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The Promise and Reality of Environmental Law in Pakistan: Article 9-A, the Pakistan Environmental Protection Act 1997, and the Implementation Gap

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Abstract

Environmental degradation in Pakistan, exhibited in severe urban air pollution, recurrent floods, and mounting climate vulnerability, has outpaced the country's legal and institutional capacity to respond. This paper examines the gap between Pakistan's codified environmental obligations and their practical enforcement, situating the analysis within both domestic constitutional development and international environmental law. The Twenty-Sixth Constitutional Amendment's addition of Article 9-A in 2024 marks a watershed moment, constitutionalizing three decades of judicial doctrine that began with the Supreme Court's recognition of an environmental right within Articles 9 and 14 in Ms. Shehla Zia v. WAPDA. Yet this documented assurance arrives atop a fragmented statutory base: the Pakistan Environmental Protection Act 1997 remains the main legislative instrument but has not been substantively modernized to address climate change, e-waste, or air quality, and its enforcement machinery, the provincial Environmental Protection Agencies, grieves from lingering underfunding, weak technical capability, and weakened authority following the Eighteenth Amendment's devolution of environmental subjects to the provinces. Employing doctrinal methodology, the paper analyses relevant statutes, constitutional provisions, and case law, and positions Pakistan's framework against comparative jurisdictions to assess how domestic law measures against international standards such as the Paris Agreement, the Convention on Biological Diversity, and the Stockholm Convention. The paper argues that Pakistan's environmental jurisprudence has been driven principally by superior court intervention in the absence of comprehensive legislative reform, and concludes with recommendations for institutional strengthening, coordinated enforcement, financial mobilization, public awareness, and international cooperation needed to operationalize Article 9-A as an enforceable right rather than an aspirational text.

Keywords: *Environmental law, State responsibility, International environmental standards, Article 9-A, Pakistan Environmental Protection Act 1997.*

1. Introduction

Environmental law is widely admitted as one of the essential components of international relations that contribute to address the world problems and to maintain stability in the relations with environment (Nanda, 2023). International perspectives of environmental issues came to the forefront of the world stage during the 1970s post which different global frameworks twentieth to the twenty-first century (Caldwell & Weiland, 1996). The development of the environmental law in Pakistan has influenced by the increasing concern for sustainable protection and development of the environment. Environmental legislation in Pakistan was initiated in the previous decade of the twentieth century with the impacts of global environmental movements and commitments made under the international conventions (Ahmed et al., 2025). It was not until 1970 that the Pakistani legal system embodied a particular environmental law, which was the Conservation of Forest and relevant laws were the laws of Pakistan previous to the later procedure were not primarily designed with an ecological target of view.

1.1 Key Environmental Issues in Pakistan

Some of the environmental issues affecting Pakistan are very risky and have a high impact on population and the economy as well as ecological systems of the country. The population has increased rapidly in recent time, accompanied with increased rate of urbanization as well as industrialization thus exacerbating effect on the environment. One of the significant problems of the environment is the air pollution and more significantly in Pakistan's large cities, including Lahore, Karachi, and Peshawar. Pakistan's air is among the severest in the world a fact that has been linked to high rates of pollution (Subhanullah et al., 2025).

The climate change effect is still very much a reality in Pakistan with the intensity of natural calamities being on the rise and regularity in the occurrence of the calamities such as floods, droughts and heat waves only increasing. Recently, the Global Climate Risk Index 2021 revealed that Climate Change has had its worst impact on Pakistan and placed the country in top 10 countries. That is why recent floods that hit the country in 2010 and left millions of people homeless and billions of dollars worth of property destroyed cannot be forgotten. These environmental issues all together act as threat to sustainability in Pakistan and need immediate legal and policy response (Shaikh et al., 2025).

1.2 The Role of International Environmental Standards

Global environmental norms, therefore, has a critical influence in shaping up the future of the messenger countries such as Pakistan in the causes of development. They are normally provided for by multilateral treaties, conventions and protocols stipulating the responsibilities of the Parties to environmental issues. For instance, laws like the Climate Change Framework Convention of the United Nations (UNFCCC) involves international cooperation on climate policies through setting emission reduction goals and providing assistance to the developing country to enable them change for the worst impacts (Jamil & Appiah-Adjei, 2025). The country has also signed various international environmental agreements as the Basle Convention on the Control of Transboundary Movement of Hazardous Wastes and the Convention on Biological Diversity. Such treaties compel Pakistan to undertake actions in order to preserve biological diversity, proper disposal of wastes and safety of the environment. Another important factor is the involvement of global organizations like the United Nation Environmental Programme, UNEP and the World Bank for establishing environmental policies and a providing technical and financially for the capacity enhancing in policy formulation processes of countries including Pakistan (Waheed et al., 2025).

2. Problem Statement

Although there has been remarkable improvement in the codification of environmental legislation in Pakistan, more efforts must be directed toward enhancement of legislation to support and meet the emerging environmental issues of the country. The current primary legislation governing the protection of the environment is the Pakistan Environmental Protection Act 1997; it does not contain provisions to tackle modern-day environmental challenges including climate change, e-waste, and air quality. Pakistan has been witnessing rapid industrialization and urbanization over the last two decades, yet the implementation of environmental laws has not been able to address the issues of pollution, resource depletion, and ecological degradation (Khan & Majeed, 2023). Another issue that requires improvement of Pakistan's environmental legislation is the issue of enforcement. Although laws like the PEPA admittedly give the needed framework, very diluted and fragmented implementation mechanisms, together with impunity, have made such laws virtually useless in a lot of situations. Large corporations that violate environmental laws for their own gain and at the expense of innocent people are usually not prosecuted by the many levels of government EPAs because they are understaffed.

A further area which requires analysis is the lack of extensive legislation concerning climate change generally. Though Pakistan has signed and ratified the National Climate Change Policy (NCCP) 2012, it is almost negligible in action due to the absence of legal supports and enforcement agencies (Khan, 2025). There is a need to enact new laws that speak to mitigation as well as adaptation to climate change in order to enable Pakistan to fulfil its obligations under the Paris Agreement and, most importantly, to support its citizens in areas most susceptible to the effects of climate change. Pakistan's environmental jurisprudence has, in the absence of a specific statutory answer, been shaped substantially by superior court intervention from the Supreme Court's recognition of a constitutional right to a clean environment in *Ms. Shehla Zia v. WAPDA*, PLD 1994 SC 693, to the Lahore High Court's continuing-mandamus supervision of climate policy implementation in *Asghar Leghari v. Federation of Pakistan*, W.P. No. 25501/2015. The persistence of such litigation, decades after PEPA's enactment, is itself evidence that the statutory and institutional framework has not kept pace with the problem it was designed to solve.

3. Research Questions

1. To what extent do institutional, financial, and political constraints impede the effective implementation and enforcement of Pakistan's environmental legislation, including the Pakistan Environmental Protection Act 1997 and the constitutional guarantee under the newly inserted Article 9-A?
2. How does Pakistan's environmental legal framework compare with international environmental standards and the practices in comparative jurisdictions in discharging state responsibility for environmental protection?
3. What legal, institutional, and policy improvements are needed to align Pakistan's domestic environmental governance with its international obligations and to operationalise the constitutional right guaranteed under Article 9-A?

4. Methodology

For this study, the method of qualitative doctrinal research shall be employed. By implementation of the Doctrinal method, we shall primarily investigate various case laws, statutes, conventions, and various other lawful sources. As the doctrinal methodology of research primarily revolves around case laws and statutes, other qualitative methods of

research can also be used, such as journals, surveys, and research made on the subject (Raof et al., 2025). In this study, the various statutes that shall be examined include legislations regarding environmental laws in Pakistan, which the Pakistan Environmental Protection Act 1997, Constitutional provisions and provincial environmental legislations.

5. Literature Review

Pakistan faces several challenges in harmonizing its domestic environmental responsibilities with its international obligations. The first is the federal structure of the country especially after the 18th Constitutional Amendment in 2010 that delegated environmental management to provincial level. This has led to variation of orderliness within provinces in exertion of the law to apprehend offenders. The provincial governments are supposed to work regarding implementation and regulation of the environmental standards and due to the absence of integration with the federal agencies, there is no synchronization of the national policies with the international environmental obligations. For example, while Pakistan being a member of The Convention on Biological Diversity and the Paris Agreement, the provinces generally do not have expertise and financial means for proper implementation. Lacking synergies at the federal level, there is disconnection between Pakistan's national initiatives and international responsibilities (Yousaf et al., 2025).

Another major problem is low organizational capacity of Pakistan's environmental departments. A key challenge which is apparent in the Pakistan EPA and the provincial EPAs include lack of technical expertise, manpower and financial capital. Such drawbacks worsen the situation about the implementation of domestic and foreign environmental legislation. For example, as it is observed in international relations, agreements need to have strong monitoring, reporting as well as compliance measures, which nonetheless are weak institutional measures owing to inefficient institutions. Furthermore, there is no proper integration between the federal and provincial bodies of the country that often results in the creation of conditions that make Bringing domestic laws into compliance with international environmental rules and regulations is nearly impossible (Ahmad & Anjum, 2012).

Another challenge to Pakistan is that due to financial limitation it cannot effectively implement its international obligations in respect of environment. Some of the international treaties that were reviewed in this paper include Kyoto Protocol and the Montreal Protocol, which demand huge resources in terms of technology, facilities, and personnel. Due to its position as a developing country, adequate funding and investment for the preservation of the environment usually suffers due to other important issues that need to be addressed these include poverty eradication, economical development among others as seen in the case of Pakistan from UNEP 2020, the United Nations Environmental Program. Although, Some international resources, like the Green Climate Fund, are designed to offer some financial support., such funds are generally insufficient to enable the realization of effective and complete environmental policies. Furthermore, Pakistan's environmental institutions are also constrained in terms of the technical capacity required to develop the sort of detailed project proposals that are required when applying for such funds (Hussain et al., 2020).

Contradictory policies of different nations also affect Pakistan in a way that it can hardly find ways to sync domestic roles of different branches of the state with its international commitments. Amid economic development, industrialization and energy generation, the environment often receives least consideration. For example, the Pakistan government opted for coal fired power plants due to energy crisis while its action to minimize greenhouse gases

emission under Paris Agreement (Qudrat-Ullah, 2022). This ever-present conflict between short-term financial and long-term environmental concerns erodes the compliance of treaties which are internationally imposed.

Last but not the least, one of the most significant challenges is that the public is still not very much sensitized let alone getting involved in enforcing national and international environmental laws. In Pakistan people pay scant regard to environmental problems and see them secondary to the economic and social needs of the nation (Shahzad et al., 2022). This perception reduces public participation in environmental governance thus preventing society transformation that could support international commitments made by the country. Hence, international treaties such as the Aarhus convention, treat public participation as an important factor in environmental decision making while Pakistan lacks any sincere attempts to raise people awareness and involve the society especially in rural areas.

One of Pakistan's most important laws pertaining to environmental preservation is the Pakistan Environmental Protection Act (PEPA) 1997. This was to enable it offer a coherent structure for dealing with all issues of environmentalism like pollution, sustainable development and management of resources. The Act was passed in anticipation of the social, economic and environmental consequences that industrialization, urbanization and population growth poses to the environment of Pakistan (Hassan, 2019). The Pakistan Environmental Protection Council (PEPC) and Pakistan Environmental Protection Agency (Pak-EPA), two government agencies tasked with upholding environmental regulations and approving and implementing environmental policies throughout Pakistan, were also established by PEPA. Through sensible legislative and administrative means, the law seeks to protect, preserve, restore, and improve the environment as well as prevent and eradicate pollution (Mukhtar, 2023).

Some of the functions of regulation under PEPA were stated to protect the environment as follows: According to the Act, each developmental project in the country has to undergo for an EIA or IEE before the commencement of any project. These assessments are specialized in measuring the adverse impacts that suggested actions are probably going to have an impact on the environment in order that the decision makers may take into account when approving the activity. However, in practice, the use of these assessments has not always been well done, and many projects fail to be regularly monitored, probably due to poor institutional capacity and lack of sufficient funding especially in the environmental agencies. In addition, PEPA 1997 has a special provision on environmental tribunals or penalties which make up another strong point of the law (Lau, 2018). The Act provides for remedies by environmental tribunals for breach of environmental laws and the consequences including fines and penalties for non compliance. The industrial polluters have carried on polluting and polluting in many cases without much let or hindrance, which brings out the chasm between law making and law implementing within Pakistan's environmental regime (Bashir & Javed, 2025).

Moreover, PEPA 1997 also contains provisions for preservation of public health and controlling of hazardous substances; the industries should guarantee that the emissions, waste discharges and hazardous substances shall be managed in a manner that is compliant to environmental laws (Bashir & Javed, 2025). The Act also fosters the development of requirements that constitute environmental quality, such as restriction on aerosols air, water, and soil pollutant. However, the enforcement is still a serious issue due to lack of supervision and poor technical knowledge in most of the environmental protection departments at court and provincial level.

However, even with liberal provisions contained in the PEPA 1997, there have been a number of implementation difficulties. Following the 2010 18th Amendment to the Constitution, the Environmental Devolution of management to provincial level and most of the provincial EPAs were underfunded, under technical capacity to enforce the law as envisaged in the constitutional provision of the law. This has led to the variation in the implementation of environmental laws across provinces whereby some provinces have intensified the act than others. Besides, political pressure of the industrialists and the general ignorance of the environmental legislation also need to be blamed for the poor implementation of the PEPA 1997 (Sial et al., 2018).

However, these institutional, financial and political constraints have led to the deterioration of the Pakistan Environmental Protection Act of 1997's efficacy despite the fact that it was a major step in legislation in Pakistan. Environmental agencies will be enhanced, intergovernmental relations enhanced and the public will be effectively informed to advance the implementation of PEPA. Improvement on the procedures to fasten environmental impact assessment, improve the mechanisms of enforcement, and sufficiently fund the environmental agencies of Pakistan will be vital, in order to enable PEPA 1997 address the intended objectives of protecting and preserving the environment of the country.

6. The Legal Framework of Environmental Law in Pakistan

6.1 Article 9-A: The Constitutional Foundation of the Right to a Healthy Environment

The most significant recent development in Pakistan's environmental law is the insertion of Article 9-A into the Constitution through the Twenty-Sixth Constitutional Amendment in 2024. Article 9-A provides that every person is entitled to a clean, healthy, and sustainable environment, making it the first explicit constitutional guarantee of environmental rights in Pakistan's history (Rajper et al., 2024). The provision effectively constitutionalises three decades of judicial doctrine that began with the Supreme Court's landmark ruling in *Ms. Shehla Zia v. WAPDA*, PLD 1994 SC 693, where the right to a healthy environment had been read into the right to life under Articles 9 and 14 rather than stated as an independent guarantee. For Pakistan's environmental law regime, Article 9-A therefore represents both the strongest textual foundation the right to a healthy environment has ever had, and an open institutional question that the reform recommendations discussed later in this paper are directly relevant to.

6.2 Pakistan Environmental Protection Act (PEPA) 1997, and the Provincial Statutes

The "protection, conservation, rehabilitation and improvement of the environment, for the prevention and control of pollution, and promotion of sustainable development" is what the preambles of the Pakistan Environmental Protection Act (PEPA) 1997, the Punjab Environmental Protection (Amendment) Act 2012, and the Balochistan Environmental Protection Act 2012 state (Ahsan & Khawaja, 2013). Up until 2010, the entire country of Pakistan, its territorial waters, its historic waterways, its exclusive economic zone, the Northern Areas, and the Provincially Administered Tribal Areas of the KPK were all under PEPA's control. The jurisdiction of environment acts, however, only extended to each province's borders once the environment was made an exclusive province. For example, the Punjab Act covered the entire province of Punjab, while the Balochistan Act covered the entire province of Balochistan, excluding the tribal areas. PEPA, the Punjab Act, and the Balochistan Act all give the term "environment" a fairly broad definition that encompasses the air, water, and land;

Some of the functions of regulation under PEPA were stated to protect the environment as follows: According to the Act, each developmental project in the country has to undergo for Environmental Impact Assessment (EIA) / Initial Environmental Examination (IEE) before the commencement of any project (Khan, 2020). These assessments are specialized in measuring the adverse impacts that suggested actions are probably going to have an impact on the environment in order that the decision makers may take into account when approving the activity. However, in practice, the use of these assessments has not always been well done, and many projects fail to be regularly monitored, probably due to poor institutional capacity and lack of sufficient funding especially in the environmental agencies. In addition, PEPA 1997 has a special provision on environmental tribunals or penalties which make up another strong point of the law. The Act provides for remedies by environmental tribunals for breach of environmental laws and the consequences including fines and penalties for non compliance. Here also, the industrial polluters have carried on polluting and polluting in many cases without much let or hindrance, which brings out the chasm between law making and law implementing within Pakistan's environmental regime. Moreover, PEPA 1997 also contains provisions for preservation of public health and controlling of hazardous substances; the industries should guarantee that the emissions, waste discharges and hazardous substances shall be managed in a manner that is compliant to environmental laws (Bashir & Javed, 2025). The Act also fosters the development of requirements that constitute environmental quality, such as restriction on aerosols air, water, and soil pollutant. However, the enforcement is still a serious issue due to lack of supervision and poor technical knowledge in most of the environmental protection departments at court and provincial level. However, even with liberal provisions contained in the PEPA 1997, there have been a number of implementation difficulties. Following the 2010 18th Amendment to the Constitution, the Environmental Devolution of management to provincial level and most of the provincial EPAs were underfunded, under technical capacity to enforce the law as envisaged in the constitutional provision of the law. Pakistan's superior judiciary has, in fact, been the primary engine of environmental doctrine in the absence of comprehensive statutory detail: in *Ms. Shehla Zia v. WAPDA*, PLD 1994 SC 693, the Supreme Court read the right to a clean and healthy environment into the right to life and dignity under Articles 9 and 14 of the Constitution, while in *General Secretary, West Pakistan Salt Miners Labour Union (CBA) Khewra, Jhelum v. The Director, Industries and Mineral Development, Punjab, Lahore*, 1994 SCMR 2061, the Court held that the right to unpolluted water belongs to every person wherever they live. A recent doctrinal assessment of PEPA similarly finds that a significant gap persists between the framework crystallised in the statute and its effectiveness in practice, attributable to institutional inadequacy, economic constraints, political instability, low public awareness, and the devolutionary impact of the Eighteenth Constitutional Amendment (Ghouri, Qazi, Ali, & Hussain, 2025).

7. Comparative Perspectives in Environmental Law

Comparative research in environmental law enables one to understand the different systems in environmental law and offers useful lessons that may be used crossborder. Comparative analysis is therefore valuable to Pakistan since it reveals how other countries has addressed similar problems, such as pollution, climate, and wildlife. For instance, the socioeconomic and ecological characteristics of the such countries as India or Bangladesh are rather close to the Pakistani ones, however, they have successfully introduced the effective legal measures for environmental protection. Identifying differences between their policies and those of

Pakistan could illustrate reforms that will enhance the national milieu administration. (Kumar & Singh, 2019). Also, comparative studies facilitate a finding of legal loopholes within the Pakistan legal system since the research compares the system to the best practice systems. For instance, how these developed countries as Germany, Canada, and Sweden have put in place the environmental laws can provide guideline to Pakistan so that the latter can formulate better regulations and means of enforcing them. These countries possess sound legal frameworks, which provides framework that addresses economic goal while also addressing ecological imperatives, which Pakistan can borrowed and adopt into its system. Comparative analysis also helps cooperation between the countries so that there is enhanced learning between the countries. Pakistan will not only be able to enhance its own ability at applying environmental concerns into legal systems but also advance a number of other nations having faced similar issues in advancing the scope of sustainable development. Comparative works in environmental law are essential in the understanding of how various legal systems address environmental concerns thus offering a comprehensive evaluation of the various legal systems. Comparative method enables the policy makers, scholar and practitioners working to have a more comprehensive view of legal measures in the area of environmental law and policy implemented in different jurisdiction for environmental protection and to analyze the effectiveness of such measures. Understanding how one nation's environmental laws compare to those of another can aid in determining what legal idiom can be implemented in given countries those nations like Pakistan who need to enhance their legal strategies for particular climate or environmental question. The idea that has been adopted is to learn from the best practices of other countries. That appears to be one of the strongest aspects of comparative studies in environmental law; indeed the ability to make use of other countries' examples, both good and bad. This judicial method of filling legislative gaps is not unique to Pakistan's environmental doctrine generally the Lahore High Court's own jurisprudence, from *Imrana Tiwana v. Province of Punjab*, PLD 2015 Lahore 522, which treated environmental protection as an inalienable right bound up with sustainable development and the precautionary principle, to *Asghar Leghari v. Federation of Pakistan*, W.P. No. 25501/2015, which supervised the government's climate change adaptation framework through a continuing mandamus, illustrates how comparative doctrines borrowed from other jurisdictions have supplemented Pakistan's own thin statutory base (Asghar, Umer, & Afzal, 2024).

8. Challenges in Implementing Environmental Law in Pakistan

Lack of capacity to enforce environmental laws among the primary cause of failed implementation of environmental laws in Pakistan includes low capacity magnitude of Pakistan's Environmental Protection Agencies (Kaleem et al., 2025). The Pakistan Environmental Protection Act (PEPA) of 1997 established these organisations and their primary responsibility is to supervise the enforcement of environmental laws and regulations throughout Pakistan. Despite this, they are always experiencing inadequate funding, lack of qualified professionals besides lacking technical facilities. Therefore, EPAs cannot adequately implement the surveillance of deterioration of the environment, compliance to set standards, or the installation of sanctions on offenders. This speaks volumes of the institutional weakness in the social economic system which sees industries and businesses conduct themselves unfettered by environmental statutes thus contributing to the degradation of the environment (Khan et al., 2020).

The lack of political will in Pakistan is a major obstacle to the application of environmental law. The policy makers of the country have not given proper importance to the environment and are more concerned with economic and industrial development and short term benefits than the long term environmental concerns of the country. Many successive governments in Pakistan have preferred mega development projects including constructions of roads, energy generation and industries without much consideration to the environmental costs (Khan & Raza, 2020). Absence of strong political will to deal with environmental challenges is also manifested by the low levels of compliance to environmental policies. Despite the numerous legal measures that have been taken by the government of Pakistan on environmental issues, For example, the National Climate Change Policy of 2021 and the Pakistan Environmental Protection Act of 1997, the measures fail to be implemented and effective (Barkat et al., 2025). Official corruption, or corruption by government officials and employees of the state agencies and regulatory bodies, remains a significant problem in Pakistan's system of environmental management. cases of bribery and favoritism deny acceptable implementation of environmental laws since they allow organizations and industries to slip through the environmental legal requirements. For example, industrial operators pay money to local officials to escape the environmental regulation or to get approvals for activities which are detrimental to the environment including illegal logging or dumping of untreated industrial effluent into the river. Thus the judiciary being rather involved in environmental issues is not always protected from the vices of corruption as well as ineptness. There are always tendencies that legal actions against these environmental infractions take various years to be determined or can just be disregarded while fines set to be paid by these violators are either inadequate to act as a deterrent measure towards future such violations, or can be equally unpaid (Raza, 2020). It shows a lack of accountability further to the environment since those who violate the environment are hardly punishment.

The holding of adequate financial resources is another major problem that Pakistan faces in its attempts to practice environmental laws. Country's environmental agencies remain underfunded most of the time and cannot effectively perform their responsibilities. Lack of funding with an organization impacts both procurement of personnel to employ for the organization's causes, training of existing employees, and procurement of necessary technology for monitoring pollution levels and general environmental survey and assessment (Saeed, 2024).

Thus, due to lack of enough financial might to procure equipment, quality monitoring stations in air and water for instance used in identifying violators of the laid environmental laws cannot be purchased. Lack of such infrastructure helps polluters to continue polluting the environment since most infringements go unnoticed especially when they are large until they cause massive harm to the environment (Andreen, 2000). Furthermore, the funds for preserving environment are usually minimal compared to other sectors of development, including defense, infrastructure, energy and manufacturing. In most developing countries, environmental agencies are usually least considered when it comes to the provision of funds and resources this makes them ineffective when putting environmental laws and regulations into practice.

There exists a directory of environmental laws in Pakistan but these laws are somewhat ineffective and not capable to cater the modern environmental issues. Most of the existing laws in Pakistan are not in tandem with the emerging global environmental standards or the dynamic environmental threats that belong to the contemporary world including climate

change, industrial pollution, and loss of biodiversity; for instance, The Pakistan Environmental Protection Act 1997 has not been updated to address modern issues (Amjad et al., 2025). A major weakness evident in most of Pakistan's environmental legislation is that it does not contain provisions on implementation of the law. These laid down the sets of rules and recommendations concerning the state and quality of the environment and do not prescribe punitive actions or offer provisions for periodic checks on violations of the laws. Consequently, most polluting activities are not reported and unpunished while industries engage in pollutions without legal consequences. However, there are some major defects in Pakistan's environmental legal system; one of them is the fragmentation of legal norms (Kiran et al., 2023).

The general lack of knowledge about environmental issues and the laws pertaining to them is another significant obstacle. Due to the general public's frequent ignorance of their rights and obligations regarding the environment, there is little public pressure on businesses and the government to follow environmental regulations. The effectiveness of environmental policies is hampered by the low level of public participation in environmental decision-making processes. A study by the Pakistan Environmental Protection Agency highlighted that environmental awareness remains low, particularly in rural areas, where environmental deterioration has the worst effects (Munir et al., 2025).

Citizen's awareness of environment matters and laws is important as it provides conducive environment for exercising environmental governance. But in Pakistan finding such data indicates that general public is incompetent and unaware of the existence of environmental laws let alone their significance. Education on environmental issues can still be observed to be missing or poorly incorporated into the school systems of the country hence the citizen's ignorance of their rights and roles in environmental conservation. This lack of awareness extends to industries and businesses it is found that many of them either lack knowledge of the relevant environmental regulations or deliberately decline to observe them (Li et al., 2024).

9. State Responsibility: Harmonizing Domestic and International Obligations

Concentration on state responsibility in the environmental law is essential since states are the main players in the implementation of environmental conservation measures. According to international law, each state bears legal liability for making its national policies consistent with the international law requirements and these are especially directed towards the safety of environment (Latif & Khan, 2025). In the background of Pakistan, understanding of the state responsibility is founded upon the fact that as the government has the responsibility to enforce environmental laws and to ensure compliance with the international legislation.

10. Adherence to Global Environmental Accords

10.1 The Paris Agreement

The historic Paris Agreement was created in 2015 by the United Nations Framework Convention on Climate Change (UNFCCC) with the intention of reducing greenhouse gas emissions and limiting the rise in global temperatures (Offiong et al., 2025). Pakistan is a signatory to the Paris Agreement and has committed to reducing its greenhouse gas emissions and enhancing its resilience to the impacts of climate change. The efficient execution and oversight of Pakistan's climate pledges is one of the main obstacles to adherence to the Paris Agreement. To oversee the implementation of climate policies and initiatives, the government has set up a number of organizations, such as the Climate Change Division and the Ministry of Climate Change. However, these organizations frequently struggle to adequately monitor

and report on progress due to a lack of funding, a lack of technical know-how, and bureaucratic inefficiencies (Ahmed et al., 2025).

10.2 Convention on Biological Diversity (CBD)

The 1992 Convention on Biological Diversity (CBD), to which Pakistan is a party, seeks to protect biological diversity, promote the sustainable use of its constituent parts, and ensure the fair and just distribution of advantages arising from genetic resources (Bashir & Javed, 2025). Pakistan is committed to implementing national strategies and action plans to address the causes of wildlife loss and safeguard its biodiversity. In order to adhere to the CBD, Pakistan has created a number of National Biodiversity Strategies and Action Plans (NBSAPs) (Anwar et al., 2022). The creation of protected areas, the sustainable management of natural resources, and the incorporation of biodiversity considerations into sectoral policies are all part of the most recent NBSAP, which was introduced in 2017 and provides a comprehensive framework for biodiversity conservation. Nevertheless, there are many obstacles in the way of putting these strategies into practice.

10.3 Stockholm Convention on Persistent Organic Pollutants (POPs)

The Stockholm Convention on Persistent Organic Pollutants (POPs), which was adopted in 2001, aims to eliminate or restrict the use and production of persistent organic pollutants, which are harmful to human health and the environment (Lallas, 2001). Pakistan pledged to manage POP stockpiles and phase out the use of these substances when it ratified the Stockholm Convention in 2001 (Munir & Ghouri, 2025).

11. Conclusion and Recommendations

Reforming Pakistan's institutional and legal frameworks is a critical first step in enhancing environmental governance in that country. To satisfy international standards and address contemporary environmental issues, the existing environmental legislation including the Pakistan Environmental Protection Act (PEPA) of 1997 must be amended. Strong coordination between different government ministries and departments is necessary for effective environmental governance. Pakistan should create interministerial committees or working groups to address climate change, biodiversity, and chemical management, among other cross-cutting environmental issues, in order to accomplish this. By fostering cooperation and communication between various sectors, these committees would guarantee that environmental factors are incorporated into more comprehensive policy frameworks. Furthermore, addressing the fragmentation of environmental laws and fostering consistency in policy implementation can be achieved by creating a single national framework for environmental policy that harmonizes the goals of different environmental agreements.

For environmental governance to be effective, public participation and awareness are essential. Pakistan should start national education campaigns to raise awareness of environmental issues, international commitments, and the significance of adhering to environmental regulations in order to promote a culture of environmental responsibility. Schools, companies, and local communities should all be the focus of these campaigns (Shah & Faheem, 2020). Raising public awareness will encourage more active involvement in environmental protection initiatives in addition to improving comprehension of environmental challenges. Another crucial component of public engagement is promoting community participation in environmental decision-making procedures.

International cooperation is necessary to address global environmental issues, as is improving adherence to international agreements. In order to work together on environmental projects, exchange knowledge, and obtain financial and technical assistance, Pakistan should fortify its

ties with international organisations, bilateral and multilateral donors, and its neighbours (Haq & Khan, 2019). Pakistan will be able to address transboundary environmental issues and foster regional cooperation on climate change, biodiversity conservation, and pollution control by actively participating in regional environmental initiatives and agreements (Jahangir, 2020). Another important component of international cooperation is taking part in international discussions and negotiations on environmental issues. Pakistan can contribute positively to global environmental governance and the advancement of its environmental goals by speaking up for its interests, sharing its experiences, and helping to create international environmental policies (Shah & Faheem, 2020).

The study concludes that although Pakistan has ratified international agreements and codified progressive environmental laws, their effectiveness is compromised by the implementation gap. Political elites put development ahead of sustainability, institutions lack independence and funds, and corruption erodes liability. Other nations with similar issues, like Bangladesh and India have formed more strong institutions and policies, according to comparative analysis. Developed nations like Sweden and Germany also show that economic development and rigorous regulation can coexist. National security, biodiversity, and public health are now directly threatened by environmental degradation. The study concludes that Pakistan will continue to be hindered in environmental crises in the absence of institutional reform, political commitment, and the incorporation of sustainability into economic planning. To protect current and future generations, environmental law must transform from "law on paper" to an enforceable reality.

The gap between symbolic constitutional guarantees and effective legal mechanisms for enforcement in Pakistan demands strengthening criminal law to introduce heavy fines and imprisonment for severe environmental offenses in order to seek a more immediate and practical solution. Criminal laws operate closer to the source of harmful actions and are easier to enforce without needing complex judicial interventions. For instance, fining or arresting someone for polluting air by burning toxic materials is more straightforward than invoking a constitutional right in court, which requires demonstrating systemic harm and navigating complex judicial processes. Moreover, criminalizing acts of ecocide with significant penalties for corporations and individuals responsible for serious environmental harm could act as a deterrent, holding perpetrators accountable for the damage they cause to the health of the planet and its inhabitants. Pakistan's institutional, political, and socioeconomic landscapes are at the heart of the country's complex and difficult-to-implement environmental laws. Ineffective enforcement of environmental laws is caused by a number of factors, including a lack of political will, corruption, a lack of institutional capacity, a lack of funding, and a lack of public awareness. Furthermore, the nation's disjointed governance structure and antiquated legal system make environmental protection even more difficult.

A comprehensive approach is required to address these problems, one that involves strengthening institutions, boosting political support for environmental preservation, updating outmoded legislation, and encouraging increased public participation in environmental decision-making. Pakistan can only meet its domestic and international environmental obligations and enhance the application of its environmental laws by addressing these fundamental issues.

Pakistan faces numerous and intricate difficulties in balancing its international commitments with its domestic environmental responsibilities. Aligning Pakistan's domestic environmental policies with international standards is challenging due to a number of factors, including legal

fragmentation, bureaucratic inertia, financial constraints, the federal-provincial divide, overlapping institutional mandates, limited international support, and socioeconomic pressures. Improving Pakistan's environmental governance and guaranteeing adherence to international environmental agreements depend on the implementation of successful reforms. Pakistan can overcome current obstacles and make great strides towards accomplishing its environmental goals by fortifying institutional frameworks, improving coordination and enforcement, obtaining financial and technical support, encouraging public engagement, and cultivating international cooperation. These changes will support international initiatives to address urgent environmental issues and assist in bringing domestic policies into compliance with international norms.

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