



The Role of Courts in Climate Change

On 12 November 2022, APCEL co-hosted a seminar with the Centre for Asian Legal Studies (CALS), featuring Justice Ayesha Malik of the Supreme Court of Pakistan. Justice Malik is the first woman Supreme Court judge with experience as both a High Court judge and a practising lawyer. She is the Jones Day CALS Visiting Professor on the Rule of Law in Asia. This seminar was moderated by Dr Jolene Lin (Director, APCEL).

During her talk, Justice Malik explained how climate change is a relatively new issue of focus in Pakistan and that the courts have played an immense role in bringing it to the fore of socio-political discourse. While the right to a clean and healthy environment is not specified in Pakistan's constitution, the courts have read it into the constitutional right to life. This has paved the way for the government and civil society to take greater action, both individually and collaboratively.

Citing cases, including the renowned climate litigation case of *Leghari v Pakistan*, Justice Malik explained how the courts play a key role in implementing novel procedures and remedies, particularly as a convener of government agencies, experts, and citizens in community working groups designed to investigate and address environmental problems. This reflects the courts' recognition that public participation in environmental issues is fundamental to creating effective solutions in both the short-term and the longer-term.

After her talk, Justice Malik and Dr Lin engaged in a Q&A session with the audience. Justice Malik addressed questions on issues including loss and damage following the recent floods in Pakistan, the importance of involving women in conversations about climate change and solutions, how the function of climate change litigation in Pakistan would differ from that in Singapore, and her take on the prominence of youths in the fight against climate change.



A group photo with the attendees



Q&A session moderated by Associate Professor Jolene Lin (Director, APCEL)



Attendee participation during the Q&A session



Justice Malik responding to an attendee's question



Associate Professor Jolene Lin (Director, APCEL) presenting a token of appreciation to Justice Malik