

IN THE HONOURABLE LAHORE HIGH COURT, LAHORE

Writ Petition. No. _____/2019

1. Maria Khan, daughter of Faiz Ullah Khan, resident of House No.34/JJ, Phase-4, DHA, Lahore.
2. Sana Tauseef, daughter of Tauseef Rafique, resident of 238 Shadman 2, Lahore.
3. Rijah Usman, daughter of Ahmad Usman, resident of House No.22, Shami Road, CMA Colony Cantt, Lahore.
4. Mehrunnissa Sajjad, daughter of Mian Sajjad Rafi, resident of 34-B, Gulberg 2, Zahoor Elahi Road, Lahore.
5. Fatima Abbas Ali, wife of Abbas Ali Khan, resident of 7 H, Gulberg 2, Lahore.

.... **PETITIONERS**

VERSUS

1. Federation of Pakistan, through Secretary Cabinet, Cabinet Division, Cabinet Block, Islamabad.
2. Ministry of Energy (Power Division), Government of Pakistan, through Secretary Power Division, A-Block, Pak Secretariat, Islamabad.
3. Alternative Energy Development Board (AEDB), through Chief Executive Officer, Ministry of Energy, Power Division, 2nd Floor, OPF Building Shahrah-e-Jamhuriat, Sector G/52, Islamabad.
4. Central Power Purchasing Agency (Guarantee) Limited (CPPA-G), through its Chief Executive Officer, ENERCON Building, Sector G/52, Islamabad, Pakistan.
5. Ministry of Climate Change, Government of Pakistan, through Secretary, 3rd Floor, LG & RD Complex, Sector G-5/2, Islamabad

.... **RESPONDENTS**

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973 READ WITH ALL OTHER ENABLING PROVISIONS OF THE LAW

It is respectfully submitted as follows:

1. The Petitioners are aggrieved of the environmental instability, global warming and climate insecurity being caused by the Respondents in violation of the fundamental rights of the Petitioner under the Constitution of the Islamic Republic of Pakistan, 1973 (the "**Constitution**") in terms of Articles 4, 9, 14 and 25 of the Constitution. The Petitioners' grievance arises out of the egregious and continuing failure on the part of the Respondents to reduce greenhouse gas (GHG) emissions through undertaking the most pressing and high priority mitigation measure of developing renewable energy resources and transitioning to a cleaner and low-carbon economy in Pakistan. Climate change is an imminent threat facing the planet and in particular, Pakistan. It is widely accepted that there are two main mitigation measures for slowing down climate change: (1) Cutting down on combustion of fossil fuels and switching to alternative and greener sources of energy, and (2) the development of carbon sinks and carbon sequestration. The instant Petition focuses on the first and more cost-effective mitigation measure to slow down climate change.
2. Pursuant to the Paris Agreement on Climate Change, 2015 (the "**Paris Agreement**"), Pakistan has submitted its Statement on Intended Nationally Determined Contributions (INDCs) (the "**Pak-INDC Statement**") to the United Nations Framework Convention on Climate Change (UNFCCC) Secretariat on 6 November 2016 thereby committing to a reduction of 20% of its 2030 projected GHG emissions. And yet, the Respondents have failed to undertake the implementation or processing of even a single renewable energy power project for the past fourteen months (and counting) in Pakistan. Such failure on part of the Respondent Federation amounts to a clear breach of its stated commitment

- under the Paris Agreement to encourage and foster the development of renewable energy sources.
3. Furthermore, the Respondents through their inaction and laissez-faire attitude towards development and support of renewable energy projects have abdicated their responsibilities as trustees of the natural resources of the country under the Public Trust Doctrine, thereby violating the rich jurisprudence of this Honourable Court on environmental justice, inter generational and intra generational equity and, most importantly, climate justice. Additionally, the Petitioners challenge the Respondents failure to support and encourage **cheaper** and indigenous renewable sources of energy over **more expensive** conventional sources of energy as patently unreasonable and an arbitrary exercise of executive power. The Petitioners challenge the Respondents' inaction on climate mitigation measures in relation to the energy sector. Moreover, the Petitioners challenge the utter disregard of the Respondents in terms of implementation of the letter and spirit of the Paris Agreement and the commitments made thereunder which shall inevitably lead to increased global warming thereby putting the Petitioners in grave danger and at a particular disadvantage as women and mothers of future generations of children.
 4. The respective addresses of the parties as given in the title to this Petition are correct for the purposes of any notices or summons that may be issued by this Honourable Court from time to time.

THE PARTIES

5. The Petitioners are women who are concerned citizens of Pakistan. They are greatly alarmed at the state of inaction of the Respondents with respect to implementation and incorporation of renewable energy resources in Pakistan in

- the face of the urgent threat of climate change. The disproportionate impacts of climate change on women especially mothers are well documented and based on comprehensive research.
6. Respondent No. 1 is the Federation of Pakistan that has been impleaded through the Cabinet Division. The inaction and state of paralysis that is being challenged through this Petition stems from the failure on part of the Respondent No. 1 through the Cabinet Division to undertake the implementation or processing of any renewable energy plants in 2018 through inaction on the following matters: (1) failure to notify any tariffs determined and approved by NEPRA for a renewable energy project; and (2) failure to approve any Energy Purchase Agreement or Implementation Agreement for any new renewable energy project.
 7. Respondent No. 2 is the Federal Ministry for Energy comprising of the Power and Petroleum Divisions. The Power Division is responsible for matters relating to the development of water and power resources of the country. In relation to the allocation of business, under the Rules of Business, 1973, it is responsible for the subject-matter of electricity and is the administrative division to public sector entities such as the Respondent No. 3 and Respondent No. 4.
 8. Respondent No. 3 is the Alternative Energy Development Board (AEDB) which is an autonomous body established under Section 3 of the Alternative Energy Development Board Act 2010 (the "AEDB Act 2010") to facilitate development and generation of alternative or renewable energy in order to achieve sustainable economic growth. Respondent No. 3 is to act as a one-window facility for establishing, promoting and facilitating alternative and renewable energy projects through, *inter alia*, issuance of LOI and LOS to potential power project

- developers and execution of concession documents for setting up of power projects.
9. Respondent No.4 is the Central Power Purchasing Agency (Guarantee) Limited Company (CPPA-G). CPPA-G is governed by the Commercial Code 2015 (SRO 542(I)/2015) and was created through the NEPRA (Market Operator Registration, Standards and Procedure) Rules 2015 (SRO 541(I)/2015) as an entity established to conduct the market operations, pursuant to re-organization of business of NTDC. CPPA-G is the main power purchaser and the counter-party in all power and energy purchase agreements with Independent Power Producers (IPPs) selling and supplying energy to the national grid. Under the framework of the Policy for Development of Renewable Energy for Power Generation 2006 (“**RE Policy 2006**”), CPPA-G is mandated to purchase electricity from qualifying IPPs.
 10. This Petition arises out of the following facts which have led to the violation of the fundamental rights of the Petitioners.

RELEVANT FACTS

The Paris Agreement on Climate Change 2015

11. On 12 December 2015, 196 Parties to the United Nations Framework Convention on Climate Change (UNFCCC) adopted the Paris Agreement. The Paris Agreement came into effect on 4 November 2016 and was ratified by Pakistan on 10 November 2016. The Paris Agreement is a legally binding framework for a globally coordinated effort to limit the impact and “**urgent threat**” of climate change.

(A copy of the Paris Agreement is attached herewith as Annex A)

12. The Paris Agreement, while acknowledging the “principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances” of the member states, establishes a global warming limit of below 2 degrees Celsius above pre-industrial levels. According to Article 2.1, the Paris Agreement aims to strengthen the global response to the threat of climate change by, *inter alia*, “holding the increase in the global average temperature to well below 2 degrees above pre-industrial levels” and “increasing the ability to foster low greenhouse gas emissions development, in a manner that does not threaten food production.” It requires countries to formulate progressively more ambitious climate targets which are consistent with this goal. Article 2.1 of the Paris Agreement is reproduced below:

Article 2.1

“This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty including by:

- (a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;*
- (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and*
- (c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.”*

13. Article 3 read with Article 4 mandates all Parties to each prepare, communicate and maintain successive “nationally determined contributions” (NDCs) that it intends to achieve which should reflect each Party’s “**highest possible ambition**”. Further, Parties shall pursue **domestic mitigation measures**, with the

aim of achieving the objectives of such contributions. In particular, under Article 4.4 of the Paris Agreement, developing country parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emissions reduction or limitation targets in light of different national circumstances.

14. In light of the fact that the Paris Agreement distinctly recognizes the “fundamental priority of safeguarding food security and ending hunger,” the main thrust of mitigation efforts of the state parties to reduce GHG emissions is to be directed towards non-agriculture sectors. For developing country parties such as Pakistan, this concession is particularly significant as nearly half of the GHG emissions from Pakistan are contributed by the agricultural sector.
15. The Paris Agreement holds each state party individually responsible for contributing to global warming and therefore each state party is obligated to introduce mitigation measures to mitigate climate change. The Paris Agreement represents an unequivocal acknowledgement by all state parties, including Pakistan, that the percentage of global GHG emissions that are contributed by a particular state party is irrelevant—each state party is part of the problem and therefore each state party must implement its highest possible emissions reduction target in order to comply with the Paris Agreement.

Pakistan Intended Nationally Determined Contributions (“INDCs”) Statement

16. The Paris Agreement was adopted as part of a decision of the Conference of Parties (COP) to the UNFCCC. Together with the Paris Agreement, the COP also adopted this decision that guides pre-2020 action and sets out implementation details for the Paris Agreement before its entry into force (the “**COP-21 Decision**”), including details and guidance on how to formulate NDCs. The first

NDCs are to be submitted by 2023 and every five years thereafter. Prior to NDCs, countries are required to submit their Intended Nationally Determined Contributions (INDCs). An INDC essentially indicates a country's contribution towards the achievement of the universal target set in the Paris Agreement and the accompanying compliance mechanism at country level.

(A copy of the COP-21 Decision is attached herewith as Annex B)

17. On 6 November 2016, Pakistan submitted the Pak-INDC Statement to the UNFCCC Secretariat. The Pak-INDC Statement provides details on the main contributions in greenhouse gas (GHG) emissions by sector. Based on the latest draft GHG Inventory of Pakistan (2014-15), growth in emissions of different sectors has been fairly consistent. Between 1994 to 2015, the overall increase in the emissions has been approximately 123 percent, with the energy and agriculture sectors accounting for about 90 percent of total emissions. The energy sector represents 47% of GHG emissions, followed by 45% GHG emissions contributed by the agriculture sector and 5% by the industrial sector in Pakistan. Pakistan is not a major contributor to GHG emissions at the global level, however, it is one of the top ten countries that shall be the worst affected by climate change. Therefore, it is extremely important that Pakistan take the lead in implementation of climate change mitigation measures to signal to the global community that the urgent threat of climate change must be addressed immediately lest global warming reaches irreversible levels.
18. The Pak-INDC Statement promises a reduction of 20% in the projected GHG emissions of Pakistan for 2030 through the introduction of adaptation and mitigation measures across all sectors contributing to GHG emissions with the

energy sector being the largest GHG emitter. Three “High Priority” mitigation measures have been set out on page 17 of the Pak-INDC Statement. One of the top three “High Priority” mitigation measures highlighted in the Pak-INDC Statement is to support and develop renewable energy technologies such as wind, solar and hydro.

(A copy of the Pak-INDC Statement is attached herewith as Annex C)

“National Circumstances”: Falling Prices of Solar and Wind Energy Technologies

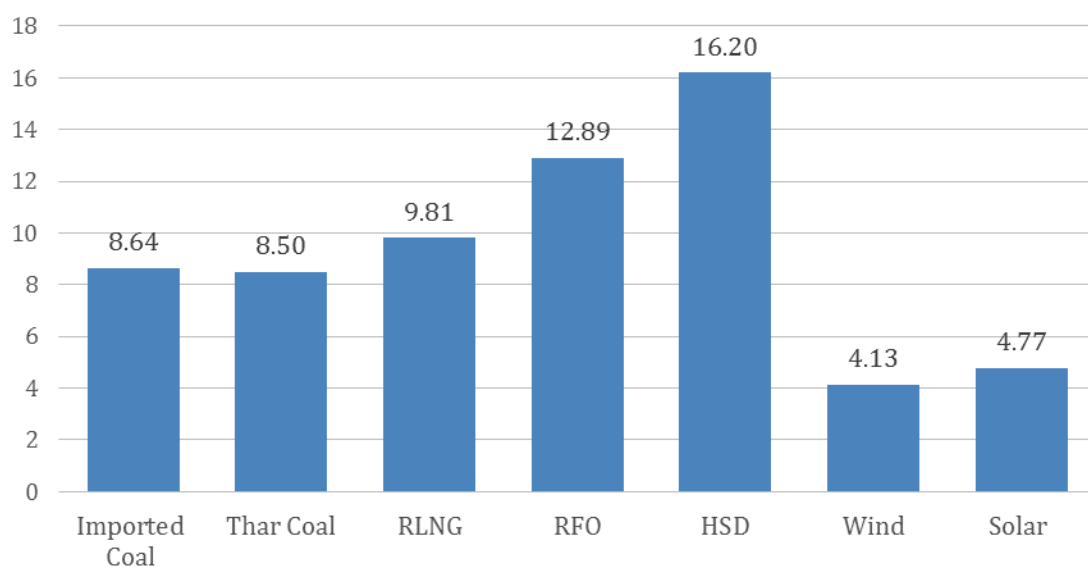
19. In the past several years, global renewable energy prices, in particular, wind and solar have been on a steady decline due to advances in technology. In Pakistan, electricity tariffs are determined by NEPRA as the sole and exclusive regulator of the electricity market under the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997. The decreasing trend in wind and solar prices can also be seen in recent tariffs set by NEPRA and currently renewable energy is by far the cheapest source of power generation in the country. Unfortunately, however, the Respondents have not focused on harnessing this abundant, indigenous and sustainable source of energy despite its compelling economic value.

Comparison between renewable tariffs and non-renewable tariffs

20. In the recent past, NEPRA determined the tariffs for solar and wind power projects that were markedly lower and cheaper than the tariffs that were determined for other upcoming power projects based on fossil fuels such as imported coal, local coal, RFO and RLNG.

21. Figure 1 below compares recent levelized tariffs for different renewable projects against levelized tariffs for projects based on conventional technologies. The tariff comparison is in US cents per unit for ease of understanding. As can be seen from the table, wind and solar tariffs are in the range of 4.13 US cents per kWh to 4.77 US cents per kWh. It is abundantly clear that electric power from solar and wind power plants is almost half the price of electric power generated from fossil-fuel based power plants.

Figure 1 – Solar and Wind Tariffs Compared to Tariffs for Fossil Fuel based Power Plants (levelized US¢/kWh)¹



Obligations of the Respondents under the RE Policy 2006

22. Utility-scale renewable energy projects that are intended to supply energy to the national grid are developed under the framework of the RE Policy 2006. Respondents No. 3 and No. 4 are tasked with negotiating and executing the concession agreements and related approvals under which energy is sold and

¹ Source: Publicly available tariff filings and determinations available at NEPRA website.

delivered to the national grid by IPPs under the RE Policy 2006. The concession documents for each IPP are executed after approval from the Respondents No. 1 and 2.

Inaction on part of the Respondents

23. Despite the clear mandate of the RE Policy 2006, the firm commitments made by the State of Pakistan pursuant to the Paris Agreement and the urgent threat of climate change requiring immediate and wide-ranging mitigation measures, such as limiting the use of fossil fuels and introduction and propagation of renewable energy sources, the Respondents through their actions, omissions and conduct have not undertaken any significant mitigation measure relating to the energy sector in this regard. On the contrary, the Respondents have, unlawfully and in wanton disregard of their constitutional mandate, created unnecessary hurdles in the development of renewable energy projects.
24. The Respondents failed to process a single renewable energy project in the period spanning from December 2017 till now. In this time period, several renewable energy projects have been awarded tariffs by NEPRA that are significantly lower and cheaper compared to other tariffs as is evident from Figure 1. Moreover, the Respondents have failed to devise and promulgate a new renewable energy policy to replace the now expired RE Policy 2006. Such deliberate inaction on part of the Respondents is clearly unconstitutional and infringes the fundamental rights of the Petitioners.

Disproportionate Impact of Climate Change on Women

25. The Petitioners are particularly disadvantaged by the inaction of the Respondents as they belong to a class of citizens that is disproportionately

impacted by climate change. The specific effects of climate change that adversely impact women are well researched and widely accepted. Along with other socio-economic and environmental factors, gender is a key determinant of vulnerability to climate change. Women often face social constraints, have less access to education and opportunities than men and are usually excluded from political and household decision-making processes that affect their lives. In addition, they tend to possess fewer assets than men and depend more on natural resources for their livelihoods. In time of a disaster, women are more likely to suffer due to their limited access to financial, natural, institutional or social resources and often due to social norms and ethos (e.g. dress codes that inhibit mobility). Women's productive and reproductive activities make them disproportionately vulnerable to changes in biodiversity, cropping patterns and insect and disease vectors. Various publications of the United Nations Development Programme, the UNFCCC Secretariat and the other related agencies comprehensively conclude that climate change severely disadvantages women more than men. Reliance in this regard is also placed on the Framework for Implementation of Climate Change Policy (2014-2030).

*(Copies of the Framework for Implementation of Climate Change Policy (2014-2030) and United Nations publications are attached herewith as **Annex D & E**)*

26. The Petitioners have no other alternate, adequate and efficacious remedy available under the law and have therefore approached this Honourable Court in its constitutional jurisdiction.
27. The Petitioners challenge the failure on part of the Respondents to implement the most important energy sector related mitigation measure, thereby violating the commitments made by the State of Pakistan under the Paris Agreement and the

Pak-INDC Statement. Such actions, omissions and conduct on part of the Respondents (the “**Impugned Conduct**”) has led to an increase in the GHG emissions in Pakistan thereby causing adverse climate impacts and intensifying the problem of global warming. The Petitioners allege that the Impugned Conduct amounts to a gross violation of the Constitution and is unlawful and illegal based on the following grounds.

GROUND S

- A. That the Impugned Conduct of the Respondents is a direct and immediate cause of the unabated rise in GHG emissions from Pakistan, which has contributed to global warming and climate change thereby gravely impairing the Petitioners’ ability to enjoy any of the Fundamental Rights guaranteed under the Constitution. The Respondents through their inaction have failed to fulfill their obligations to reduce, avoid, mitigate and redress the adverse impacts of climate change. The Impugned Conduct infringes the right to life and the right to dignity of the Petitioners, by violating their right to a clean and healthy environment and a climate capable of sustaining human life. The right to a clean and healthy environment has been recognized by the courts of Pakistan in a slew of cases starting from the landmark case of *Shehla Zia v. WAPDA* PLD 1994 SC 693, leading to *Imrana Tiwana and others v. Province of Punjab* PLD 2015 Lahore 522 and culminating in the recognition of the right to a climate capable of sustaining human life in *Asghar Leghari v. Federation of Pakistan* 2018 CLD 424.

Reference may also be made to *Imrana Tiwana and others v. Province of Punjab* PLD 2015 Lahore 522, where the Lahore High Court observed as follows:

“Our existing jurisprudence (led by the landmark judgment of Shehla Zia case) rests environmental justice on right to life (Article 9) to mean a right to a healthier and cleaner environment. Time has come to move on. To us environmental justice is an amalgam of the constitutional principles of democracy, equality, social, economic and political justice guaranteed under our Objectives Resolution, the fundamental right to life, liberty and human dignity (Article 14) which include the international environmental principles of sustainable development, precautionary principle, environmental impact assessment, inter and intra-generational equity and public trust doctrine.” (Para 25).

- B. That it is settled law that the State is the trustee of all natural resources which are by nature meant for public use and enjoyment. The public at large is the beneficiary of the sea-shore, running waters, airs, forests and ecologically fragile lands. Under the public trust doctrine, the State as a trustee is under a legal duty to protect the natural resources including the environment and holds it as a trust for present and future generations of Pakistanis. The Impugned Conduct of the Respondents has contributed to the worsening of the climate system, further deterioration of the environment and the depletion of the natural resources necessary to provide for the well-being and survival of present and future Pakistani citizens. Such deprivation of use and enjoyment of natural resources amounts to a violation of the public trust doctrine and is therefore unlawful, unconstitutional and illegal.
- C. That Article 4 of the Constitution states that it is the inalienable right of every citizen to enjoy the protection of the law and Article 4(2)(a) in particular guarantees that “no action detrimental to the life, liberty, body,

reputation, or property of any person shall be taken except in accordance with law.” The Impugned Conduct of the Respondents by depriving the Petitioners of a clean and healthy environment and a climate capable of sustaining human life amounts to an infringement of the rights guaranteed to the Petitioners under Article 4 of the Constitution. The right to a clean and healthy environment and a stable climate system is fundamental to the scheme of ordered liberty that is the hallmark of any developed nation.

- D. That Article 9 of the Constitution guarantees the security of every person in that “no person shall be deprived of life or liberty save in accordance with law.” The Impugned Conduct of the Respondents, which has led to increased global warming and GHG emissions, amounts to a deprivation of the Petitioners’ right to fully and effectively enjoy their right to life.
- E. That Article 25 of the Constitution mandates that all citizens are equal before law and are entitled to equal protection of law. Article 25(2) of the Constitution states “there shall be no discrimination on the basis of sex.” Men and women are differently and unequally impacted by climate change. Given that women bear a disproportionate burden of the adverse impacts of climate change, it is the duty of the State to allow greater protection of the law to women. It is trite law that treating unequals equally amounts to indirect discrimination i.e. a law, rule, policy or practice that has universal application but which places a particular class of individuals at a particular disadvantage is discriminatory. Therefore, the Impugned Conduct of the Respondents in terms of a deliberate failure to implement mitigation measures to reduce GHG emissions thereby

contributing to global warming and climate change is also violative of Article 25 in that it disproportionately affects the rights of the Petitioners and Pakistani women as a class to a clean and healthy environment and a sustainable climate system.

- F. That the superior courts of Pakistan have held that Fundamental Rights like the right to life and security of person under Articles 4 and 9 include the right to a healthy and clean environment and the right to human dignity under Article 14 read with the constitutional principles of democracy, equality, social, economic and political justice, include within their ambit the international environmental principles of sustainable development, precautionary principle, environmental impact assessment, inter and intra-generational equity and public trust doctrine. The Impugned Conduct of the Respondents is in violation of the above settled principles of constitutional law.
- G. That the Impugned Conduct is a flagrant violation of the obligations and duties of the State of Pakistan under international treaties and human rights law. The Paris Agreement is an acknowledgement by its 196 signatory states (including Pakistan) that government actions (and omissions) have a direct and adverse impact on climate change and that a stable climate system is a necessary precondition for the full and effective enjoyment of all other fundamental rights guaranteed under the Constitution. Under the Paris Agreement, state parties have an affirmative obligation to take effective measures to prevent and redress these adverse climate impacts and to mitigate climate change. The State of Pakistan has given express recognition to the intrinsic causal linkages

between climate change and human rights through adoption and ratification of the Paris Agreement and its submission of the Pak-INDC Statement to the UNFCCC Secretariat. The PAK-INDC Statement is a solemn commitment made by the State of Pakistan to the international community that it shall undertake economy-wide adaptation and mitigation measures to address the impacts of climate change. The support and development of renewable energy projects is one of the top “High Priority” mitigation measures to be implemented by Pakistan. The Respondents inaction in relation to implementation and processing of renewable energy power projects is a clear breach of the obligations and commitments of the State of Pakistan and is therefore liable to be declared unlawful and unconstitutional.

- H. That it is well established by the courts of Pakistan, that the state of Pakistan has a duty to take appropriate steps in compliance with its obligations under the international legal framework. By virtue of Article 97 of the Constitution of Pakistan and its Fourth Schedule, executive of the country is responsible for implementation of both customary international law and international treaty law.
- I. That the Respondents through their failure to process renewable energy plants for more than a year have exercised the power vested in them in an arbitrary and unreasonable manner. As set out in Figure 1 above, the comparison of the cost per kWh of setting up power plants using different technologies makes it manifestly clear that renewable energy is not only beneficial for the planet but is considerably cheaper and less burdensome for the state treasury. The marked discrepancy between the

levelised tariffs of conventional fuel based power projects and renewable energy power projects is a clear indictment of the blatant disregard shown by the Respondents to their constitutional duty to act in a reasonable and non-arbitrary manner.

- J. That courts all over the world are increasingly acknowledging the right to a sustainable climate system as a human right and that governments owe a duty of care to their citizens in protecting the environment in such a way that a sustainable climate system is allowed to develop.
- K. The Petitioners further seek permission of this Honourable Court to urge further grounds at the time of hearing.

PRAYER

In view of the above, it is most respectfully prayed that this Honourable Court may be pleased to:

- (i) Declare that the Impugned Conduct of the Respondents amounts to a gross violation of Articles 4, 9, 14 and 25 of the Constitution.
- (ii) Declare that that the Respondents have a positive duty to encourage and support the development of renewable energy projects to reduce GHG emissions and mitigate climate change impacts.
- (iii) Declare that the Impugned Conduct is in violation of the firm commitments undertaken by the State of Pakistan pursuant to the Paris Agreement.
- (iv) Direct that the Respondents forthwith implement and enforce the Paris Agreement in letter and spirit to the fullest extent possible.

- (v) Direct that the Respondents immediately desist from the state of inaction and continual delays in terms of non-implementation of cost-effective mitigation measures to limit climate change.
- (vi) Direct that the Respondents, collectively and individually, commit to implementing the GHG mitigation measures outlined under the Pak-INDC Statement in relation to the energy sector and to set more “ambitious” emission reduction targets.
- (vii) Direct that Respondents No. 1 and 2 in collaboration with other related entities including the Council of Common Interests and the Climate Change Authority (when and if constituted) devise a comprehensive strategy to enhance mitigation measures consisting of actions to limit the magnitude of long-term climate change, reduce human emissions of GHG to the extent possible in a cost-effective manner in Pakistan.
- (viii) Direct that the Respondents make a genuine, unconditional and unqualified representation to the Petitioners and the people of Pakistan on GHG reduction targets by fulfilling its obligations under the Paris Agreement.
- (ix) Direct that the Respondents make and implement an integrated climate compatible development policy in order to steer Pakistan towards climate resilient development.
- (x) Provide for a mechanism of “continuing mandamus” or “rolling review” so as to ensure compliance with the orders of this Honourable Court.

Any other order deemed to be just and appropriate may also kindly be passed.

MARIA KHAN

SANA TAUSEEF

RIJAH USMAN

MEHRUNNISSA SAJJAD

FATIMA ABBAS ALI

PETITIONERS

Through:

ANEESA AGHA

LL.B. (Hons) (London)
Barrister-at-Law (Lincoln's Inn)
Advocate High Court

SALMAN AKRAM RAJA

M.A. (Cambridge), LL.M. (London)
LL.M. (Harvard)
Advocate Supreme Court

ABUZAR SALMAN KHAN NIAZI

BBA (Hons) (LSE)
LL.B. (Hons) (London)
Advocate High Court

UMER AKRAM CHAUDHRY

B.A.-LL.B. (LUMS), LL.M. (Berkeley)
Attorney at Law (New York)
Advocate High Court

CERTIFICATE:

1. As per instruction this is the first petition filed on the subject matter before this Honourable Court.
2. No other adequate or efficacious remedy exists as regards the subject matter of the instant petition.

ADVOCATE

BEFORE THE HONOURABLE LAHORE HIGH COURT, LAHORE

C.M. No. _____ / 2019

IN

W.P. No. _____ / 2019

Maria Khan & Others

VERSUS

Federation of Pakistan & Others

**APPLICATION U/S 151 C.P.C. FOR EXEMPTION OF
PRODUCTION OF CERTIFIED COPIES OF THE ANNEXURES**

Respectfully Sheweth:

1. That the Applicants/Petitioners have filed the titled Petition before this Honourable Court, which is yet to be fixed for hearing.
2. That the Applicants/ Petitioners are making vigorous and strenuous efforts to secure the certified copies of the annexures attached and that the said copies shall be placed on the record as and when made available. Uncertified copies therefore, duly checked, and signed by the counsel has been placed on the record.

It is therefore, respectfully prayed that production of the certified copies of the annexures may kindly be dispensed with and the titled Application be entertained as it is.

Any other order deemed to be just and appropriate may also kindly be made.

APPLICANTS / PETITIONERS

Through:

ANEESA AGHA
Advocate High Court

BEFORE THE HONOURABLE LAHORE HIGH COURT, LAHORE

W.P. No. _____ / 2019

Maria Khan & Others

VERSUS

Federation of Pakistan & Others

I N D E X

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4.	Copy of the Pak-INDC Statement (Annex-C)	--	
5.	Copy of the Framework for Implementation of Climate Change Policy (2014-2030) (Annex-D)		
6.	Copies of Publications of the United Nations Development Programme, the UNFCCC Secretariat and the other related agencies (Annex-E)	--	
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PETITIONERS*Through:*

ANEESA AGHA
Advocate High Court