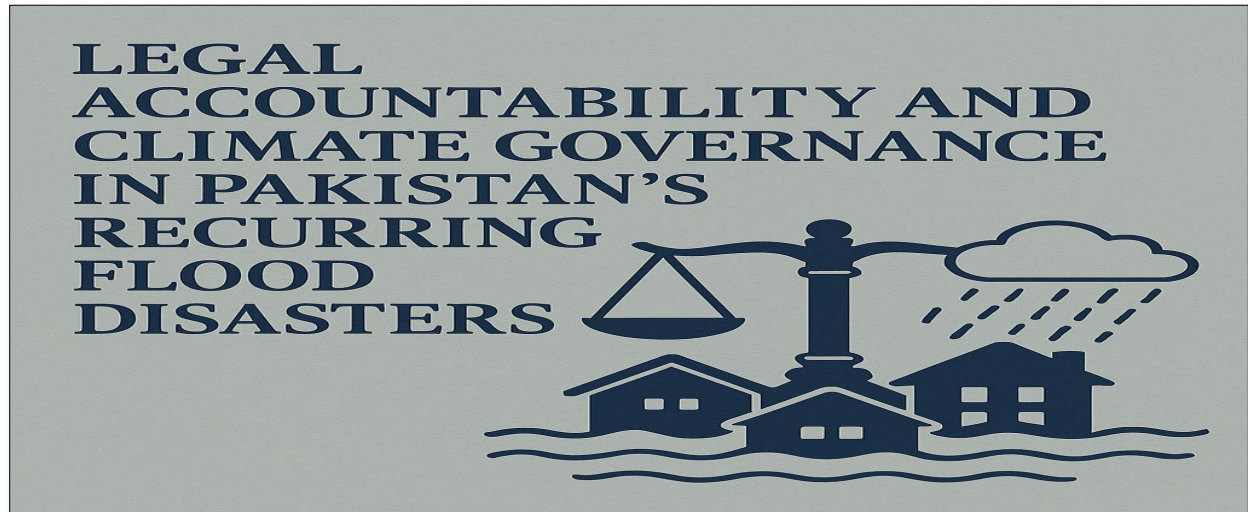


# LEGAL ACCOUNTABILITY AND CLIMATE GOVERNANCE IN PAKISTAN'S RECURRING FLOOD DISASTERS

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**Abstract:** Pakistan's annual monsoon floods have evolved from natural events into recurring humanitarian crises. While traditionally viewed as acts of nature, the scale and frequency of these disasters increasingly reflect failures in governance, legal enforcement, and institutional preparedness. This brief argues that Pakistan's flood vulnerability is not solely environmental it is a consequence of legal and policy neglect.

## **Introduction:**

Pakistan possesses a foundational legal framework for environmental protection and disaster management, including the Pakistan Environmental Protection Act (1997), the National Disaster Management Act (2010), and the Climate Change Act (2017). However, these laws suffer from weak enforcement, fragmented jurisdiction, and a lack of binding climate adaptation mandates. Urban planning codes are routinely violated, floodplain zoning is poorly regulated, and environmental impact assessments are often bypassed. These gaps have allowed unchecked deforestation, unregulated construction, and inadequate drainage infrastructure to exacerbate flood risks.

## **Constitutional Implications:**

The Constitution of Pakistan guarantees the right to life (Article 9), dignity (Article 14), and property (Article 23). These rights are routinely compromised during flood events, particularly in vulnerable rural and peri-urban communities. The failure to implement preventive measures and

enforce existing laws constitutes a breach of the state's constitutional obligations. Judicial precedent, notably *Leghari v. Federation of Pakistan* (2015), has affirmed that climate inaction violates fundamental rights and mandates state accountability.

### **International Commitments:**

Pakistan is a signatory to the Sendai Framework for Disaster Risk Reduction (2015–2030), which emphasizes proactive risk governance, resilience-building, and investment in early warning systems. Despite this, the country ranks among the most climate-vulnerable nations globally, with the UNDRR's 2019 report citing poor coordination, limited local enforcement, and insufficient disaster preparedness.

### **Policy Recommendations:**

To address these systemic failures, Pakistan must codify climate adaptation into enforceable federal and provincial legislation. Environmental tribunals should be empowered to prosecute violations, and floodplain zoning laws must be strictly regulated with judicial oversight. Investment in satellite-based early warning systems and integration of climate resilience into urban planning are essential. Legal reform should prioritize risk reduction over reactive relief, treating climate governance as a constitutional and statutory imperative.

### **Conclusion:**

Pakistan's flood disasters are not inevitable—they are preventable. Legal and institutional reform is critical to safeguarding constitutional rights and fulfilling international obligations. A rights-based, governance-driven approach must replace the current reactive model to ensure long-term resilience and accountability.

### **CITATION**

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