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PAK. AFFAIRS

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PART II

Q No 4

How 26th constitutional Amendment --- a

ANSWER:

TRICHOTOMY OF POWER:

The principle of trichotomy of powers is the separation of powers among the executive, legislature and judiciary. It is fundamental to Pakistan's constitutional framework. This balance ensures that no single branch dominates, preserving democratic governance and the rule of law. The 26th constitutional amendment enacted in October 2024, introduced significant changes to the judicial structure, notably altering the appointment process of the Chief Justice and reshaping the composition of key judicial bodies. These reforms have profound implications for the balance of powers among Pakistan's state institutions.

26th CONSTITUTIONAL AMENDMENTS

26th constitutional amendment passed in October, 2024 and its

Primary objectives were to

- Reform the judicial appointment process
- Establish constitutional benches in Supreme Court and High Court.
- Introduce performance evaluations for judges
- Address economic and environmental issues, including the elimination of riba by 2028 and the right to a clean environment.

- Key Provisions of Amendments

1 APPOINTMENT OF CHIEF JUSTICE:

• Parliamentary Involvement:

A 12 member Parliamentary committee, comprising of eight members from the National Assembly and four from the Senate, is tasked with nominating the Chief Justice from a panel of the three most senior Judges. The Prime Minister forwards the nomination to the President for final approval.

• Tenure Limitations:

The Chief Justice's term is capped at three years, with retirement upon reaching the age of 65.

2 JUDICIAL COMMISSION OF PAKISTAN (JCP)

• Composition: The JCP now includes

The Chief Justice of Pakistan, three senior judges, two members each from the National Assembly and senate, the Federal Minister for Law and Justice, the Attorney General, and a nominee of the Pakistan Bar Council with at least 15 years of practice in the supreme court.

Functions:

The JCP is responsible for appointing supreme court judges and monitoring their ~~for~~ performance.

3 SUPREME JUDICIAL COUNCIL: (SJC)

- Revised structures

The SJC comprises of the Chief Justice of Pakistan, the two most senior judges of the supreme court and the two most senior chief justices of the High courts

- Powers:

The SJC can enquire into the conduct or capacity of judges and recommend their removal to the President if found incapable or guilty of misconduct.

4 SUO MOTO POWERS:

The supreme court and high court's ability to take suo moto actions

has been curtailed. Matters now require referral to a three-Judge committee formed under the Practice and Procedure Act.

5. ESTABLISHMENT OF CONSTITUTIONAL BENCHES:

Constitutional benches, comprising equal representation from all provinces, are established in the supreme court and high courts to handle constitutional matters.

=> IMPACTS ON THE TRICHOTOMY OF POWER:

1. JUDICIAL INDEPENDENCE:

- Government influence:

The involvement of the executive and legislature in judicial appointments raises concerns about the judiciary's independence. Critics argue that this could lead to the appointment of judges aligned with governmental interests, undermining impartiality.

- Performance monitoring:

The JCP's role in monitoring judges' performance introduces an element of accountability but also opens avenues for potential political interference.

2 LEGISLATIVE POWERS

Parliament's active participation in judicial appointments signifies an expansion of legislative authority into the judicial domain, potentially disrupting the separation of powers.

3 EXECUTIVE OVERSIGHT:

Influence on Judiciary:

The executive's involvement in the judicial appointment process and performance evaluations may lead to increased executive oversight over judicial functions, challenging the traditional autonomy of the judiciary.

The 26th Constitutional Amendment (2024) represents a significant shift in Pakistan's constitutional landscape, particularly concerning the trichotomy of power. While aimed at reforming the judicial system for greater efficiency and accountability, the increased involvement of executive and legislature in judicial matters raises critical questions about the preservation of judicial independence. The long term impact of these challenges will depend on their implementation.

and the adherence to democratic principles that safeguard the separation of powers.

Q NO 5

Q Climate change has its new version.
ANSWER.

CLIMATE CHANGE IN PAKISTAN:

Pakistan, despite contributing minimally to global carbon emissions with a 0.9% contribution to global greenhouse gas emissions in year 2024. But Pakistan is experiencing increasingly severe weather events, including erratic rainfall and intense hailstorms. This paradox underscores the transboundary nature of climate change, where regional emissions and global atmospheric dynamics significantly influence local climates.

RECENT WEATHER EXTREMES IN PAKISTAN:

On April 16, 2025, northern Pakistan, particularly Islamabad and Rawalpindi, was struck by a

Severe hail storm. Hailstones as large as tennis and baseballs, accompanied by torrential rains, caused extensive damage to vehicles, buildings, and crops. The National Faisal Mosque suffered shattered windows and flooding, while the KPK regions experienced washed-out roads and widespread power outages.

EXTERNAL DRIVERS OF CLIMATE CHANGE AFFECTING PAKISTAN:

1 China's emissions and Environmental Policies

China is the world's leading emitter of carbon dioxide, significantly influencing regional and global climate patterns. Despite pledges to reduce emissions, China continues to support coal-fired power developments, particularly in countries like Indonesia. A report by the Global Energy Monitor revealed that China is involved in building 77 gigawatts of new coal capacity, mostly to support nickel smelting operations.

In 2023, China's emissions rose significantly to 11.2 billion tons.

due to increased industrial activity contributing to over 53% of the global emissions increase. This growth in energy demand, coupled with increased carbon intensity from economic stimulus measures during the COVID-19 pandemic has driven up the emissions.

- 2 India's Energy Demand and Emissions:
India's growing energy demand, driven by industrialization and population growth, has led to increased reliance on coal, contributing to higher emissions. In 2023, India's emissions reached 2.8 billion tons due to high reliance on coal. A weak monsoon season further exacerbated the situation, reducing hydroelectric power generation and increasing the demand for fossil fuels.

- 3 Regional Climate Dynamics:
The south Asian region experiences complex climatic interactions. Monsoon patterns, influenced by sea surface temperatures in the Indian Ocean and atmospheric circulation, can lead to unpredictable

rainfall and extreme weather events in Pakistan. The World Meteorological Organization reported that the Asia Pacific region experienced extreme weather events in 2023, its second hottest year on record exacerbated by climate change.

While Pakistan's direct contribution to global emissions is limited, it remains highly susceptible to the effects of climate change driven by neighboring countries' emissions and regional climatic interactions. The recent hailstorm in Islamabad and Rawalpindi serves as a stark reminder of the urgent need for regional cooperation and global action to mitigate climate change impacts.