

**CLIMATE JUSTICE AND RIGHT TO DEVELOPMENT IN INTERNATIONAL ECONOMIC LAW
(IEcL): PUBLIC POLICY AND IMPLICATIONS FOR PAKISTAN**

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ABSTRACT

Human Life cannot be confined only to vegetable or animal survival, but it includes the right to all amenities and facilities which a person born in a free state is entitled to enjoy with due respect and human dignity. The jurisprudence on right to life inter-alia includes living in a pollution free atmosphere which is not hazardous to human health. The International Economical Law (IEcL) regulates the international trade and environmental issues among the states, and promotes human development, subject to the preservation and protection of environment. World Trade Organization (WTO) is the central pillar of IEcL; the charter of WTO promotes and protects the environment and human life. In this contextual perspective, climate justice has a close nexus with human rights and development. The Constitution of Pakistan provides the preservation and protection to environment as a fundamental right. The courts in Pakistan are vigilant on the enforcement of this right. The case law research reflects the attitude of the Courts in positive dimension in *Imrana Tiwana Case (2016)*, and *Maple Leaf Case, (2018)*, where the Court developed jurisprudence on the climate justice and observed that, "Time has come to move on to climate justice which is an amalgamation of the constitutional principles and climate justice should be at center stage in the scheme of Constitutional rights." Therefore, there is a dire need to develop a climate friendly and a climate resilient development practice for different sectors of the economy to meet Pakistan's responsibilities under the WTO laws.

Keywords: Climate Justice, SDGs, WTO, Pakistan, IEcL

I. INTRODUCTION

In the modern globalized world, global warming and climate change has gained a threatening attention of recent time, and it has led to a spectacular change in climate system of our planet. Every human being on this planet has a fundamental right to live and enjoy his life in a pollution free environment. Constitution law aims to protect the life of every citizen where life of individuals is in

danger on account of hazardous environmental issues. The same concern is treated as the violation of basic human rights relating to life and it is prohibited. Because, the life cannot be confined only to vegetable or animal life, rather it incorporates the privilege to all luxuries, which an individual conceived in a free state with due respect and human pride. The climate justice has the great relevance with human health and development. Therefore, the hazardous environmental change will damage the capacity of countries to uphold their human rights obligations under international economic law (IEcL). Human development is always get interrupted by the climate injustice, because it is a great hurdle in the continued progress of human development. The Executive Director of UNEP, highlighted the role of environmental change on human development and human rights in these words "Climate change is one of the greatest threats to human rights of our generation, posing a serious risk to the fundamental rights to life, health, food and an adequate standard of living of individuals and communities across the world". An eminent scholar writes: "If there is any moral precept shared by people of all beliefs, it is that we owe ourselves and future generations a beautiful, rich and healthful environment". In historical perspective the word climate justice enumerates the climate change as moral obligation. However, with the emergence of globalization and industrial revolution, the commercial activities across the globe had tremendously increased and boosted the landscape of the world economy. In the Consequences of this economic growth and development a serious threat was felt at global, regional and national level to the healthy environment. With a mission to protect the clean, green and healthy environment various efforts were made by international community to reduce the effects of global warming. Therefore, in 2000, a summit with an objective to protect and preserve the environment and to save our world from global warming was held at Hague, purpose of this summit was that "The climate change is a rights issue and to build alliances across states and borders against climate change and in favor of sustainable development (SDGs)". In this scenario, the protection of environment is an international and national obligation on the part of the states and their individuals and hence, the climate justice is a Constitutional right. In Pakistan's perspective, the country is one of the major sufferers of global warming. In the recent past, the EU granted the GSP Plus status to Pakistan; in this Pakistan's exports to the EU have been subjected to 20% less duty than the normal MFN duties. However, EU imposed certain conditions along with the GSP plus status on Pakistan with respect to improvement of the "labor", "protection of environment" and "human laws" etc. These issues are the major contributors to the betterment of economy and sustainable development of a country.

II. LITERATURE REVIEW

Environmental protection is the 3rd generation human right in the domain of Human Rights law. Climate justice is a fact of life. It is one of the greatest challenges we face in this day and age, yet not enough is being done to counter its effects. The dramatic consequences are seen and felt all over

the globe. The world's inhabitants and ecosystems are all falling prey to the planets dramatic alterations of climate. The natural course has been altered and the consequences are felt by all. At this very moment the polar vortex has shifted over North America. It has transitioned the American winters into something of an Arctic outbreak! 10 inches of snow, and a blast of the bitter Arctic cold as the wind-chill falls to -50 degrees F has halted life as we know it in the mid-west. Electric breakdowns due to the weather have been common; the rail tracks have to be burned, just to prevent them from cracking! Unprecedented heat waves, arctic winters, worst droughts and the largest storms to have ever made it to landfall have all been recorded in the last decade. This alone speaks volumes of the havoc that has been unleashed, yet this is just the tip of the iceberg. If drastic measures are not taken immediately and effectively, life as we know it will not be able to continue in the desired direction. To understand the events which have caused such a dramatic change and the consequences which are being felt, we need to be clear about the connection between the rights of humans and climate justice. The change in climatic conditions effect all, but the consequences are felt disproportionately. The countries and people which are most affected by these changes are the ones which contribute least to climate change. The main contributors are those countries which leave the largest carbon footprints. These are the countries which emit the most GHG's and CO2 up into our Earth's atmosphere due to fossil fuels being burnt. Yet, these wealthiest regions are also insulated from the effects of climate change. Any challenge caused can be easily countered with, due to the availability of resources. On the other hand the poorer countries, due to lack of resources, are unable to sustain and uphold the human rights of its citizens. They are encompassed in a vicious cycle of poverty and the losses incurred impede the pattern of growth and sustainability. Thus, climate change is a huge obstacle in the safeguarding of human rights. The movement to save our environment gained momentum and felt across the globe. In 2012 The International Bar Association launched a Task Force on Climate Change Justice and Human Rights. They took it upon themselves to define the justice for climate justice in the view of said task force, the climate justice has expressed in these words:

“To make sure that communities, individuals and governments have enough legal and procedural rights for the enjoyment of a safe, healthy and sustainable environment and the means to take measures within their national legislative and judicial systems and, where necessary, at regional and international levels, to mitigate sources of climate change and provide for an adaptation to its effects in a respectful manner and to protect human rights with reference to environment.”

The task force also took on itself to identify the causes of climate change and how there needs to be a modification in policy making. They advocated that the human rights approach needs to be

adopted rather than the purely scientific approach, as human rights and economic growth are closely related. In doing so equity and justice can be advanced and the concerns of communities most affected by climate change can be addressed more effectively. In this contextual perspective, climate justice has a closest nexus with development; therefore, the following words are worth noting:

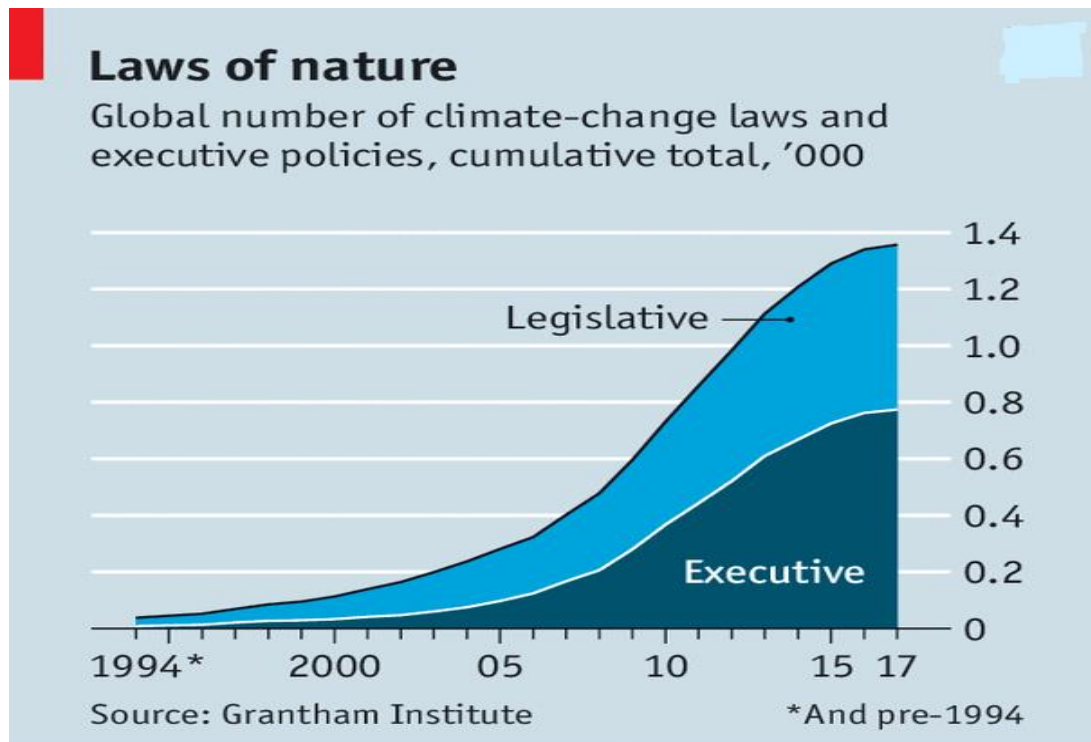
“A climate justice agenda embraces a conscious recognition of the development imbalances brought into relief by climate change. Climate justice seeks to combine the climate change discussion with human rights in a way that is equitable for the most vulnerable groups. Understanding climate change and climatic justice, Recently, the Mary Robinson Foundation described climate justice “Links human rights and development to achieve a human-centered approach, safeguarding and sharing the burdens and benefits of climate change and its resolutions equitably and fairly” Yet, there is no single piece of legislation which could counter the effects of climate change and bring justice to communities affected by climate change the most. Measures have to be adopted where the legislators, world leaders and policy makers can come up with an effective policy which would pave the way for the future.”

The IPCC (Inter-governmental Panel on Climate Change) is the leading international body for the evaluation of climate change and the most respected voice of the scientific community across the globe on the causes, implications and possible responses to climate change. This panel does not carry out its own investigation, but looks into the scientific reports published and data collected. The IPCC has warned that the atmospheric concentration of CO₂ has reached an unprecedented point in the last 800,000 years. It has also stated that the human factor is the most dominating factor in global warming since the mid 20th century. The present situation is not something which resulted in a few years, but dates back to many decades. Over the generations the emission of GHG's and CO₂ has reached a point where the catastrophic effects are now clearly visible, and will worsen dramatically if effective measures are not taken immediately. The IPCC states that “continued emissions of GHGs will cause further warming and changes in all components of the climate system. Limiting climate change will require substantial and sustained reductions of greenhouse gas emissions.” The IPCC expects a rise in temperature of 4°C by the end of this century unless there are severe changes in the way we consume and manufacture energy. The collective findings of the IPCC clearly set forth the urgent need to address climate change on an international level. It concluded that warming of the climatic system is explicit, and since the 1950s, many of the changes observed are unprecedented over decades to millennia. Indeed, the climate is changing before our eyes: “the atmosphere and ocean have warmed, the amounts of snow and ice have diminished, sea

levels have risen, and the concentrations of GHGs have increased.” All these reports point in one direction__ there is no denying that man is the main contributor to the effects that are felt by a change in climate and will inevitably be the worst loser. It is predicted that low lying areas of land will be lost with the melting of the polar caps, the sea levels will rise. The risk in the production of food will increase resulting in increased rates of malnutrition. Many of the dry regions will become dryer; and the wet regions will become wetter. An increase in the scarcity of water would result. A lot of fertile land will be lost. Displaced citizens due to the loss of coastal cities would lead to an increased refugee condition. There would be an increase in high intensity tropical cyclones and a loss of bio diversity due to deforestation and natural ecosystems would be lost forever. As the quality of air would decrease the effect on crop life, human life and animal life could be fatal. These are some of the consequences of climate change, there would be many more and their magnitude would be huge. Although some of the countries are focused on reducing carbon emissions by the end of the decade, but others find it an elusive idea. Alternate sources of renewable energy are the need of the hour and heavy investment is needed in these areas so that traditional non renewable resources can be a thing of the past. To prevent the devastating consequences the UN has come together and many a treaties have been signed.

The UN Framework Convention on Climate Change - A body of international law deals straightforwardly with climate change. It's made up of two treaties - the UNFCCC and its implementing mechanism, the Kyoto Protocol which meets periodically to update the situation and the latest Paris Agreement, which is currently in force. In addition to these conservative sources, customary international law and general principles of law are likewise related to the superiority of climatic change related actions and policies. The UNFCCC, the main international treaty leading the human response to climate change, calls for the stabilization of greenhouse gases in the atmosphere at a level that would put a stop to dangerous 'anthropogenic interference' with the climate system. Thus, collective effort is required to overcome the emission of CO₂ and GHG's in an attempt to save our planet from further devastation in the hands of nature. The IBA Task Force has also adopted the following intention for this Report, formulated in the perspective of human rights: To make sure communities, individuals and governments have enough legal and procedural rights to the fulfillment of a safe, healthy and sustainable environment and the means to take or cause certain measures within their national legislative and judicial systems and at regional and international levels, to mitigate sources of climate change and provide for the implication to its effects in a manner that respects human rights. The Task Force and the United Nations have both set forth a formulated plan for the furtherance of seeking the desired results, if climate justice is to be achieved. It is now upon every individual to make the right decision in the protection of this planet. Governments, policy makers and multinational companies have to be pressurized to make conscious efforts to work according to the guidelines laid down by the UN. However the following graph highlights the climate

change laws and executive policies to cope with the challenges of climate change. The indicators show the positive response among the countries.



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III. RELEVENCE OF CLIMATE JUSTICE AND DEVELOPMENT IN INTERNATIONAL ECONOMIC LAW (IEcL)

The essential human rights documents of the United Nations guarantee that each human has a right to advancement, a right that likewise incorporates consistent improvement of every individual's living conditions; this perception infers a privilege to an endless improvement of living conditions. As indicated by the author, this elucidation faces a few illogical ramifications. Initially, it appears to be sensible that we can't reserve a privilege to progress without respect to environmental sustainability; enhancements should rather concentrate on prosperity and human development. In this contextual perspective, IEcL is interested in the development of the states through trade, investment and economic policies. This law develops a landscape of a legal framework that addresses economic, social and environmental concerns. Therefore, IEcL regulates the economic relations, preservations of environment, emphasizes on economic growth and sustainable development. IEcL uphold the economic sovereignty and sovereignty over natural resources and right to development of the states and their individuals. In this connection, the Charter of Economic Rights and Duties of the States (CERD), Declaration on the Right to Development, The International Covenant on Economic, Social

and Cultural Rights (ICESCR) and WTO Law which provides a level playing field to all the member countries in the field of trade in goods, services and intellectual property rights. The preamble of the Marrakesh Agreement elucidate that the WTO not only promotes trade but also provides protection of human rights *inter-alia* the preservations of climate. Hence, the WTO's associated agreements contain the special provisions relating to the protection of human, plant and animal life with special reference to environmental concern. In 2013, EU awarded GSP+ status to Pakistan, "In order to maintain GSP+ Pakistan has to keep ratification and effectively implement 27 core International conventions on human and labor rights, environmental protection and good governance".

The International instruments on human rights envisage that every human being has a right to development (RTD) in socio-economic and cultural domain of life. Therefore, it is the prime responsibility of the state concerned to provide congenial and healthy environment to the individuals for the improvement of their life. Most of the Constitutions of the World do not expressly deal with the right to development an exclusive provision, whereas, the views of Courts of diverse jurisdictions are that the RTD is in-build in the right to life. It is pertinent to mention here that the definition and the contents of the right to development are still controversial and not exhaustive in nature. However, the World is agreed upon the significance and sanctity of the RTD, efforts are being made to resolve this controversy on the definition of RTD and its contents. However, this right cannot be justified without regard to ecological sustainability and improvements in human life. Climate justice is a restriction upon the RTD, and climate justice is impacting not only ecological change but it also impacting the cultural, political and economic and legal landscape of the societies around the globe. Jurisprudential arguments on human rights and ecological justice have highlighted the antagonistic influence of climate change on the rights relating to healthy and pure food and water including right to life. These rights are contained in the various international human rights treaties.

Goal 13 of (SDGs), elucidates that, there is a dire need to take emergent initiatives to combat climate change and its adverse effects in the world, Because the ecological change has become a great challenge for every state of the world, it is ruining the living conditions of masses including social, cultural and economic spheres of the life. Climate change has appeared as a nightmare for every country and it has becoming more dangerous by every coming day. The weather conditions have reached at the highest levels of the history by becoming more extreme, therefore, proper actions including legislation and awareness are direly required to cope this threat, otherwise in coming future the temperature of the world will pass the dangerous levels of centigrade and the poorest will be the more affected of this threat.

IV. LAW AND PUBLIC POLICY IN PAKISTAN

It is true that whole world is suffering from "climate change and global warming". However, the major sufferer is the developing world like Pakistan and India. Pakistan conceivably faces a noteworthy environmental challenge. A deliberate exertion by the legislature and common society at all dimensions is required to relieve these dangers. Under future environmental change situations, Pakistan is relied upon to encounter expanded inconstancy of river flows, because of expanded fluctuation of precipitation and melting of glaciers. Therefore, there is a dire need and an opportunity for countries to work together to cope with the challenge of climate change in order to protect and preserve the beauty of nature. In this connection Adaptation and Mitigation are two key methods to respond to climate change. The first one adaptation includes very important areas that require new policies such as health, forestry, agriculture, water resources, livestock, biodiversity, disaster preparedness, vulnerable ecosystems and socio-economic .The second method, mitigation requires policy invention in the areas of transport, waste management and energy additionally. Although mitigation is an intentionally more resorted to measures but looking onto the situation of Pakistan, it needs to focus on the adaption measures, for now. For effective adaptation, mitigation and disaster management four major areas need to be worked on. Raising awareness, organizational and institutional adjustments, capacity building and infrastructure development are included in priority list. Pakistan has always remained concerned about the environmental protection issues and it is continuously struggling in the area of climate justice for over two decades. Ratifying international treaties lays down a pressure upon the country to adopt model legislation in their domestic laws. Pakistan has ratified United Nations Framework convention on climate change first time in 1994 and later also ratified different conventions on the climate justice, signed Kyoto protocol in 1997 and Paris agreement in 2015. Coming to the national legislation, Pakistan endorses the goals in the provisions of Kyoto protocol and Paris Agreement by formulating a National Climate Change Policy (NCCP) in 2012. The NCCP became operational in 2013; its main agenda was to focus on the economic growth by taking in view different climate change policies and some other integrated policies. Due to multiple factors, this policy was not implemented in its letter and spirit and ultimately went in vague. The factors includes the non practical measures suggested in the policy which were not practicable considering the circumstances of Pakistan, secondly the vested interests of the stake holders and thirdly the lack of awareness and skills in the relevant stakeholders. After that the parliament of Pakistan came with its first legislation in 2017, called the Pakistan Climate Change Act 2017. This was passed mainly due to the report given by convention on Paris agreement that Pakistan needs to have a domestic legislation in order to come up with the international standards of climate justice. Therefore, bearing this pressure by international convention Pakistan first time passed this legislative piece focusing the prevalent issue of climate justice.

In pursuance of the Climate Change Act of 2017, three major institutions were established namely, Pakistan climate change council, Pakistan climate change authority and Pakistan climate change fund. Section 3 of the act provides the establishment of the Pakistan climate change council and states that the prime minister of Pakistan by official gazette establishes the council known as Pakistan climate change council and whose chairperson shall be the prime minister and all other members shall be nominated by him. Section 4 of the said act, gives the functions and power of this council, including coordinating and implementing the provisions of the act, monitoring international agreements related to climate change, approving guidelines for the protection of resources considering the sustainable development goals, and considering the national climate change report and give appropriate directions.

The set up of climate change authority is provided under section 5 of the Climate Change Act, in which comprises of a chairperson and other members. The functions of the authority provided in section 8 of the act include analyzing, monitoring, preparing the reports on the climate change issues. The powers of the same authority are clearly mentioned and these are wide powers given to the climate change authority but viewing from the practical scenario, none of the functions and powers is being used by the authority in the real essence. It seems that this act was just promulgated under the influence of international conventions and agreement to which Pakistan is one of the signatories, but it is not actually implemented in the country up till now. Section 12 ordains the formation of a fund pertaining to climate change to be established, in order to provide a financial base by which the PCCA shall undertake its functioning. Section (12)(2) highlights that 'donations, endowments, grants and gifts' may be used as a pool for the fund to draw its funding. However, an important question to consider is section (12)(b)'s relationship with section (10)(2)(b), which requires permission from higher officials of the government before accepting any sort of foreign-based aid from organizations and governments. A key feature of the major revenue that comes for developmental projects is that they are foreign in nature, highlighting an issue with bureaucratic bottlenecks.

Although this Act is a comprehensive piece of legislation but its purpose will be fulfilled if the government focuses on taking effective steps for the climate justice, otherwise mere making of the Act and appointing authorities under it will not be providing any gain. As the time goes on, the issue of climate justice bringing serious threats in all over the world, government should implement the national climate change policy and the Pakistan Climate Change Act of 2017 in the most effective manner. We should be taking steps regarding it by considering the threats to our climate and environmental issues rather just making laws by bearing international influence.

V. JURISPRUDENTIAL DEVELOPMENTS IN PAKISTAN

A handful case law reflects the attitude of courts in Pakistan in the promotion of environmental justice. The case study indicators reflect that the courts in Pakistan are highly positive and more proactive in the protection of healthy environment in Pakistan. In **United Welfare Association vs. Lahore Development Authority**, the petitioners sought the intervention of court for the removal of certain asphalt plants from the residential area of the petitioners as they were causing harmful effects on the health of the residents. The contention of the petitioners in this case was that asphalt plants should be installed at somewhere outside the residential sites, as the plants when worked caused serious hazardous gases that are causing obnoxious effects on the life of the citizens, which is a violation of Article 9 of the Constitution of Islamic Republic of Pakistan

The Court observed that the continuous operation of these plants at the residential site is hazardous to clean and healthy environment. They are releasing obnoxious fumes that are harmful for the life of the residents. They must be placed at somewhere where there is no danger to environment. The high court ordered the Lahore Development authorities to install these heavy plants outside residential area. The petition was disposed of by giving the relief to petitioners in accordance with law.

In **Shehla Zia vs. WAPDA** case, this landmark case law was a public interest litigation filed by the petitioner under the original jurisdiction of Supreme Court with regard to enforcement of fundamental rights, where the petitioner invoked the remedy under the provisions of article 9 and 14 of the supreme law of the land. The contention of the petitioner was that the installation of the grid station by WAPDA is illegal in housing sites as their installation would release electromagnetic waves which would endanger human life. The petitioner has asked the court to order the WAPDA not to install these grid stations in the residential site.

In this particular case, the SC first time elaborated wide interpretation of word 'life' guaranteed in the fundamental rights under the Constitution. It was held that although the expression life has not been explained in the supreme law of the land, despite of the fact, it should not be given a narrow and restricted meaning; rather one should interpret the word life in its broad connotation. The lifeis entitled to enjoy it with dignity, and respect. Hence, the court ordered in the favor of environmental justice and directed the relevant authority to stop the installation of the grid stations.

In another case of Industries and Mineral Development Punjab, the plaintiffs who were mine workers alleged that the director of the concerned industries had issued mining licenses which resulted into the reduction of the water in catchment area. Consequently, it contaminated the water by the waste coming out of the mines, exposing the residents to health hazards. The plaintiff petitioned the court

to close the mines that are within the water catchment area. They also pointed out that the pollution of the river presented for them a breach of their right to life.

The judges of the Supreme Court held that there was an infringement of the fundamental right of the inhabitants, and ordered the mining company to change the direction of the mine and to take measures to save water from pollution. At the same time the Court forbade the Licensing Authority to grant licenses. The court ordered the concerned departments to shift the location of mine at appropriate places

In another land mark case of **Syed Mansoor Ali Shah vs. Government of Punjab**, The petitioner stated that air contamination brought about by the vehicular outflows had seriously influenced human life, making different infections to natives. The petitioners also asserted that as Pakistan has signed various international treaties, therefore it is duty bound to take steps for the protection and preservation of environment,

The Court held that failure to maintain the vehicles which cause hazardous diseases is the violation of international human rights treaties and relevant provisions of fundamental rights in the form of Article 14 and 9.

In **Asghar Leghari vs. Federation of Pakistan** case, Mr. Asghar Leghari sued the government for failure to implement National Climate Policy and Framework (NCPF), 2012, which become one of the reasons of an increase in global temperature and harm the environment of Pakistan. The appellant further prayed that a climate change commission must be appointed.

The Court observed that non implementation of the Climate Policy is the violation of fundamental rights relating to life and dignity of man. Hence, Court established the commission on climate change to probe into the matter and submit their report on regular basis.

In **Imrana Tiwana vs. Province of Punjab** case, 'Signal-free Corridor' project of Government of the Punjab was challenged before the Lahore High Court on the ground that, the essential Environmental Impact Assessment (EIA) was not complied before launching of the project.

The Court declared the project illegal and held responsible the environmental protection agency's director who approved the EIA illegally

In **Maple Leaf** Case, The competent authority stopped the Maple leaf's project on the ground that the company had started their work without prior approval from competent authority. The petitioner company challenges the order passed by the authority.

This was the recent landmark judgment where court made clear that when it comes to the environmental justice, all decisions should be made in favor of the environment. Therefore, the maple leaf factory was banned by the Lahore high court.

VI. CONCLUSION AND RECOMMENDATIONS TO IMPROVE CLIMATE JUSTICE IN PAKISTAN:

The IEcL does not only regulate the international trade but also act as a catalyst for the promotion and protection of RTD. The advocates of the RTD are inclined towards the recognition of this right. There is still controversy on the definition and its contents. There is no express provision in the Constitutions of the various countries; however this right is treated by the Courts in the ambit of right to life. Pakistan's Constitution does not provide this right in an expressive form, but the attitude of Courts of Pakistan is proactive in the broader interpretation of the RTD. The results can be seen from the various case law developments in Pakistan.

To round off the brief discussion, the following recommendations are suggested to improve the climate justice in Pakistan.

- i. **Awareness Programs-** awareness programs for climate justice should be initiated among the academia and civil society through conducting workshops, conferences and seminars etc.
- ii. **New Construction of Dams-** effective measures should be taken on the part of the Government in order to build more dams for the future existence. However, in this regard the remarks of the Honorable SC in a judgment are worth noting that, economy of the country and survival of human existence greatly depends on water reservoirs. In this connection, dams must be built on urgent basis by the Government.
- iii. **Capacity Building -**The capacity building of the human resources should be ensured by the Government with the cooperation of educational institutions through trainings, offering courses at graduate and post graduate level and conducting workshops etc.
- iv. **Improvement of Irrigation System-**Government have to encourage the use of modern and more efficient irrigation systems instead of conventional, redundant and obsolete techniques and processes. Adequate funding facility may be fixed for this cause

REFERENCES

Boyle, A. (2006). *Human Rights or Environmental Rights, a Reassessment* (pp. 3-5).

Fields, C. B. (2007). *Crimes against Environment; The Green Criminology and challenges*, 580-581.

Hussain, A., & Gillani, Z. A. (2012). *Fulfilling environmental related international commitments through implementation of multilateral environmental agreements (MEAs) in Pakistan*, 18.

Retrieved

from http://www.sciencevision.org.pk/BackIssues/Vol18/02_Vol18_Fulfilling_Environment_AhmadHussain.pdf

Rauf, R. (2009). *Public interest litigation since 1990-2000*.

Retrieved from <https://pljlawsite.com/2009art37.htm>

Robinson, N. A. (2012). *Ensuring access to justice through environmental courts*, 29, 387-388.

Retrieved from <http://blog.hawaii.edu/elp/files/2015/10/N.Robinson.pdf>.

Shehla Zia versus Wapda, PLD 1994 SC 693 Retrieved from

<https://www.pakistanlawsite.com/login/check>.

General Secretary, West Pak Salt Miners labour union versus Director, Industries and Minerals Development, Punjab, 1994 SCMR 2061 Retrieved from

<https://www.pakistanlawsite.com/login/check>.

Maple Leaf Cement Factory LTD. versus Environmental protection Agency, 2018 CLD

153 Retrieved from <https://www.pakistanlawsite.com/login/check>.

Imran Tirwana versus the Province of Punjab, PLD 2015 Lahore 522 Retrieved from

<https://www.pakistanlawsite.com/login/check>.

The Rio Declaration on Environment and Development, 1992 Retrieved from

http://www.unesco.org/education/pdf/RIO_E.PDF

United Nations Framework Convention on Climate Change, 1992.

Kyoto Protocol to the United Nations Framework Convention on Climate Change, 1997.

The Paris Agreement is an agreement within the United Nations Framework Convention on Climate Change, dealing with greenhouse-gas-emissions mitigation, adaptation, and finance, signed in 2016, available at <https://unfccc.int/process-and-meetings/the-paris-agreement/what-is-the-paris-agreement> , last visited: 05-05-2020.

PLD 1992 J. 21 Retrieved from <https://www.pakistanlawsite.com/login/check>.

1994 SCMR 2061 Retrieved from <https://www.pakistanlawsite.com/login/check>.

PLD 2007 Lahore 403 Retrieved from <https://www.pakistanlawsite.com/login/check>.

Constitutional Petition No 57 of 2016 “*That the need for water reservoirs is not only expedient but also sine qua non for the survival of the people and economy of Pakistan.... Diامر Bhasha and Mohmand Dam must be built on urgent basis by the Federal Government and in this regard there is no dispute or discord of any nature amongst the Provinces;*”.

Achim Steiner,(2015),Human Rights and Climate Change – UNEP- 2015