing climate vulnerabilities. The Climate Change Authority, consisting of technical experts, was responsible for developing a roadmap to reduce the detrimental impact of climate calamities and preserve all existing ecological systems. In furtherance of this mandate, the Climate Change Fund was established to garner both domestic and international funding to ensure that both the Council and Authority can successfully pursue their objectives through funded projects and initiatives. Collectively, these institutions sought to lay the foundation for a legal and institutional framework to address climate-related challenges in Pakistan. Although the institutional framework appears palatial on paper, it is in fact obscure in practice, as it offers no clear guidelines for inter-provincial coordination or how to effectively translate policy commitments into effective top to bottom implementation across the country (Barkat et al., 2025).

Building upon the federal legislative framework, an assessment of the CCA in light of the 18th Amendment is critical. Through the 18th Amendment of the Constitution, provinces were granted the autonomy to legislate over certain areas which previously fell under the federal domain, including climate change (Jamal, 2018). Each of the four provinces has enacted its own Environmental Protection Act, such as the ‘*Punjab Environmental Protection Act, 1997 (Amended) (2012)*’, ‘*Khyber Pakhtunkhwa Environmental Protection Act, 2014 (Amended) (2022)*’, ‘*Balochistan Environmental Protection Act (2012)*’, and ‘*the Sindh Environmental Protection Act (2014)*’. Various rules, regulations and authorities have been created under these Acts, aiming to regulate environmental harms such as air and water quality, sanitation, solid waste management, etc (WWF-Pakistan, 2018). These Acts may exist in theory; however, their effectiveness and implementation remain a point of contention. The gap between legislative ambition and practical enforcement highlights the very challenge Article 9A aims to address: ensure that the right to a clean and healthy environment is not watered down to a mere promise, and it is, in fact, translated into a tangible safeguard for all citizens.

Environment-Focused Policies and Plans in Pakistan

Beyond statutory reforms, Pakistan has devised comprehensive policies and action plans to translate its climate ambitions into practice. At its core lies the ‘*National Climate Change Policy 2021*’, which calls for climate-resilient infrastructure, food systems, agriculture, and renewable energy, while simultaneously advocating for lowering carbon emissions and keeping in line with SDGs. In addition, it focuses on disaster-risk management, adaptation of vulnerable communities, inter-provincial coordination, capacity building, resource allocation, and conservation methods to ensure Pakistan wholly embraces climate-compatible development (Government of Pakistan, Ministry of Climate Change, 2021). In furtherance of its objective, the ‘*Pakistan Climate Change Action Plan 2021 – 2025*’ was developed in light of the World Bank’s broader Climate Action Plan. The plan calls for lowering carbon emissions and developing climate-resilient structures. It seeks to integrate climate change into institutional frameworks across all levels and sectors of the government. The need for sectoral coordination across key areas such as water, energy, agriculture and urban planning is emphasized, to align climate change policies with broader goals of economic growth and social well-being (World Bank Group, 2022).

While federal policy and plans provide an overarching direction, the onus of their practical implementation has shifted to the provinces, particularly after the 18th Amendment. Punjab, Balochistan, Sindh and Khyber Pakhtunkhwa have each devised tailored climate change policies and plans, which are distinct to their terrains, climate and socio-economic needs. Punjab's primary focus lies on agricultural sustainability, while Sindh stresses coastal preservation. Similarly, Khyber Pakhtunkhwa focuses on water conservation and forestry, while Balochistan promulgates strategies to negate the adverse effects of desertification. The culmination of federal and provincial policies on paper provides an effective, comprehensive and tailored framework to fight climate change. Yet, disparities in institutional capacity and resources raise questions about whether these frameworks can fully realise the promise of Article 9A. Thus, the constitutional safeguard provided under Article 9A functions as a benchmark to evaluate the effectiveness of Pakistan's climate governance model.

Case Law and Jurisprudence

There has always been a burgeoning desire of the higher courts of Pakistan to interpret Article 9 (right to life) on a broader spectrum. Instead of this legal philosophy and long before Article 9A came to the fore, courts have seen the rights of clean water, pollution-free and healthy environment, sanitation, protection from contamination, conservation of ecological sites and other similar provisions to be a subset of the right to life and right to dignity (Article 14).

The jurisprudential direction on environmental law was set by the seminal case of '*Shehla Zia vs Wapda*'. In this case, the Supreme Court of Pakistan took a broader interpretation of Article 9 by stating that the word "life" was an all-encompassing term (*Shehla Zia vs Wapda*, 1994). According to this judgment, all basic amenities and facilities, which a person in a free country has the right to enjoy, come under the ambit of 'life'. In a similar vein, the case of '*General Secretary, West Pakistan Salt Mines Labour Union vs The Director, Industries and Mineral Department*', where the petition prayed for the enforcement of residents' rights pertaining to unpolluted and clear water. The court categorically stated that water had to be seen as a necessity for life, and if water is tainted, it would constitute an existential threat to human lives (*General Secretary vs Director, Industries and Mines*, 1994). In such a situation, the water right, which is free from pollution was seen as a derivative right of the right to life. Interestingly, in this case, Article 9 and Article 14 (right to dignity) were read together, and the court invoked a debate on the matter by asking whether a person can have dignity if the right to life is below the minimum basic thresholds like clothing, food, and a clean atmosphere (*General Secretary vs Director, Industries and Mines*, 1994). Other cases have agreed with this confluence of Article 9 and Article 14 in connection with environmental rights. In '*Ashgar Leghari vs Federation of Pakistan*', the linkage between the right to a healthy and clean environment and the right to human dignity was clearly established. Justice Mansoor Ali Shah, while penning his order, stated that the protection of the environment has emerged as a key theme in the larger scheme of Pakistan's constitutional rights (*Ashgar Leghari vs Federation of Pakistan*, 2015).

The legal maxims that Pakistani courts have used to protect and enhance environmental rights also require a quick glance. Many of these were listed in the comprehensive judgement of '*Sheikh Asim Farooq vs Federation of Pakistan*', in which the court examined the various doctrines used in safeguarding environmental rights. Firstly, the judgement identified the maxim "*in dubio pro natura*" - which stems from Principle 5 of the 'International Union for Conservation of Nature (IUCN) World Declaration on Environment Rule of Law' (International Union for Conservation of Nature, 2016). The aforementioned Principle 5 lays down the principle that whenever administration organs and courts are in doubt over a measure or decision, they should decide the matter in such a way which is seen as most favourable to the sanctity and preservation of the environment (International Union for Conservation of Nature, 2016). Moreover, the judgement cites Indian jurisprudence to showcase the importance of this maxim in regional jurisprudence as well, it cites the Indian cases: '*Shweta Wagh vs Municipal Corporation (Bombay High Court)*, 2019' and '*Hanuman Laxman Aroskar vs Union of India (Supreme Court of India)*, 2019' ('*Sheikh Asim Farooq vs Federation of Pakistan*, 2018'). In Pakistan, this maxim was formally incorporated into law through "*Maple Leaf Cement Factory vs Environment Protection Agency*" (PLD 2018 LHC 255).

The second legal principle, identified by the judgement, which has predominantly featured in Pakistan's environmental jurisprudence, is the *public trust doctrine*. This doctrine essentially states that the government is a trustee of the lifelines of public life - such as navigable waters, clean air, forestry, shores, wildlife, etc - and these features cannot be sold, leased or consumed for private use. The courts in Pakistan have often relied on this doctrine to justify their intervention in environmental matters. One of the most famous recent judgments in this regard is '*Mrs Zeenat Salim vs Pakistan Naval Farms (2022)*', where Justice Athar Minallah ordered the demolition of the naval sailing club due to its perceived harmful impact on clean drinking water and the sustainable environment in many

areas of Islamabad. A similar theme was observed in *Suo Moto Case No.13 of 2020*, where the court invoked the public trust doctrine to take notice of the supply of contaminated water from the Rawal dam to Rawalpindi.

The last significant legal principle is the precautionary principle. In the domain of environmental law, this principle has actively evolved from Articles 10 and 15 of the Rio Declaration 1992. Directions in Article 10 of the Rio Declaration, in particular, have been adopted vigorously by the courts in different ways. These directions mostly concern procedural legal principles in respect to the development of modern environmental law: access to information, access to justice with regard to climate change related damages and public participation in important decisions regarding their surroundings. In the suo moto concerning the '*New Murree Project*', the Supreme Court ordered to sensitize the general public about how sustainable development was fundamental in achieving the goals of a healthy and clean environment (New Murree Project, 2010). Whereas, in '*Messr United Bank vs Hussain Mustafa and 2 others*', the Sindh High Court affirmed that it was the basic civic duty of any citizen to do his utmost to maintain a clean and neat environment, especially next to his/her own immovable properties. This showcases a positive trend of the courts not shying away from placing some of the burden onto the citizenry as well when it comes to protecting the environment. Furthermore, in '*Muhammad Luqman Kakar vs Quetta Development Authority*', even the act of the respondents of engaging in commercial activities within the jurisdiction of residential areas was admonished and deemed as a serious threat to the well-being and peace of the community at large. With regards to the procedural aspect of environmental law, the orders issued in '*Suo Moto Case No.13 of 2020 (2013 SCMR 591)*' directed the Chief Secretary of Punjab to take a keen and personal interest in the nomination process concerning environmental tribunals so that excessive environmental violations could be properly checked. Therefore, the influence of the precautionary principle does indeed cast a large shadow on the environmental jurisprudence in Pakistan.

Overall, a perusal of the cited case law related to environmental matters clearly establishes the premise that, despite there being a constitutional vacuum with regard to environmental rights before the insertion of Article 9A, courts were very cognizant of this lacuna. Courts, using their own judicial prowess, used Article 9 and Article 14 as their base to slowly formulate a comprehensive list of rights relating to water, air, noise, and the environment in general, which created a progressive jurisprudence on environmental rights. Such jurisprudence would provide a solid backing for a more nuanced and focused use of Article 9A in decades to come.

Multilateral Obligations and Climate Finance

While the judiciary has played a pivotal role in shaping Pakistan's environmental jurisprudence landscape, it cannot be viewed in isolation from its international obligations. The United Nations Framework Convention on Climate Change (UNFCCC), in culmination with the Kyoto Protocol (1997) and Paris Agreement (2015), create the international legal framework. Pakistan has ratified all three agreements. Pakistan remains an active participant in multilateral discussions under the UNFCCC and Paris Agreement. Acting as the Chair of Group 77 & China in 2022, Pakistan has played an active and pivotal role in leading developing countries in the climate change negotiations at COP-27 (Government of Pakistan, Ministry of Foreign Affairs). This demonstrates Pakistan's commitment to climate justice and multilateralism, which it frames through the principle of '*Common But Differentiated Responsibility and Respective Capabilities (CBDR-RC)*' as outlined in the UNFCCC (Dawn, 2025). The CBDR-RC principle remains critical for Pakistan's calls for climate finance and resilience, given that it faces disproportionate and severe climate risks despite contributing less than 1% to global emissions.

In addition to legal commitments, Pakistan played a central role during COP-27 and COP-28 in the establishment of a fund which addresses loss and damage caused as a result of climate-induced disasters, namely the "Loss and Damage" fund (Government of Pakistan, Ministry of Foreign Affairs). However, despite its dire need for climate finance, Pakistan has been unable to fully utilize international climate finance resources. Access to multilateral funds such as the '*Green Climate Fund (GCF)*', '*Global Environment Facility (GEF)*', and '*Adaptation Fund (AF)*' remains limited. This was made evident in 2023, where only \$221 million from the GCF fund had been allocated to Pakistan – 2% of its total global budget – compared to the substantive \$441 million provided to its counterpart Bangladesh (Growth Gateway, 2023). Similarly, Pakistan's financial turmoil was further highlighted in the aftermath of the 2022 floods that left the country with a staggering \$30 billion in economic losses. In spite of the losses, Pakistan was only able to receive \$2.8 billion from international creditors despite being pledged \$10 billion at a conference in Geneva (Latif, 2025). Although Pakistan has proven a strong commitment at the global level, its lack of adequate climate finance hinders its ability to implement these obligations domestically. This incoherence raises doubts about the state's capacity to give effect to the constitutional guarantees enshrined in Article 9A.

Article 9A – The 26th Amendment

Keeping in mind the long and detailed history of environmental jurisprudence, future international commitments due to climate change, and robust environmental legislation, the insertion of Article 9A, through the 26th amendment, was the culmination of this environmental law juggernaut. The right to a clean, healthy and sustainable environment was intended to provide impetus to initiatives and measures intending to cope with the climate crisis that engulfs Pakistan at this critical juncture. Previously, many judgments had raised caution about climate change and its ramifications. For example, the case *'Public Interest Law Association of Pakistan vs Province of Pakistan'* actively cited the threat of climate change as it held that the mining industry has to formulate a climate-centric mining policy after assessing all the risks involved. Meanwhile, in *'Public Interest Law Association of Pakistan vs Federation of Pakistan'*, climate change was declared as an existential threat to Pakistan.

One of the most seminal judgements that paved the way for Article 9A - a right aimed for the future generations of Pakistan - was *'D.G. Cement Company v. Federation of Pakistan'* in which Justice Mansoor Ali Shah vehemently pushed the concept of climate justice:

"Through our pen and jurisprudential fiat, we need to decolonise our future generations from the wrath of climate change, by upholding climate justice at all times."

Courts have been quickly warmed up to the provision of a direct, clear and obvious right concerning the environment. They no longer have to take respite under the right to life or the right to dignity for providing relief in environment-related cases. Courts have certainly recognised the significance of Article 9A, welcoming it with open arms, as seen in *'Mehar Badshah vs Government of Khyber Pakhtunkhwa'*; a case involving the deforestation of 218 Shisham trees and negligence of the concerned department. The court labelled the insertion of Article 9A as 'commendable' and lauded it as an integral step in protecting the pristine features of the environment - it also reaffirmed that this article should be used proactively to oversee better implementation (Mehar Badshah vs Government of Khyber Pakhtunkhwa, 2025). Consequently, Article 9A is a trailblazing step in Pakistan's fight against the existential threat of climate change; it arms the judicial branch, puts responsibility on the executive branch, and acts as a lighthouse for the legislature.

Using Article 9A: What does the future hold?

Inserting fundamental rights in the constitution is one thing; whether citizens can enjoy these very rights in letter and spirit is entirely another question. The same question surrounds Article 9A as it emerges from its nursery stage. Many hurdles exist in its full implementation. Firstly, keeping the environment safe is a complex endeavour; it requires coordination between a plethora of departments. This problem is further exacerbated by Pakistan's perennial issue of not having proper local government systems that can improve the enforcement of non-building zones in areas of riverbeds and natural waterways. Secondly, Pakistan does not have the financial resources to implement the right provided in Article 9A as the country faces a climate investment gap of over \$340 billion by 2030 (Akund, 2025). Recently, through the IMF Extended Fund Facility, Pakistan received only \$1.3 billion in climate financing (Yousafzai, 2025). This astronomical gap cannot be bridged, especially with domestic resources facing a crunch. Therefore, can Pakistan guarantee its burgeoning population that Article 9A will be implemented? It is highly doubtful. Thirdly, there needs to be further jurisprudence by the superior courts in defining and determining the substantive and procedural aspects of Article 9A. Any legal reasoning on this front needs to be consistent.

Pakistan can take lessons from Canada on how to give formal shape to an environment-based fundamental right. The Canadian Environmental Act, 1999, gives every citizen in Canada the right to a healthy environment. This right was introduced into this act through a 2023 amendment, along with a requirement to develop an 'implementation framework' (Government of Canada, 2025). This framework first explains the substantive elements of the right; the environment envisioned in the 'right' is free from pollution, harmful toxins, and waste (Government of Canada, 2025). In Pakistan, 'clean environment' has not been defined in any legislation, and that would be the first step in streamlining the focus of agencies, as the parameters of Article 9A would be less vague. Secondly, the Canadian implementation framework alludes to two key procedural elements in this regard: access to information and participation in decision-making. In Pakistan, the environment is now a provincial subject after the 18th amendment. All provinces have separate environmental protection agencies (EPAs) that must be mandated to make SOPs on following the relevant procedural guidelines. Another method was used by the Colombian Supreme Court, where young plaintiffs had alleged that the government had failed to control deforestation in the Amazon region and had violated their rights in relation to the enjoyment of a healthy environment. The court granted the same legal protections available to a human being to the Amazon rainforest (Moloney, 2018). The same rights can be given to protected forests and green areas in Pakistan to ensure stringent protection.

Three principles are key to upholding Article 9A in the future. Firstly, the principle of environmental justice, must protect the Pakistani population from health risks emerging from environmental-related issues. Intergenerational equity, another major cornerstone of environmental policy, must focus on keeping the needs of the next generation in full focus while not neglecting the needs of today. In this regard, the Philippines Supreme Court penned a landmark judgement, '*Minors Oposa v. Secretary of the Department of Environment and Natural Resources*', where the court ruled that it was the responsibility of the government to fully embed the doctrine of intergenerational responsibility in climate and environment matters. Lastly, non-regression, which is a principle focusing on stopping administrators from reducing levels of environmental protection, is key to sustaining the environmental brigade for the longest time.

Framing a realistic, structured and coordinated national plan of action with regard to implementing 9A can go a long way in making this constitutional amendment have a lasting impact on Pakistan's future. However, the key is that all organs of the state work in tandem with each other while harnessing citizens' voices for activism and awareness.

Conclusion

Since the 1960s, there has been a conscious effort to amalgamate environmental rights into the universal human rights construct. Recently, climatic disasters have made the world take notice of such rights once again, as seen by the recognition of the right to a clean, healthy and sustainable environment by the UN Human Rights Council and UN General Assembly. In Pakistan, over the course of many decades, a comprehensive list of cases, legislation, and policies on the environment and climate change has been formulated. There is no doubt that Article 9A was the next logical step in the evolution of environmental law in Pakistan. This watershed insertion can go a long way in providing the legal basis for a proactive fight against climate change calamities and strengthening Pakistan's legal and moral argument for climate reparations in the future. However, it is important to tread with caution on the inclusion of such a right in the constitutional framework. It not only needs government support and finances for implementation, but also needs consistent and pragmatic interpretation from the judiciary. Worldwide examples and recognised legal maxims can point lawmakers and judicial officers in the right direction in this regard. The citizens will have to lead this fight with vigour and valour. This issue has been perfectly summed up by Mohith Agadi: "Environment is no one's property to destroy; it is everyone's responsibility to protect" (Agali, M. n.d, in APA).

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