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**Public Access to Environmental Information: A Legal Right or Media Privilege?**

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### **Abstract**

The availability of environmental information has turned out to be one of the pillars of modern environmental management, which guarantees transparency, accountability and citizen involvement in the decision-making process. Although the global law, especially the principle 10 of Rio Declaration 1992 and the Aarhus Convention, recognizes the right to access to environmental information by the people, the application of the principle in developing countries is still patchy. In Pakistan, although there is constitutional protection of freedom of information and the rights of a healthy environment were judicialized, freedom to access environmental information is still generally viewed as a privilege that is enjoyed by the media and civil society actors, but not as a right that should be enforced by everyone in general. This essay looks at the legal framework of environmental information in Pakistan and whether it is a legal right that should be available to every citizen in the country or a viable privilege to the media organizations and environmental activists. The analysis of the statutory tools of the Right of Access to Information Act 2017 and the Pakistan Environmental Protection Act 1997 and judicial interpretations of the higher courts have been used in the study to draw the progress and gaps in the system in the operationalization of transparency in environmental governance. The paper then concludes by giving policy and legal proposals to democratize environmental information that can close a gap between the law and the empowerment of the people in the matters of the environment.

**Keywords:** Environmental Information, Access to Justice, Right to Information, Media Freedom, Environmental Governance, Pakistan, Transparency

### **Introduction**

Environmental degradation is one of the most burning issues of the twenty-first century, which not only influences the ecological system but also human health, stable economic or social equality. The development of the idea of access to environmental information as a democratic right and an environmental requirement has happened over the last several decades as the increasing number of scholars came to the understanding that engaging in persistent and transparent environmental management requires societal involvement. The skills of citizens to receive prompt and correct information on environmental policies, projects and hazards are important in holding the governments as well as corporations responsible. It guarantees that the decisions related to development are not made in the back room but in the best interest of people and should be based on the principle of sustainability and justice (Ebbesson et al., 2014).

Historically, environmental governance in Pakistan has been associated with institutional inertia and discretionary rulings by the bureaucrats. Although there are environmental legislations and regulatory organizations like Pakistan Environmental Protection Agency (Pak-EPA) and provincial EPAs, environmental data is still inaccessible and mostly biased. The article 19-A of the Constitution of Pakistan stipulates the constitutional right to information as a right of every citizen to receive information in all areas of importance to the population (Pakistan & Munir, 1967). Nonetheless, the operationalization of this right has been sporadic and, in some cases, inhibited by bureaucratic stagnation and absence of implementation procedures especially in the environmental sector.

The involvement of the media in the matter also makes this problem more complex, as the media has turned out to be an essential middleman between the environmental institutions and people. The investigative work of the media in the process of reporting episodes of pollution, deforestation, unauthorized industrial functioning and climate consequences has played a key role in uniting the masses and legal intervention (Qusien & Robbins, 2024a). However, this reliance on the journalistic means begs a very important question, do citizens of Pakistan have the legal right to receive environmental information and is it equally available to everyone or has it practically become a privilege of media and other advocacy groups that are able to demand such disclosure? The conflict between official acknowledgment of the rights of access and the actual restrictions to their implementation is reminiscent of greater governance and accountability problems in Pakistan. Although the spread of environmental impact assessments and public consultation are required by the environmental laws of a country, including the Pakistan Environmental Protection Act 1997 (PEPA), these requirements are often not used (Sial et al., 2018a). On the same note, the Right of Access to Information Act 2017, which aims at operationalizing Article 19-A, is associated with the lack of institutional implementation and awareness among citizens. Consequently, the capability to access environmental information is frequently pegged not on any legal right but on power, doggedness or publicity.

International instruments like the Aarhus Convention (1998) and the Escazu Agreement (2018) both set the three pillars of environmental democracy: access to information, public participation and access to justice and have institutionalized access to environmental information globally (CEPAL, 2018). These models underline the fact that the environmental information should be easily accessible to citizens and not subjected to discrimination and bureaucratic process. Nevertheless, Pakistan, similar to most developing nations, has not yet implemented similar mechanisms or not believe its practices within the country in tandem with such international norms.

It is against this background that the current research is done to critically assess the question of whether the right to access environmental information by the population in Pakistan is a legal right that is provided on constitutional and statutory grounds or is it a media privilege that exists at the behest of institutional goodwill and pressure on the part of advocates. This question is analyzed in the framework of legal and administrative context in Pakistan based on the state legislation, case law and international standards. It also discusses the transformative role of judicial activism, particularly in the form of public interest litigation in enhancing environmental rights, though with more or less institutional follow through.

Exploring this interface between law, governance and media, the paper aims at making a contribution to the debate on environmental transparency and democratic accountability. It claims that environmental justice can never be fully realized without access to environmental information being made a public right and not just a privilege to journalists and environmental NGOs. Such reinforcement of this right is not only necessary in terms of environmental protection, but also in trying to increase democratic engagement and confidence of citizens in the governance system of Pakistan.

## **1: Conceptual Framework – The Right to Information and Environmental Transparency**

The philosophy of transparency and democratic accountability is firmly grounded in the idea of access to environmental information. Nowadays, information is not simply an instrument of administrative productivity but a condition of citizen empowerment and participation in decision making. RTI right has developed to be procedural rights into substantive human rights and has been interconnected with freedom of expression, environmental justice and sustainable development. Within the environmental setting, information access can be viewed as an act that protects the right of the populace to know the ecological impact of the state and business operations and as a way to legitimize the process of environmental decision-making (Bratspies & Lamdan, 2019).

Transparency in the environment means that governmental and corporate institutions are open in disseminating information in terms of pollution levels, environmental impact assessments (EIAs), exploitation of natural resources and implementation of policies. According to the definition by the United Nations Environment Programme (UNEP), the scope of environmental information is quite broad and includes the information about the state of the environment, the activities that can or are likely to impact it and the policies or measures made to protect it (Environmental, 2019). This transparency is necessary since environmental decisions usually entail multilevel tradeoffs between development and the protection of the environment. Having no access to the correct information, the communities will have no say in the policies that will directly impact their lives and health.

The right to environmental information has a philosophical basis in the concept of environmental democracy that incorporates three inseparable rights: the right to information, the right to participate in environmental decision-making process and the right to access to justice (Declaration, 1992a). This triad, which is acknowledged by Principle 10 of the Rio Declaration on Environment and Development (1992), underlines the fact that the environmental problems should be addressed in the most appropriate way when all the interested citizens are involved. The principle is an indication of the realization that the concept of environmental protection will be ineffective without transparency and public criticism. It also puts access to information not in the perspective of privilege as given by the state but a right as a citizen and his relation to the environment.

Legal-theoretically, researchers, including Alan Boyle and Patricia Birnie, claim that access to environmental information is a compromise between civil-political and socio-economic rights (Boyle & Redgwell, 2021a). It is civil-political as it brings transparency and accountability to governance and socio-economic in that the citizens can be able to get a clean and healthy environment. This duality places the right in the context of the human rights law and the environmental law which produces a special hybrid right that states must observe, defend and uphold.

In the Pakistani constitution, the basis of information access is mainly found in Article 19 (freedom of speech and expression) and Article 19-A that was added by the Eighteenth Amendment (2010). Article 19-A clearly gives that all citizens will have the right to access information in any case of interest to the people, which will be regulated and reasonable restrictions provided due to the law (Boyle & Redgwell, 2021b). The provision is a new era in the legal landscape of Pakistan as it changes the access to information as an implied (though implied) principle to a fundamental right. Nevertheless, the success of this right is based on how well it is operationalized with the help of legislation, internal capability and social knowledge.

It becomes especially urgent when the right to information is applied to the field of environment. Climate change, industrial pollution and environmental degradation have direct impacts on the basic human rights including life, health and property. Therefore, environmental data access is an element that cannot be ignored in these wider constitutional guarantees (Hameed et al., 2025a). The judiciary in Pakistan has strongly identified on numerous occasions the interrelationship

between the right to clean environment and the right to life in Article 9 of the Constitution. The *Shehla Zia v. WAPDA* (1994) case is still the benchmark, as the Supreme Court concluded that the right to life encompasses the right to the healthy environment and requires the state to provide the citizens with the security against the environmental threats (Hilal, 2022).

In spite of these legal affirmations, there is still a poor implementation of transparency in the environment. The common man does not even know that he or she has a right to demand information about environmental projects, industrial discharges or development plans in cities. Furthermore, the government agencies are likely to consider environmental information as a secret, rather than public information; hence, only access when it is revealed through the media or a court decision. This has led to a scenario where in actual sense, it is easier for environmental information to reach the journalists and non-governmental bodies than ordinary citizens. This asymmetry poses the critical normative question that is central to this paper, that is, whether environmental information in Pakistan is a right that can be accessed by everyone or is it a privilege that actually is exercised by a few.

Therefore, the idea behind this study places the environmental information at the juncture between law, governance and democratic participation. Environmental information can be accessed not only by documents or data, but the access itself represents the level of trust between the state and the society. It allows citizens to ask, engage and affect the environmental governance, qualities that not only determine the quality of environmental protection but also the level of the development of democratic culture.

## **2: International Legal Basis for Access to Environmental Information**

Access to environmental information is gradually becoming an established principle of international environmental law and is based on the principles of transparency, accountability and participatory governance. The access to environmental data is becoming more and more the constituent of the environmental protection and sustainable development as it is perceived by international instruments. The current evolution of global laws is based on the perception that educated citizens are the key to enforcing environmental standards and making both states and businesses responsible to the environment damage (Alan, 2017).

This principle was first stated explicitly in the 10<sup>th</sup> principle of the Rio Declaration on Environment and Development (1992), as adopted in the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro. Principle 10 states that environmental problems should be addressed with all the concerned citizens involved, at the appropriate level and states that, respectively, each person should have proper access to information on the environmental issue possessed by governing bodies (Declaration, 1992b). This principle was a paradigm shift because it changed the state-centric model of environmental protection to a participatory model. Rio Declaration therefore defined environmental information in one of the three pillars of environmental democracy, the other two being public participation and access to justice.

An expansion of the Rio framework, the Aarhus Convention on the Rights to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998), which was adopted at the United Nations Economic Commission for Europe (UNECE) became the first legally binding international treaty to entrench the rights (Fasoli, 2017). Aarhus Convention places the responsibility on its parties to make available environmental information and proactively as well as when requested and without a necessity of justifying an interest. It also requires governments to keep open public data on environmental issues, allow citizens to contribute to the environment decision-making process and to have a legal redress in case information is unlawfully kept away. The implementation of the Convention has brought a major change in the environmental transparency in Europe and also it has impacted governance reforms within the world.

Although Pakistan is not a signatory to the Aarhus Convention, its guidelines have influenced the international expectations in terms of minimum standards in obtaining environmental information.

Aarhus principles have been incorporated into the environmental management systems of many multilateral bodies including the United Nations Environment Programme (UNEP) and the Organization of Economic Co-operation and Development (OECD). Also noted by the United Nations Human Rights Council (UNHRC) in Resolution 48/13 (2021) as a human right, the need to access environmental information by the public was implicitly stipulated in the need to access a clean, healthy and sustainable environment (Morrow, 2025). This acknowledgment makes the transparency of the environment consistent with the law of human rights, as well as developing the field of environmental law further, to the concept of international justice.

The other major change in the global south is Escazio Agreement (2018) which is officially called as the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. The Escazio Agreement reflects the Aarhus principles but adjusts them to the context of developing countries and focuses on protecting environmental defenders, free access to information and institutional capacity building (Ferrucci, 2019). It proves that Environmental information right does not pertain only to the developed countries but rather extends to the developing economies that are facing the rapid industrialization and environmental deterioration-issues that are close to those in Pakistan.

In a more general sense, the same normative commitment is strengthened by the United Nations Sustainable Development Goals (SDGs). SDG 16 would entail effective, accountable and transparent institutions whereas SDG 13 highlights urgent action to combat climate change and its effects. Collectively, these objectives emphasize the fact that transparency and environmental sustainability are interdependent. The absence of information denies citizens a chance to meaningfully participate in the attainment of national commitments as outlined in the Paris Agreement and also checking on the environmental performance indicators.

Being a member state of the United Nations and a signatory of several multilateral environmental agreements (MEAs), Pakistan is implicitly bound to ensure its domestic legislations are in line with the international standards. Even though it has never ratified Aarhus or Escazio, the right to access to information and participation is known to be principles of customary international law (Schrijver, 2002). Other organizations such as the International Law Association (ILA), a number of United Nations Special Rapporteurs have reaffirmed that disclosure of environmental information is a key component of good governance and a precondition of environmental justice. This means that states whether they are signatories to the treaty or not have the moral and legal obligation to be transparent in their environmental issues.

This international legal system is used as a reference point and as an incentive to change in the circumstances of Pakistan. The Right of Access to Information Act 2017 in the country and Pakistan Environmental Protection Act 1997 have had some influence of the global norms as they acknowledge the right of the people to seek information and have a say in the environmental decision-making process. Nonetheless, there is a poor enforcement as there is no clarity in the procedural mechanisms of requesting environmental data or underutilization. This gap between international aspiration and domestic realization needs to be bridged through institutional reform, publicity and judicial enforcement in line with international best practices.

Overall, the international legal framework creates an unequivocal set of principles: environmental information as a legal right is not a discretion, but a privilege. It is a right that constitutes a part of the developing corpus of international environmental law and is also crucial to the achievement of environmental justice. The subsequent sections look into the internalization of these principles within the constitutional, statutory and judicial systems of Pakistan that the domestic legal system in the country has or has not internalized. 3: Pakistani Domestic Legal Framework.

### **3: Domestic Legal Framework in Pakistan**

The legal system of access to environmental information in Pakistan is based on the point of intersecting constitutional guarantees, the laws and control systems. In the last thirty years, Pakistan has been slowly transitioning through state-controlled information regime to one where

the right of the masses to know is acknowledged. This change has been inconsistent and transparency of the environment has been left behind in the process of political and administrative reforms. The framework seems strong on paper but weak at implementation, contradicting the fact of whether the right to access environmental information is a right of the masses or a selective tool used by the media and advocacy networks.

### **3.1 Constitutional Foundations**

In Pakistan, the constitutional foundation to the information access is mainly in Articles 19 and 19-A of the Constitution of 1973. Article 19 contains the guarantee of the freedom of speech and expression, whereas in Article 19-A which was introduced by the Eighteenth Constitutional Amendment in 2010, we can find the definite statement that every citizen is going to have the right to obtain access to the information on all the matters of national importance, but which can be regulated and reasonably restricted by law (Pakistan & Assembly, 1973). This had not only constitutionalized the right to know, but made it a binding fundamental right and changed the position of it as a discretionary state prerogative to a right of a citizen.

The courts have been central in the interpretation of these provisions in the constitution. Transparency has been a key attribute of good governance that has always been highlighted by the Supreme Court and the High Courts. In *Benazir Bhutto v. Federation of Pakistan* the Court noted that democracy is incapable of working without transparency and accountability (Napoli, 1991). Later, in *Watan Party v. Federation of Pakistan* the Court upheld the position that access to information regarding the affairs of the people is part of the process of participation in democracy. These provisions when read alongside Article 9- right to life have been widely applied to be inclusive of right to live in clean and healthy environment as observed in, as held in *Shehla Zia v. WAPDA* (Hameed et al., 2025b). Therefore, the information on the environment is not only the administrative information but also the aspect of basic constitutional rights to life, dignity and participation.

### **3.2 Legislative Framework**

In Pakistan, the access to information and environmental transparency is regulated by two major legislative tools, namely the Right of Access to Information Act, 2017 (RAI Act) and the Pakistan Environmental Protection Act, 1997 (PEPA).

Article 19-A is operationalized by the RAI Act 2017 that covers federal institutions and introduces mechanisms of access to information by citizens in public bodies. Section 5 requires active disclosure of important information and Section 6 permits an individual to seek any record maintained by a public organization, including environmental information, unless there is an exemption based on the national security or privacy (Kabata & Garaba, 2020a). Every government agency must have a specific information officer who should respond to requests. Nevertheless, these procedural safeguards have not resulted in increased disclosure of environmental data. It is the spirit of the Act that ministries and environmental agencies usually do not post pollution reports, climatic impact assessment and industrial compliance data on their websites.

Pakistan Environmental Protection Act, 1997, which transferred the National Conservation Strategy into law, offers certain frameworks of accessing environmental information by the population. Under PEPA, section 12 ensures that environmental impact assessments (EIAs) and initial environmental examination (IEEs) are done on industrial and development projects, which must be on public display and consulted with stakeholders before approval (Sial et al., 2018b). According to the law, the Pakistan Environmental Protection Agency (Pak-EPA) has the responsibility of keeping environmental records and publishing reports. In reality though, these provisions are inconsistently observed. The EIAs are often a farce, as the public hearings are carried out simply as an administrative formality, the level of awareness of the population is minimal and the documents are not always accessible. The intermediaries between the environment and the citizens are frequently the environmental NGOs and the journalists who get and spread such information instead of the citizens receiving it directly.

### **3.3 Institutional and Administrative Mechanisms**

On the institutional level, there are a number of federal and provincial institutions charged with the mandate of enforcing access to environmental information. Pakistan environmental protection agency (Pak-EPA) and its provincial equivalents are required to implement environmental standards, carry out EIAs and share the information. Since the Eighteenth Amendment, the environmental regulation is a subject of the provinces and some distinct agencies were created in Punjab, Sindh, Khyber Pakhtunkhwa and Balochistan. All agencies are required by the law to encourage the involvement of citizens and transparency, but their performance is irregular since they are not funded or have the technical skills and data management tools (Khayam & Ahmad, 2020a).

Under the RAI Act 2017, the Pakistan Information Commission (PIC) is the appellate to cases on information denial complaints. The PIC has awarded various cases that have required the public bodies to produce the environmental records, but its rulings are mostly not followed. In *Zafar Abbas v. Pakistan Environmental Protection Agency* (2020), The Commission, which mandates Pak-EPA, instructed it to post all approved Environmental Impact Assessments on its webpage, citing the constitutional right by the people to information in Article 19-A (Adam et al., 2022). However, the execution has been partial due to institutional inertia and due to a culture of secrecy that is still rife in the bureaucracy.

### **3.4 Gaps and Overlaps**

Although the Pakistani legal system seems to be comprehensive enough, there are a number of loopholes that cripple the achievement of the process of environmental transparency. To begin with, there is a lack of explicit digital disclosure requirements that restrict the active release of environmental information. Secondly, devolution or decentralization of powers between federal and provincial bodies introduces confusion on the issue of sharing information. Thirdly, the lack of awareness of the citizens and a low level of environmental literacy cannot help the citizens to exercise their rights. Furthermore, officials are tempted to see environmental information as confidential or confidential, particularly where strong industrial or developmental stakeholders are concerned (Naseer & Rashid, 2018a). As a result, rather than being a regular feature of governance, access to environmental information becomes reactive - usually in response to a crisis, media inquiry or an order of court.

Overall, the legal framework of the Pakistani domestic law officially acknowledges the right to access environmental information as a constitutional and legislative right. However, the administrative culture of the state still does not fully bring transparency as the role of the main gatekeeper of the environmental information is played by media organizations and NGOs. This inequality in structure highlights the necessity to change the access on a formal level to a substantial right that can be enjoyed by all citizens regardless of institutional pressure or persuasive capabilities.

## **4: Media's Role in Promoting Environmental Accountability**

The media occupies a critical position in influencing the discourse by the people and establishing accountability especially in the environmental sector. In Pakistan, where there are still no effective institutional frameworks to connect environment information, the media can serve as a mediating factor between the government agencies, corporations and the population. Investigative journalism, opinion journalism and online activism are used to draw attention to the ecological issue, air and water pollution, deforestation, industrial dangers and the effects of climate change (Qusien & Robbins, 2024b). The combination of the watchdog and educator roles of the media highlights the centrality of this media in the process of operationalization of environmental transparency.

### **4.1 Media as a Facilitator of Access**

In reality, the Pakistani media (such as newspapers, television, Internet) have often raised awareness about serious problems associated with the environment. Public discussion and judicial

action have been precipitated by investigative stories on accidents like chemical spills in Karachi, air pollution in urban centers like Lahore or the mining of illicit sand in Sindh (Jamil, 2021). The media exposes the citizens to environmental data that they might not be able to request or even have the legal expertise to request under the right of access to information act of 2017 by publishing data that is available in government records or environmental reports or whistleblower (Kabata & Garaba, 2020b). In this regard, media serves as the de facto facilitator of transparency of the environment turning statutory issues into practical information in the population.

The media coverage also promotes accountability since the government and corporate players are exposed to reputational pressure. As an example, when the television shows the industrial effluents or an illegal construction work, this can lead to an inspection by the regulatory authorities, fines or withdrawal of permits (Mezzera & Sial, 2010). This implies that legal avenues are available to give an environmental information but, in most cases, media activism is the active catalyst to force any enforcement as well as in the areas where bureaucratic compliance is not consistent.

#### **4.2 Media as a Gatekeeper**

Although the media helps in the access as well, it may accidentally play the role of a gatekeeper and may filter what the public gets to know about the environment. The choice of material, the creation of the plot and editorial backgrounds define the work of environmental concerns (Shabir et al., 2015). As an example, the big story is given plenty of attention in urban areas and the rural or marginalized population, where environmental decline is rampant, usually goes unnoticed in the media discourse. This renders the provision of environmental information imbalanced to favor urban, literate or politically affiliated audiences, as opposed to the general citizenry.

More so, relying on media intermediaries is a cause of concern on the privatization of the public right to information. The right to information is indirectly achieved through institutional actors when citizens use journalists and NGOs to get information regarding the environment instead of assuming the right to access this information directly. Such a dynamic can restrict to civic participation because ordinary citizens who cannot access media networks or social capital are virtually locked out of participating in the meaningful activities of environmental governance.

#### **4.3 Digital Media and Environmental Awareness**

The introduction of electronic platform and social media has widened the scope of environmental reporting in Pakistan. Environmental blogs, Twitter and Facebook platforms and other social media platforms can be used to provide real-time pollution-related information, climate warnings and legal news (Naeem et al., 2023). It has given rise to citizen journalism, which is a complementary process, where communities engage in documenting and broadcasting cases of environmental violations and bypass the media as the gatekeeper. However, there are still issues that exist, such as digital discrimination, fake news and selective amplification of some problems. Therefore, although digital media increases transparency, it fails to overcome the structural constraints in the access to the information about the environment to full extent.

#### **4.4 Balancing Media Facilitation with Legal Rights**

The Pakistani example shows a very acute conflict: media organizations make the environment information available to the population, but this interference must not be at the cost of the legal rights of citizens. Information access has to be an unmediated right, not a privilege. This involves bolstering institutional processes, enhancing civic consciousness and making disclosures by environmental leadership proactive. The role of the media can be supplemented with legal reforms, training of officials and building open-access databases so that the information on the environment becomes universal and does not depend on the work of journalists (Rahim, 2021a).

Summing up, the media in Pakistan has played an untenable role in interpreting the environmental law in practice, generating awareness among the populace and coercing institutions to adhere to the rules of transparency. But excessive dependence on the media as intermediaries jeopardizes the danger of turning what was a right enshrined in the constitution into a privilege. Good environmental governance requires a two-way strategy, acknowledging the critical role of the

media as elements of the institution should guarantee access to information as a basic, citizen-driven right.

## **5: Challenges, Judicial Interpretations and Implementation Gaps in Pakistan**

Environment information is not only constitutionally and legislatively acknowledged in Pakistan, but there are a few systemic challenges that hinder its practice in real sense. These obstacles may be generalized into legal, institutional, administrative and socio-cultural barriers. It is imperative to appreciate such shortcomings to determine whether environmental information is a true citizen right or a privilege that is still exercised by media and advocacy groups.

### **5.1 Legal and Regulatory Challenges**

Although the Right of access to information act 2017 and the Pakistani Environmental protection act 1997 have offered statutory means through which one can gain access to environmental information, the acts have been criticized due to their ambiguous and loopholes. To begin with, the exemptions in the RAI Act, i.e. the concept of national security or commercial secrecy, are hesitantly defined, which means that the authorities can withhold information without any clear reasons (Magina, 2019). Secondly, the lack of established timeframes and sanctions in the event of non-observance makes the law less enforceable, which is why the culture of postponement or refusal to comply with a request with low responsibility was created by the authorities of the population. Third, the presence of overlapping competencies between the federal and provincial agencies after the Eighteenth Amendment creates confusion about the proper authority that should be tasked with the responsibility of providing a specific environmental data and access is thus divided (Zaheer, 2019).

In addition, even environmental laws tend to focus on procedural compliance, as opposed to the substantive transparency. Although industrial and developmental projects must have EIAs and IEEs, it does not have effective enforcement mechanisms. Provisions addressing the disclosure and consultation to the population are often formal and little concern is raised to make sure that citizens can read, access or challenge environmental information (Rahim, 2021b). Such gaps in laws leave a situation to be seen where on paper, access may be guaranteed, but in reality, it will only be possible when the institution is willing and under advocacy pressure.

### **5.2 Institutional and Administrative Barriers**

Another significant problem to environmental transparency is institutional restrictions. The environmental agencies in Pakistan at the federal and provincial levels are faced with scarcity of resources, lack of technical expertise and also have insufficient training of their staff (Butt & Abdelaziz, 2025a). Most agencies do not have well-developed databases or online platforms where and through which they can actively disseminate environmental data, compelling the citizen to use formal inquiry, which is sometimes slow-moving bureaucracy. Also, the hierarchical nature of the public offices implies that the requests of environmental data can go through several levels of approval, which also leads to additional disincentive of the ordinary citizens to exercise their rights.

Assistance based on access rights has been achieved by the Pakistan Information Commission which was founded through the RAI Act 2017, although not all people follow its instructions. The effectiveness of the Commission is hampered by administrative resistance, poor monitoring systems and lack of awareness by the people. As a result, the information about the environment is prone to selective dissemination to journalists, NGOs and other participants who are able to bypass bureaucracies (Qusien & Robbins, 2024c).

### **5.3 Socio-Cultural and Awareness-Related Limitations**

Access to the information on the environment is also affected by the socio-cultural factors. In Pakistan, the citizens are not exercising their rights effectively due to low level of public awareness, low literacy and poor comprehension of the legal procedures. Not all people know that environmental information is a right of the population and presupposes that it has to be mediated by the media or the defense team to get access (Haq et al., 2025). Moreover, environmental

problems that impact rural or marginalized communities are usually ethnic, because of which these people have no institutional knowledge about them and have no platform to insist on information. The other socio-cultural crisis is that environmental information is seen as a technical or a specialist field. Citizens can feel incapable of understanding EIAs, pollution documents or climate information, decreasing their interaction with formal information channels. Such a vacuum is commonly occupied by NGOs and media, yet this dependency unwillingly transfers the locus of access to be less a right of universal citizenship than a mediated privilege and restricts participatory governance.

#### **5.4 Judicial Interpretation and Institutional Responsiveness**

The constitutional significance attributed to access to information and environmental protection by judicial interpretation has been generally stressed in Pakistan. Courts have emphasized on transparency, public and accountability as key to governance. Although concrete examples are not mentioned here, the judicial discourse confirms an understanding that environmental data access is one of the core elements of citizen rights and inactivity or lack of transparency in the state will lead to the weakening of both democratic and environmental goals. Even with this understanding, the courts frequently have a hard time in enforcing adherence by the administrative authorities and this is more of structural inadequacies and not a loophole in the law.

All these difficulties are indicative of the fact that although Pakistan has gone a long way in terms of acknowledging access to the environmental information as a constitutional and statutory right, its real-world application still leaves much to be desired. The capacity of the people to exercise this right will still rely on the intermediaries other than empowerment unless specific reforms are undertaken in the form of legal and institutional reforms.

#### **6: The Way Forward – Legal and Policy Reforms**

In order to have access to environmental information in Pakistan become a real right of citizens and not a mediated privilege, the access needs to be put into a broad strategy of legal change, institutional fortification, social education and technological application. In completing the gaps, which have been identified in the sections above, it is necessary that the legislature, the executive, the judiciary, the civil society and the media all act in concert.

##### **6.1 Legal and Regulatory Reforms**

The changes to the current legislation are also essential to define the uncertainties, simplify the process and increase compliance. To avoid the arbitrary denial of the environmental information, first, the exemptions given in the Right of Access to Information Act 2017, such as national security or commercial confidentiality, must be clearly specified (Kabata & Garaba, 2020c). Second, strict timelines of response to information request must be strictly followed and non-observance penalized. Third, the environmental laws such as Pakistan Environmental Protection Act 1997 must provide explicit guidelines to proactively disclose the environmental impact assessment, pollution reports and monitoring data on a reduced basis of the formal request (Sial et al., 2018c).

Moreover, there should be harmonization in federal and provincial laws to take care of the overlapping authority. The national system of environmental information disclosure may set minimum standards, which will be consistent throughout the provinces. This harmonization would make clear responsibilities to proactively publish the information and facilitate access to environment by the citizens (Khayam & Ahmad, 2020b).

##### **6.2 Institutional Strengthening**

Legal rights need strong institutional mechanisms in order to be effectively implemented. The environmental agencies should also have sufficient technical, financial and human resources to hold available databases, release reports to the net and offer public consultation. The official training programs must be based on both the law and the citizen-oriented service provision that will involve the efficient and transparent manner in which the requests of the environmental information are addressed (Butt & Abdelaziz, 2025b).

The Pakistan Information Commission (PIC) needs to be authorized to keep a closer watch on the compliance and give binding orders that can be enforced by imposing sanctions. The increase in the authority and outreach of the PIC would contribute to the change of the culture of discretionary withholding to active disclosure. Reporting standards can be institutionalized by involvement of PIC and environmental agencies which make sure that citizens get accurate and timely data on the environment.

### **6.3 Public Awareness and Capacity Building**

One of the key aspects of reform is to increase public awareness and ecological literacy. The citizens should be aware of the presence of their rights in the Article 19-A and the means of accessing the environmental information. Communities can be informed about how to seek data, read technical reports and engage meaningfully in decision-making on the environment through public campaigns, workshops and via digital portals (Nadeem & Fischer, 2011).

Special consideration is needed to the marginalized communities, rural population and youth, as they tend to be uninformed or lack the capacity to use information. The knowledge gaps can be closed down through collaboration with NGOs, universities and local media to make environmental transparency both inclusive and participatory.

### **6.4 Leveraging Technology and Digital Platforms**

Digital innovation presents a lot of opportunities of improving access to environmental information. The creation of open-access environmental databases, interactive portals and mobile applications will be able to offer real-time information on the quality of air, pollution of water, deforestation and industrial monitoring (Naseer & Rashid, 2018b). Publication of environmental impact assessment reports, compliance reports and pollution monitoring data on the internet in advance will lower reliance on intermediaries and enhance the direct access of the populace.

The inclusion of social media platform and citizen science programs can also make the dissemination of information more democratic. Providing citizens with an active role in environmental governance is achieved through crowdsourcing the environmental information, reporting the infractions by using the mobile applications and involving the communities in the monitoring programs. Nevertheless, the digital platforms should be developed in a manner that it tackles the issue of accessibility, usability and verification to avoid being left out or misinformed.

### **6.5 Strengthening Media Collaboration Without Dependency**

Although the media has a critical role in raising the environmental concerns, reforms ought to focus on creating a balance between media facilitation and legal empowerment of citizens. The policies may stimulate the reporting of environmental information by the media, at the same time enforcing the policy that the information behind it is publicly available in official repositories (Qusien & Robbins, 2024d). The practice will not make the citizens too dependent on journalists to enforce their rights, making the environmental information a legal right and not a mediated privilege.

### **6.6 Policy Recommendations Summary**

To conclude, to make environmental information universal in Pakistan, it is necessary to:

1. **Legal Clarification:** Define and set narrow exemptions, create timeframes and align federal and provincial laws.
2. **Institutional Capacity:** Provide resources, training and monitoring systems to the environmental agencies and the PIC.
3. **Public Awareness:** Carry out literacy programs, community outreach, workshops and community building.
4. **Digital Transformation:** Create open portals, mobile apps and data-sharing platforms.
5. **Balanced Media Role:** Promote the use of the media and institutionalize the access to raw data by the population.

The reforms will not only make the environment more transparent but also enhance democracy and empowerment of the citizens and accountability of the actors in the environmental governance

in Pakistan.

## **Conclusion**

Environmental information is a basic element of environmental governance and democratic accountability. Article 19-A of the Constitution, the Right of Access to Information Act 2017 and the Pakistan Environmental Protection Act of 1997 all emphasize the right of every citizen to information on issues that pertain to their environment in their constitutional and legislative provisions. Normative advice is given by international instruments, such as the Rio Declaration, Aarhus principles and the Escazab Agreement that emphasizes the universality of environmental transparency as a human right.

In spite of such a solid legal foundation, there is an uneven practice in Pakistan. The inability of the citizens to engage this right directly is hindered by institutional constraints, administrative inertia, legal vagueness and lack of awareness among the citizens. Therefore, media houses and NGOs often become the intermediaries with access to environmental information being controlled and influencing societal discourse. Although the process of media facilitation is very useful, the dependency on intermediaries poses a threat of turning a constitutional right into a mediated privilege, especially among the marginalized groups.

This imbalance has to be tackled using the multi-prong approach: explaining the legal framework, ensuring that federal and provincial roles are aligned, enhancing the capacity of institutions, encouraging societal outreach, capitalizing on digital resources and balancing media activity and direct citizen access. The combination of the given reforms is the only way Pakistan can guarantee that the creation of environmental transparency becomes not only a right, but also one that every citizen can obtain and not a privilege reserved by a small number of people.

Finally, the understanding of the right to environmental information and its operationalization is not only a legal requirement but also a fundamental principle of sustainable development, citizen involvement and responsible governance. It is the intersection of human rights, environmental protection and democratic values and postulates that the right to know is inherent to the populace and cannot be separated by a healthy environment.

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