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Environmental Impact Assessment Laws in Pakistan: Effectiveness and Enforcement Challenges

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ABSTRACT

Environmental Impact Assessment (EIA) has become quite a popular expression of the primary legal and administrative tool of predicting, preventing and reducing negative environmental impacts prior to the factoring of the major developmental choices. In Pakistan, development of the modern regime of EIA has occurred through a mixture of statutory obligations under the Pakistan Environmental Protection Act, 1997 (PEPA) as well as a mixture of procedural requirements as stipulated by the Pakistan Environmental Protection Agency Review of Initial Environmental Examination (IEE) and EIA Regulations, 2000 which together provide a definition of what an EIA should include, when it is necessary and how its reviews, decision-making, and public consultations should take place. (Pakistan Code) Overtime, the governance environment in which these rules work, has significantly evolved especially, the constitutional devolution of environmental work to the provinces, which has only enhanced the role of provincial Environmental Protection Agencies, provincial legislation, and local political economy in realizing either the preventive role of EIA or a formality. (ScienceDirect) The article evaluates the workability of the laws on EIA in Pakistan and the enforcement problem that determines the real-life performance. It asserts that although the legal architecture is relatively comprehensive in paper, in that it gives definitions, procedural processes, and institutional structures that support its operation, the effectiveness of the system is limited by its inability to close capacity gaps, unequal provincial application, cultures of procedural compliance that promotes paper approvals, inadequate monitoring of the post-approval compliance, and ineffective deterrence of non-compliance. The problems are enhanced by the lack of coordination between sectoral departments, reliance by regulators on project documentation by those interested in the project, and political influences that encourage speed in approvals rather than environmental due diligence. The article provides a mapping of the Pakistani fundamental EIA legal framework, the transformation of devolution on authority and accountability, and a synthesis of research and policy findings on the question of why enforcement remains inconsistent using a doctrinal and governance-oriented approach. It concludes that the highest returns would probably be realized not through legal expansion but through institutional enhancement, the enhancement of transparency and civic engagement, the enhancement of compliance surveillance and sanctions, and the incorporation of EIA into the planning and financing processes so that environmental restraint could be not observed as an ideal but enforced and a regular check as an operational procedure.



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Keywords: Environmental Impact Assessment (EIA); Initial Environmental Examination (IEE); Pakistan Environmental Protection Act 1997; IEE/EIA Regulations 2000; Provincial EPAs; Devolution; Compliance monitoring; Environmental governance; Enforcement; Public participation.

Introduction

The development process of Pakistan, characterized by the high rates of urbanization, the development of infrastructure, energy projects, industrialization, and the increase in natural resources extraction puts a tension in the structure of the priorities related to the economy and environmental preservation. Under these circumstances, EIA is not a technical report, it is rather a governance mechanism that aims at enhancing the quality of decisions by compelling the early detection of any environmental hazards, the evaluation of options, and the development of preventive and alleviating measures prior to the point at which project or project can no longer be reversed at a political or financial level. This logic can be seen in the legal framework of Pakistan where environmental impact assessment is defined as the collection and qualitative and quantitative prediction of impacts, assessment of alternatives and development of management and monitoring arrangements thus viewing EIA as the tool of foresight and not retrospective justification. Whether by theory or law, this legal and regulatory framework ought to be reflected in improved site selection, more responsible design, clear mitigation requirements and quantifiable compliance terms. In effect, however, the gap between formal compliance, such as the creation of documents, holding hearings, granting approvals, and long-term monitoring, and substantive environmental performance, such as pollution reduction, the protection of habitats, community protection, and long-term monitoring, is often faced by the citizens, researchers, and regulators themselves. The question which emerges is not whether or not Pakistan has EIA laws but whether the legal and institutional framework is functioning in a way that leads to the use of EIA as an effective gatekeeping and accountability measure.¹

PEPA 1997 which forms the national environmental administration, frames main concepts, and implements the system of agencies to conduct the screening, submission, review, and public participation is the foundation of the current regime of EIA in Pakistan and is operationalized by the Review of IEE and EIA Regulations of the Pak-EPA 2000 which provides guidelines on how agencies should regard the comments and documentation in the review process. The instruments of federal age are combined with these instruments of post-devolution era which have made provinces a more significant legal regime and provincial EPAs have made the system less unitary and yet maybe more attentive to the local reality. The governance implications of decentralization have received a fair share of literature on environmental management of Pakistan with various studies saying that environmental governance was already institutionally feeble, and after devolution it has been even more complicated with responsibility being fragmented across jurisdictions, uneven capacities, and incentives to coordinate with each other often being perverse. The provincial turn is not just an administrative one, but it influences the degree of rigour with which the EIA is subject to scrutiny, the presence or absence of conditions, the effectiveness of the participation of the population, and even the effectiveness of compliance after the construction has started. This change is reflected in provincial statutes, including the Sindh Environmental Protection Act, 2014 and Khyber Pakhtunkhwa Environmental Protection Act, 2014 that institutionalise provincial

¹ Nadeem, O., & Hameed, R. (2008). Evaluation of environmental impact assessment system in Pakistan. *Environmental Impact Assessment Review*, 28(8), 562-571.



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structures of authority and enforcement in areas that are more centrally coordinated. The District Government of Peshawar spends considerable time on the redesign of the school's curriculum. The District Government of Peshawar also spends a lot of time in the redesign of the school curriculum.²

The effectiveness of EIA should not however be measured by the mere existence of laws or by the number of approvals to be given. It must be measured throughout the entire EIA process: screening (are the projects rightly classified as needing IEE or EIA), scoping (are the important issues being identified at an early stage), quality of assessment (are the baseline data, impact predictions, alternatives analysis, credible), participation (can affected communities and expert agencies have an impact), integrity of decisions (are approvals conditional, reasoned, and transparent), and enforcement of decisions (are conditions being met and violations penalised).³ The framework of Pakistan has many of these elements in theory, such as the structured review process and integrating the commentaries of the people and interested government agencies into the review. (Ministry of Climate Change) But the practice of implementation can always be seen as relying on permanent inefficiencies: regulators might be too small in number to cope with the scale and technical complexity of a project, political and economic pressures may favor expedited approvals, the quality of consultant prepared EIAs can be highly disparate and post approval monitoring can be patchy, particularly when projects are remote, politically sensitive, or institutionally owned by agencies with which the regulator has a difficult relationship.⁴

This article thus pays attention to the aspect of the effectiveness as a result of the legal design and the enforcement competence. It addresses the issues of enforcement in a general context, not just prosecutions or punishments but also the administrative as-of-course practices that make or break the enforceability of EIA requirements, the presence or absence of monitoring data, agency co-ordination, and the impact of public concerns. The debate is contextualised within the institutional reality of Pakistan, where the environmental regulators tend to pursue their work through the prism of political economy whereby the development discourse is predominant, the environmental costs are externalised and the advantages of compliance are decentralised and the costs are concentrated in the hands of the project supporters, the implementing agencies. In the same environment, even good laws can still provide slight protection in case approvals are taken as usual, EIAs are taken as a box-ticking undertaking, or even when compliance with the approval is not properly checked. On the contrary, more than is always realized, even small procedural changes, like greater openness, equalizing of review conditions, better access to information by the general public, and the establishment of an effective inspection and sanction regime, can go a long way in enhancing performance without necessarily revamping the law system.

Literature Review

The academic and policy-based literature on Environmental Impact Assessment in Pakistan has developed in a common concern that although internationally recognizable principles of EIA have been formally adopted, the system has had difficulties in

² Khan, M., & Chaudhry, M. N. (2021). Role of and challenges to environmental impact assessment proponents in Pakistan. *Environmental Impact Assessment Review*, 90, 106606.

³ Khan, M., & Chaudhry, M. N. (2024). Evaluation of environmental impact assessment legislation in Pakistan. *Impact Assessment and Project Appraisal*, 42(2), 123-140.

⁴ Ehtasham, L., Sherani, S. H., Younas, K., Izbel, U., Khan, A. H., Bahadur, A., & Akbar, A. (2021). A review of the status of environmental impact assessment in Pakistan. *Integrated Environmental Assessment and Management*, 18(2), 314-318.



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producing consistent effects of environmental protection. Initial research regarding the EIA regime in Pakistan during the years that the Pakistan Environmental Protection Act, 1997 came into effect, was predominantly researching the state of institutional infancy as a result where the regulatory agencies were not practiced, knowledgeable or experienced in implementing the law and as a result, the law provisioned compulsory assessment, review processes, but these institutions had no practices, experience, or expertise to put the law into effect.⁵ Scholars pointed out that the EIAs were commonly compiled by shareholders of consultants who were contracted by the proponents of the project, which was also associated with the issue of a conflict of interest as well as the inclination to present the impacts in a manner that would not impose as much regulation as possible. These initial evaluations attributed the forward-looking nature of the legal system but noted that success was reliant not so much on what was written in the statutes but rather on administrative strengths, the ability to coordinate agencies, and the political willingness to manage the environment. Consequently, the prevailing finding in the said stage of the literature was that the EIA system of Pakistan had been procedurally sound, but substantially weak, a description that has since been observed in subsequent studies.⁶ Later literature expanded this focus to analytical approach to compare the Pakistan practice of EIA with international standards, along with those that are advocated by multilateral development banks and through environmental governance agencies. Other comparative studies often indicated that the EIA regulations as set by Pakistan resemble most aspects of world best practice such as screening threshold, public participation requirement and approval requirement, but diverge greatly at enforcement. Researchers noted that even though EIAs are usually prepared and ratified, they have minimal evidence of mitigation measures and environmental management plans being put in place in the construction and operations of the place. This has been blamed on poor monitoring systems, inadequate staffing in Environmental Protection Agencies as well as lack of dependable baseline and follow-up data. Literature also observes that the environmental conditions that are made as the part of approvals tend to be weakly defined and thus hard to measure and implement which diminishes the deterrent effect that the regulatory control and permits non-compliance to continue unchecked without much penalty.⁷

The massive literature has concentrated on the topic of public participation as a key factor that defines the effectiveness of EIA in Pakistan. According to scholars, the idea of the public hearings has to be formally implemented, but often it is practiced in a manner that hinders meaningful interaction, including scheduling hearings in inconvenient places or times, providing the technical documents in only one language, or not properly addressing the concerns of the community in the final approval decisions. Empirical literature indicates that the public participation is usually more of a formality than a substantive contribution to the decision making process and thus creates a perception among the affected communities that the EIA processes are symbolic and not protective. This perception affects legitimacy and compliance in that the communities who feel disinvolved in the process of assessment are unlikely to trust the regulatory institutions or to be cooperative in monitoring. The literature has pointed out that meaningful

⁵ Khan, M., Chaudhry, M. N., Ahmad, S. R., & Saif, S. (2020). The role of and challenges facing non-governmental organizations in the environmental impact assessment process in Punjab, Pakistan. *Impact Assessment and Project Appraisal*, 38(1), 57-70.

⁶ Kaleem, M., Iqbal, J., & Ullah, I. (2025). Critical evaluation of environmental protection policies, laws and practices in Pakistan. *Social Science Review Archives*, 3(3), 1791-1797.

⁷ Khan, M., Chaudhry, M. N., Ahmad, S. R., Saif, S., & Mehmood, A. (2020). Performance of EIA authority and effectiveness of EIA system in Pakistan. *Environmental Impact Assessment Review*, 81, 106357.



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participation can enhance the identification of impact, local appropriateness of mitigation measures and social acceptance of the projects, though only when it is considered as part of the decision-making process and not attached at the end of the review process.⁸

Another critical analysis of the EIA outcomes in Pakistan is how Pakistan political economy affects EIA results. Some studies maintain that environmental regulation is working in a development discourse where infrastructure expansion, energy security, and industrial development are seen as key, and environmental protection is seen as a hindrance to sustainable development, instead of being part of it. In this context, Environmental Protection Agencies might be pressured expressly or unspoken to give quicker approvals, especially to large scale projects, or politically important projects. Researchers have recorded instances where EIAs have been received with approval even when they lack such data, when they lack full objections, indicating that economic and political factors may at times play a bigger role than environmental risk assessment in decision-making. This literature places the EIA enforcement issues in the wider framework of governance, and highlights the fact that poor accountability frameworks, low levels of judicial intervention and restricted civil society controls weaken the incentives towards strict regulatory enforcement.⁹

With the development of the literature on the decentralization of the effectiveness of EIA after the 18th Constitutional Amendment and the provincialization of environmental powers, the literature on the implications of decentralization has become more and more important. It has been suggested by some scholars that provincial autonomy provides chances of having more context sensitive environmental regulation, in which the provinces can design EIA requirements to suit the local ecological and social conditions. Nevertheless, a greater portion of the literature is worried that devolution has exacerbated inequalities in the regulatory capacity, with the provinces differing widely in technical skills, financial capacity, as well as political will towards environmental protection. Research notes discrepancies in the review and implementation of EIAs in different provinces, which creates skewed and lackluster environmental regulations and regulatory vagaries to project proposers. The absence of effective coordination mechanisms between federal and provincial agencies has often been mentioned as the obstacle in the way of responding to transboundary environmental effects, including air and water pollution that extends across provincial boundaries.¹⁰

The other theme that is salient in the literature is the low level of incorporation of EIA results in the overall planning and decision-making. According to researchers, most EIAs in Pakistan are carried out too later in the project cycle when major decisions regarding location, design and technology have already been made. This time frame limits the possibilities of evaluating alternatives that is a fundamental rule of effective EIA. Research has also recorded that sectoral planning bodies and funding bodies do not always include the results of EIA in their approval processes and supervision undermining the impact of the environment on final project decisions. According to the literature, unless there is increased connectivity between EIA and land-use planning and between land-use planning and development financing, environmental assessments can

⁸ Saeed, R., Sattar, A., Iqbal, Z., Imran, M., & Nadeem, R. (2012). Environmental impact assessment (EIA): an overlooked instrument for sustainable development in Pakistan. *Environmental monitoring and assessment*, 184(4), 1909-1919.

⁹ Khan, M., Chaudhry, M. N., & Saif, S. (2022). Benefits and drawbacks of EIA decentralisation in Pakistan. *Environmental Impact Assessment Review*, 97, 106882.

¹⁰ Khan, M. I., & Xu, Q. (2021). An assessment of environmental policy implications under the China-Pakistan economic corridor: A perspective of environmental laws and sustainable development. *Sustainability*, 13(20), 11223.



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be left to become more of a standalone event with little effect on the real results of development.¹¹

Overall, there is a convergent account of the literature on EIA framework in Pakistan: the EIA system is legally enshrined and procedurally elaborated, yet its efficiency is compromised by the difficulty in enforcement due to institutional capacity, the pressure of the political economy, the lack of good participation of the population and the disintegrated governance in the wake of devolution. Although a few writers demand legislation change, most of them claim that the main issue is not legislation but its implementation. This literature gives the analytical base on how to investigate the effectiveness of EIA not as the result of regulatory presence, but as the combination of interacting legal, institutional and political forces that influence how the environmental regulations are implemented in practice.

Methodology

The research methodology of this study is qualitative, doctrinal and governance-oriented to investigate the efficiency of the Environmental Impact Assessment laws in Pakistan, as well as, to assess the challenges of enforcement that issues the practical results. The methodological approach is based on the realization that the effectiveness of EIA cannot be properly measured by the statutory analysis as the loophole between the text and the practice of the regulation is usually where the environmental protection is either made or broken. Thus, the study is a systematic review of legal instruments combined with an institutional analysis and greater implementation-related analysis that will take into account the interpretation, application, and enforcement of laws in the evolving federal and provincial system of governance in Pakistan. This is the best method of evaluating the formal design of the EIA regime as well as the informal administrative, political, and capacity-related aspects of the regime that determine its work.

The initial element of the methodology is a doctrinal analysis of the EIA framework in Pakistan and the study will include the Pakistan Environmental Protection Act, 1997, Review of initial environmental examination and environmental impact assessment regulations, 2000 and applicable provincial environmental protection laws passed since the 18th Constitutional Amendment. This discussion covers the extent of the EIA requirements, the provisions that must be considered in the screening, review and approval procedure, the requirements on the public participation and the provisions of the enforcement, both on the monitoring of such issues and penalties as well as compliance powers in the hands of the Environmental Protection Agencies. The doctrinal review aims at determining the targeted goals of the legal framework, the distribution of the responsibilities between institutions and the formal resources that can be utilized by the regulators to promote compliance. Through mapping these factors, the study will create a point of reference where the gaps in implementation and enforcement vulnerabilities can be evaluated.

The second element of the methodology is a comprehensive review of the secondary sources that will involve the academic literature on the topic, the reports of the policy and the governmental publications, the judicial decisions, as well as the analysis performed by the international development agencies and environmental governance institutions. These sources are examined with the view of finding similar themes in the context of EIA effectiveness including quality of assessment, participation of the people, the inter-agency coordination, post-approval monitoring, and political economy factors.

¹¹ Sial, S. A., Zaidi, S. M. A., & Taimour, S. (2018). *Review of existing environmental laws and regulations in Pakistan*. Punjab, Pakistan: WWF-Pakistan.



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Literature review is not considered as descriptive in itself, but it is utilized analytically to triangulate the results of various researches and timeframes to achieve recurrent structural issues instead of temporary implementation failures. This summary assists in positioning the EIA experience in Pakistan in the context of larger discourses on environmental governance in developing nations where the same tensions between the forces of development and the ability to regulate frequently emerge.¹²

As an addition to the legal and literature-based analysis, the methodology adopts an institutional perspective, which looks at the operation of Environmental Protection Agencies in practice. This entails examination of the practices that have been documented regarding the EIA review schedules, approval requirements, staffing, technical knowhow and monitoring schedule as presented in the official reports, audit reports, and plausible secondary accounts. Although the research is not based on primary field research, it uses documented cases and reported experiences of enforcing to demonstrate how institutional restrictions symbolize the way of decision-making and compliance. The method is especially suitable because of the emphasis on the systemic enforcement issues instead of project-related results, which will enable the study to extrapolate the trends between the sectors and provinces.¹³

The study also takes the lifecycle approach to EIA and uses the effectiveness of various stages in the assessment process instead of the approval decisions. This covers discussion of the accuracy of screening, the sufficiency of baseline data and prediction of impact, incorporation of the public input, clarity and enforceability of the terms of approval and presence and quality of post approval monitoring and reporting. The methodology by evaluating each step does not put EIA effectiveness equal to the presence of an approval but determines whether environmental factors play a significant role in project design, implementation and performance. This lifecycle methodology is important to finding the areas of enforcement failure that are most acute and in which any intervention might be most effective.¹⁴

Last but not the least, the normative interpretation of EIA as preventive and participatory governance instrument and not a strictly technical undertaking informs the methodological framework. Effectiveness is thus measured against standards like transparency, accountability, consistency and reduction of environmental risks and not against procedural compliance exclusively. This critical prism enables the research to go beyond the scope of formal legality and whether the EIA mechanism in Pakistan serves its larger role in protecting the quality of the environment and people interests under the frame of development decisions. The results obtained based on this methodology are the foundation of the analysis of the outcomes and issues of the enforcement made in the next section of the research findings.

Research Findings

The Pakistan Environmental Impact Assessment regime analysis indicates that it follows a rather complicated trend, informally, the legal and procedural adherence to the regulations is observed, and the real results of environmental protection are rather weak. Among the most obvious, notable, and significant is the fact that EIA is largely

¹² Khan, M., Chaudhary, M. N., Ahmad, S. R., Saif, S., & Mehmood, A. (2018). Challenges to EIA consultants whilst dealing with stakeholders in Punjab, Pakistan. *Environmental Impact Assessment Review*, 73, 201-209.

¹³ Ali, Z., Khan, D., & Hussain, R. (2012). Adaptation measures in EIA and risks management: An overview of the legal framework in Pakistan. *TOJSAT*, 2(3), 1-11.

¹⁴ Rashid Saeed, R. S., & Ayesha Sattar, A. S. (2011). Environmental impact assessment (EIA): an eye wash or an effective environmental management tool in Pakistan.



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institutionalized as a necessary prerequisite to development projects, and most major public and private initiatives are formally approved before they are constructed. This signifies that the regulatory structure has been somewhat normalized in the administrative practice since the project advocates tend to understand the need to obtain an IEE or EIA license in order to move ahead in the project. Nevertheless, the study reveals that in most instances, this normalization has been translated into a compliance culture that focuses on documentation as opposed to environmental performance. EIAs are often viewed as mechanisms to be cleared by an administration instead of a tool to shape the decision and the process of clearance is prioritized above rigorous impact assessment or innovative mitigation approaches.¹⁵

The second important result is associated with quality and credibility of EIA documentation. According to the study, there is a significant change in the technical quality of EIAs presented to be reviewed, most reports being based on obsolete, generalized, or inadequate baseline data. Impact projections tend to be qualitative and descriptive and not quantitative and scenario-based and thus are limited in their capability to aid in decision-making and monitoring. The core of effective EIA is alternatives analysis and alternatives analysis is often shallow with preferred options of a project being put forward as unquestionable and definite instead of alternatives that can be compared. These shortcomings are exacerbated by the fact that the EIAs are structurally dependent on consultant-prepared sources of funding on the basis of which proponents of projects have an incentive to understate the conclusions that are made and frame mitigation strategies in general, non-binding terms. The regulatory agencies have limited resources because of the technical personnel and time constraints to challenge weak assessment and to insist on substantial changes.¹⁶

Another field in which formal requirements are present but lack substantive results is found in the area of public involvement. The results indicate that the public hearings usually follow the regulatory time schedule, but the effect of these hearings is rather unpredictable or insignificant on the final decision-making. People often complain in communities that issues discussed in hearings are not addressed seriously in approval conditions or alterations of the project. There is inconsistency in documentation of how the input of the population is taken into consideration as well as poor feedback mechanisms and this makes transparency and accountability weak. Consequently, the role of public participation has become more of a procedural protection against legal criticism rather than a way of enhancing the quality of assessment or the social acceptability. This dynamic compromises the confidence in regulatory bodies and minimizes the prospects of community-based surveillance and compliance assistance.¹⁷

The greatest weakness found in the research is post approval monitoring and enforcement. Although the conditions in EIA approvals are usually associated with environmental management, mitigation, and reporting conditions, little is known about whether these conditions are formally observed or implemented during the project implementation. The Environmental Protection Agencies do not always have specific inspection units, monitoring equipment, and funds to conduct a regular visit to the site

¹⁵ Alshuwaikhat, H. M. (2005). Strategic environmental assessment can help solve environmental impact assessment failures in developing countries. *Environmental impact assessment review*, 25(4), 307-317.

¹⁶ Kiran, A., Murtiza, G., Yousaf, A., Hussain, M., & Al Jbawi, E. (2023). A critical analysis of legal responses to water pollution in Pakistan. *Cogent Social Sciences*, 9(2), 2254944.

¹⁷ Khan, R. U. A., Idrees, R. Q., & Shahid, A. (2024). Pakistan's Climate Change Act: Evaluating Impacts, Efficacy, and Prospects for Future Progress. *International Research Journal of Social Sciences and Humanities*, 3(1), 332-348.



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especially those projects in remote or politically sensitive regions. Observations of reports that are made by proponents of projects are never verified individually and non-performance seldom attracts timely and relative penalties. Such enforcement gap results in a low-risk condition of non-compliance where the proponents of the project might view the environmental conditions as a negotiable and optional requirement, not a binding one.¹⁸

The study also points out the high inter provincial differences in the implementation and enforcement of EIA after devolution. Different provinces vary in their ability to regulate, political input towards environmental protection and administrative customs which result in the uneven use of EIA standards. In other instances, certain projects are scrutinized and enforced more rigorously in certain areas than other areas, providing a regulatory uncertainty and an incentive to go on a forum shopping spree by those who wish to avoid more strict regulation. There are still no strong mechanisms of coordination between the provincial EPAs and the federal agencies especially in projects that have transboundary impacts, which undermines the overall success of the EIA system.¹⁹

Lastly, the results imply that the enforcement issues have a strong connection with other governance and political economy factors. The environmental regulators tend to exist in institutional hierarchies in which the development agencies have more influence on politics and power to budget. Such an imbalance may prevent the enforcement strictness, particularly when the project is presented as strategic in the economic growth or energy security. However, judicial control, although sometimes effective, is not always active, and environmental lawsuits are resource-consuming and time-consuming. All these elements lead to a creation of an enforcement environment where legal instruments are available but are not being used fully, which translates into an EIA system which is procedurally active and substantively limiting in its capacity to prevent or address environmental degradation. These results precondition the further discussion of the interaction of legal design, institutional capacity, and political context and influence EIA enforcement results in Pakistan.²⁰

Discussion

The results of the present paper show that there is a basic tension in the core of the Environmental Impact Assessment regime in the country, namely the co-existence of a rather comprehensive legal system with poor and inconsistent enforcement results. This strain is part of a larger trend in the environmental governance, in which the legalization of regulatory tools does not necessarily lead to the successful result of environmental protection. In the context of Pakistan, as per the discussion, EIA has been institutionalized to be more of a procedural than a substantive decision making tool. The standardized production and authorization of EIA reports signify that the mechanism works on an administrative basis, but the minimal impact of these evaluations on project design, project implementation and project behavior depicts a greater deficiency of governance that is based on capacity, incentives and structural accountability.²¹

¹⁸ Zahid, M. Y., & Qamar, M. K. (2020). THE ASPECTS OF LEGISLATION IN ENVIRONMENTAL MANAGEMENT: CASE STUDY OF PUNJAB PROVINCE (PAKISTAN). *Pakistan Journal of Science*, 72(2).

¹⁹ Amir, K. (2022). Evaluating climate change consideration in the Pakistani EIA framework.

²⁰ Prasetyo, Y. T., Kurata, Y. B., Zahra, K., Cahigas, M. M. L., Nadlifatin, R., & Gumasing, M. J. J. (2024). Factors affecting compliance with vehicular environmental laws and pro-environmental behavior in Lahore, Pakistan. *Acta Psychologica*, 251, 104614.

²¹ Waheed, A., Fischer, T. B., Kousar, S., & Khan, M. I. (2023). Disaster management and environmental policy integration in Pakistan—an evaluation with particular reference to the



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The dominance of compliance-based culture that values administrative clearance and not environmental outcomes is one of the key problems that arise due to the discussion. Project timelines, political pressure and institutional performance measurement which focus on speed and project delivery and not environmental risk management reinforce this culture. In this kind of environment, regulators can be interested in the fact that an EIA has been posted and checked in terms of stipulated timelines, as opposed to the quality of its analysis or the viability of its mitigation procedures. Part of this dynamic contributes to the fact that weak assessments tend to be passed with ease and that approval terms are usually generic and not specific and binding. The discussion then implies the limitation of effectiveness to lack of rules, but rather the definition and reward of success in administrative systems.²²

Institutional capacity is one of the most important factors that can influence the result of enforcement. Both the federal and provincial Environmental Protection Agencies have limited human, technical, and financial resources compared to the magnitude and the complexity of the developmental activities that they are supposed to control. Such imbalance diminishes the capacity of the regulators to critically analyze intricate technical research, to independently field-test, and to establish continuity in post-approval control. The discussion shows that capacity constraints are also part of the reasons of regulatory reliance on the project proponent to provide information, which can undermine the objectivity of assessments and monitoring. Without plausible threats of scrutiny and penalty, the circumstances of EIA expectancies may be interpreted as idealistic commands and not as required rules.²³

The issue of decentralization and devolution also makes the enforcement environment more complicated. Although provincial autonomy can improve the context-specific regulation, the debate indicates that it has created fragmentation and inconsistency in real practice. There is an uneven distribution of environmental protection throughout the country as provinces interpret EIA requirements differently, set varying standards of how they review and practice enforcement differently. These disparities are further enhanced by the absence of effective coordination mechanisms and common technical standards that restrict the capacity of the system to deal with cumulative and transboundary effects. Governance This fragmentation compromises effectiveness and legitimacy because like environmental risks are handled differently based on jurisdiction and not based on ecological relevance.²⁴

Although it is formally part of the EIA process, the issue of public participation appears in the discussion as the untapped source of enhancing enforcement and accountability. When participation is viewed as a formal requirement, its possible benefits to impact identification, local surveillance, and social control are forfeited. According to the discussion, meaningful engagement might, in part, counter institutional capacity gaps as communities and civil society could also serve as an extra pair of eyes and ears of

China–Pakistan Economic Corridor Plan. *Environmental Science and Pollution Research*, 30(48), 105700-105731.

²² Baloch, S. M., Rehman, T. U., & Ali, Y. (2025). FROM CRISIS TO RESILIENCE: CLIMATE CHANGE, ENVIRONMENTAL POLICY, AND SUSTAINABLE ADAPTATION IN PAKISTAN. *Journal of Applied Linguistics and TESOL (JALT)*, 8(2), 908-918.

²³ Shabbir, S. S., Daavi, R. A., Khan, H., & Mehmood, M. I. (2024). Legal Framework for Promoting Environmental Justice in the Context of Climate Change: Highlighting Proactive Role of the Supreme Court of Pakistan.

²⁴ Alam, S. (2014). Public Participation in the Enforcement of Environmental Laws: Issues and challenges in the light of the legal and regulatory framework with special reference to EIAs in Malaysia. Available at SSRN 2457690.



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regulators. This potential however can be achieved only by supporting participation through access to information, responsiveness by the authorities and clear lines of raising and solving compliance concerns.²⁵

Lastly, the discussion places the issues of EIA enforcement in Pakistan in a larger political economic context that values developmental discourses and immediate economic benefits over the sustainability of the environment in the long term. When operating in this environment, environmental regulation is usually understood as a hindrance but not as an accelerator of sustainable development. This framing also has an impact on regulatory behavior, which reduces the desire to enforce the rules strictly, as well as narrows the political environment to increase sanctions against non-compliance. The discussion thus highlights that in order to enhance EIA performance, it is not only necessary to amend technical or procedural aspects but also to redefine environmental protection as a part of the quality of development and risk management. Unless these deeper-root governance dynamics are properly dealt with, the strengthening of EIA enforcement will probably continue to be superficial and susceptible to being undone.

Recommendations

To enhance the performance of Environmental Impact Assessment laws in Pakistan a strategic change in focus should be done instead of focusing on procedural compliance to focus more on the implementation, monitoring, and accountability. Among the most important recommendations that come up out of this analysis is the necessity of institutional capacity of Environmental Protection Agencies both federal and provincial levels. This does not include merely adding to the number of staff but also putting resources in special technical skills in areas that are central to the industry including energy, infrastructure, mining, and industrial growth. This would be enhanced through training in impact prediction, alternatives analysis and compliance monitoring, which would help the regulators evaluate critically the EIA submissions and help them in identifying the weaknesses that remain unquestioned nowadays. Sufficient finances are also essential because unless separate funds are allocated to inspection, laboratory tests, and field checks, the enforcement will be only sporadic and reactive.

The second recommendation is related to the quality and enforceability of EIA approval conditions. The regulators are encouraged to shift to more specific, measurable and time-bound conditions that put an end to vague compliance requirements and monitoring indicators. The plans of environmental management and monitoring must be considered as binding tool not as appendices to approvals documents with clear reporting conditions and penalties in terms of non-observance. A set of common templates and industry-specific guidelines would assist in minimizing the ambiguity and enhance consistency among different provinces without sacrificing the flexibility to respond to local risks. More transparent terms would also enhance the legality of the enforcement measures and minimize the controversy regarding the interpretation.

To bridge the disconnect between the assessment and environmental outcomes, post-approval monitoring and compliance verification should be improved. The creation of special surveillance departments in EPAs with the help of risk-oriented inspection policies would enable the regulators to focus on projects with greater environmental consequences. Third-party audit, remote sensing and online reporting systems can complement insufficient regulatory capacity and enhance transparency. Monitoring reports and compliance status should also be publicly disclosed to further improve

²⁵ Yousaf, A., Kiran, A., Iqbal, M. A., Murtiza, G., & Hussain, M. (2025). Climate change effects on rural livelihoods in Pakistan: legal and policy analysis. *GeoJournal*, 90(1), 25.



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accountability as the civil society, affected communities, and the media would be able to question the performance of projects and regulatory reactions.

This should also improve participation of the public not just at the evaluation phase but also at all stages of the project life cycle. This involves enhancing access to the information, such as making sure that EIA documents and monitoring reports are translated to the local languages and in formats that are easily comprehensible among the non-experts. The systems of incorporating the voice of the populace in approval terms and implementation determinations must be institutionalized and the way issues of concern are addressed, documented. Community-based monitoring programs, backed by regulators, may help to give useful information on compliance as well as improve the local ownership and trust in the EIA process.

At the governance level, there is a need to enhance the level of coordination between federal, provincial, and sectoral authorities to take care of fragmentation and inconsistency. Ensuring that national minimum standards are established on EIA review and enforcement and ensuring that co-ordination mechanisms exist among provinces in regard to the projects with transboundary implications would help in harmonizing practices even without waning provincial autonomy. It is also significant to incorporate the results of EIA into planning and financing of a larger scale. Regulatory power of EPAs should be enhanced by development agencies and financial institutions demanding that they observe the requirements of the EIA conditions as pre-requisite to further funding and support.

Lastly, the re-framing of the environmental regulation in the development discourse in Pakistan needs to be done. Policymakers are to stress that effective EIA may lead to risk management, sustainability of a project and even social legitimacy instead of acting as an obstacle to development. Enhancing the levying of penalties on the cases of incessant non-compliance and guarantee their regular enforcement would be an indication of regulatory seriousness and deterring violation. Collectively, these recommendations are aimed at developing a pragmatic reform agenda to add to the current legal frameworks and meet the institutional and political limits that at present hinder the effectiveness of the Environmental Impact Assessment laws in Pakistan.

Conclusion

The article has explored the efficacy of the Environmental Impact Assessment laws in Pakistan based on the legal design, institutional capacity and enforcement practice with specific reference to challenges which restrict the capacity of the EIA to act as a preventive and accountability-based tool of governance. As shown in the analysis, Pakistan has a fairly comprehensive EIA framework formally, which is based on legislative requirements and procedural rules that are generally suitable in terms of international standards. The prevalence of the need to approve projects under the name of EIA before implementation means that the environmental assessment has been institutionalized in development administration. Nevertheless, the continued nature of environmental degradation linked with big development projects is an indication that legal existence and procedural practice in themselves are no longer effective indicators.

The main conclusion drawn out of this study is that the main weakness of the EIA system in Pakistan does not exist in the form of the lack of any legal provisions but in the environment in which the legal provisions should be implemented. The limitation of capacity in the Environmental Protection Agencies coupled with the pressure of political economy that favors fast development has created a culture of compliance that is not concerned with environmental achievement but with documents. This means that EIAs



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do not tend to have much impact on the design and implementation of the project and post-approval monitoring and enforcement are inconsistent and insufficient. This situation has been exacerbated by the devolution of environmental authority to the provinces which has created variations in the practice and standard of enforcement as a point of concern, which has necessitated the need to coordinate and harmonize.

The implications of the findings also highlight the fact that the potential of public participation and transparency as effective tools to enhance accountability and compliance are used underutilized. By achieved meaningful engagement and access to information communities and civil society can be able to play a contributory role in identifying impact, monitoring and social oversight in a manner that supplements formal regulatory capacity. On the other hand, in cases where participation is perceived as a formal process, there is a missed chance of improving legitimacy and environmental conservation. Enhancing the level of public participation during the lifecycle of the project is hence part and parcel of enhancing the effectiveness of EIA.

Conclusively, to improve the performance of the Environmental Impact Assessment laws within Pakistan, the emphasis should be changed to focus on the expansion of legislation to the areas of implementation, monitoring, and accountability. Within the current legal framework, incremental yet focused reforms (e.g., institutional capacity building, and elucidating and implementing conditions of approval, better coordination among levels of governance, and redefining environmental protection as an essential part of quality development) can make a big difference in changing the outcomes. In the absence of these changes, EIA would be just a mere symbolic activity and not a substantive tool that can protect the environmental integrity and the interests of people in the developmental path that Pakistan is taking.

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