

SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON CLIMATE CHANGE & ENVIRONMENTAL COORDINATION

On

**“THE PAKISTAN TRADE CONTROL OF WILD FAUNA AND FLORA
(AMENDMENT) BILL, 2024”**

**PRESENTED BY
SENATOR SHERRY REHMAN**

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON CLIMATE CHANGE AND ENVIRONMENTAL COORDINATION ON "THE PAKISTAN TRADE CONTROL OF WILD FAUNA AND FLORA (AMENDMENT) BILL, 2024"

I, Senator Sherry Rehman, Chairperson Senate Standing Committee on Climate Change and Environmental Coordination, have the honor to present the report, on behalf of the Committee, on "The Pakistan Trade Control of Wild Fauna and Flora (Amendment) Bill, 2024" introduced in the House by Senator Shahadat Awan in the Senate sitting held on 02nd September, 2024 and referred to the Senate Standing Committee on Climate Change and Environmental Coordination.

2. The composition of the Senate Standing Committee on Climate Change and Environmental Coordination is as under:-

1.	Senator Sherry Rehman	Chairperson
2.	Senator Syed Shibli Faraz, Leader of the Opposition	Member
3.	Senator Anwaar-ul-Haq	Member
4.	Senator Dr. Zarqa Suharwardhy Taimur	Member
5.	Senator Qurat-ul-Ain Marri	Member
6.	Senator Bushra Anjum Butt	Member
7.	Senator Shahzaib Durrani	Member
8.	Senator Taj Haider	Member
9.	Senator Naseema Ehsan	Member
10.	Senator Manzoor Ahmad	Member

3. The Committee considered the Bill in its meetings held on 9th October and 6th November, 2024 and was attended by the following members:-

i.	Senator Sherry Rehman	Chairperson
ii.	Senator Qurat-ul-Ain Marri	Member
iii.	Senator Bushra Anjum Butt	Member
iv.	Senator Shahzaib Durrani	Member
v.	Senator Taj Haider	Member
vi.	Senator Naseema Ehsan	Member
vii.	Senator Shahadat Awan	Mover

4. The Committee considered the subject bill titled "the Pakistan Trade Control of Wild Fauna and Flora (Amendment) Bill, 2024, introduced by Senator Shahadat Awan in its meeting held on 9th October, 2024. The Committee after detailed deliberations unanimously agreed to introduce "invasive" as a Sub-clause and remove the term "pathogen" and replace the word "export" with "import" to strengthen the Bill's provisions and ensure better protection of Pakistan's ecosystem.

5. The Mover agreed with the decision however, as per directions of the Chairperson (Committee) representatives from the Ministry of Law and the Ministry of Climate Change and Environmental Coordination were tasked to review the insertions along with an Officer from the Legislative Drafting Unit of the Senate Secretariat.

6. Afterwards the Committee reconsidered the Bill in its sitting held on 9th November, 2024, Senator Shahadat Awan, Mover of the Bill informed the Committee that following the previous meeting's decision in a consultative meeting that took place between representatives from the Law Division and Climate Change Division, resulting in to a consensus. Consequently, the word 'pathogens' was omitted from the bill. Additionally, "human health" was replaced with 'biological life.'

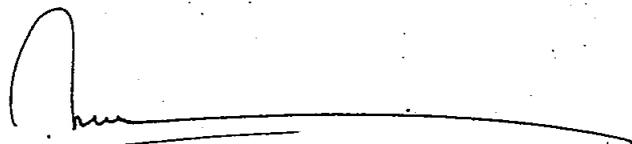
7. The Secretary, Ministry of Climate Change raised an objection, stating that the amendment conflicted with the CITES convention and might jeopardize the country's GSP plus status, requiring another review. She was also of the opinion that the entire related legislation including the plant protection law needs to be looked into before finalizing the bill. However, the Committee disagreed, saying that the Bill has been discussed several times, and the Ministry of Climate Change and Environmental Coordination did not bring up plant protection in any of the several rounds of discussion on the said Bill. The Ministry of Climate Change and Environmental Coordination was told to get their house in order, with their officer agreeing with Law and earlier decision to go ahead with changes. Also they said that International Conventions cannot restrict local legislation, and such reviews occur regularly. Notably, the Law Division representative also clarified that the Climate Change Ministry representative present did not object to the proposal during the consultative meeting.

The Committee made the following amendments in "the Pakistan Trade Control of Wild Fauna and Flora (Amendment) Bill, 2024.

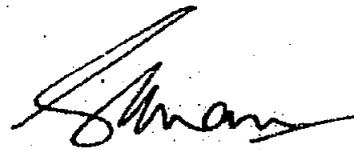
- a. In clause 2, in the proposed inserted clause (ea);-
the expression ", pathogens" occurring after the expression "animals," shall be omitted.

For the words "human health" the words "biological life" shall be substituted.

8. In view of the above, the Committee recommends that the Amended Bill "the Pakistan Trade Control of Wild Fauna and Flora (Amendment) Bill, 2024, as reported by the Senate Standing Committee on Climate Change and Environmental Coordination may be passed by the House. The Bill as reported by the Committee is at "Annex-A" while the Bill as laid in the Senate is at "Annex-B".



(MUGHEES AHMAD SHAIKH)
JS / Secretary (Committee)



(SENATOR SHERRY REHMAN)
Chairperson (Committee)

Islamabad, the 05-12- , 2024

A

BILL

further to amend the Pakistan Trade Control of Wild Fauna and Flora Act, 2012

WHEREAS it is expedient further to amend the Pakistan Trade Control of Wild Fauna and Flora Act, 2012 (XIV of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. — (1) This Act shall be called the Pakistan Trade Control of Wild Fauna and Flora (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment of section 2, Act XIV of 2012. - In Pakistan Trade Control of Wild Fauna and Flora Act, 2012 (XIV of 2012), hereinafter referred to as the said Act, in section 2, after clause (e), the following new clause shall be inserted, namely:-

“(ea) “Invasive Alien Species” means the plants, animals and other organisms that are non-native to an ecosystem, and which may cause economic or environmental harm or adversely affect biological life;”

3. Amendment of section 5, Act XIV of 2012. - In the said Act, in section 5, in the rider clause, for paragraph (a), the following paragraph shall be substituted, namely: -

“(a) the Scientific Authority has advised that such export shall not include the Invasive Alien Species or detrimental to the survival of the species involved and to other species of fauna and flora;”

4. Amendment of section 6, Act XIV of 2012. - In the said Act, in section 6, in sub-section (2), in paragraph (a), after the words “fauna and flora”, the words **“or counted in Invasive Alien Species”**, shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Invasive alien species (IAS), introduced and/or spread outside their natural habitats, have affected native biodiversity in almost every ecosystem type on earth and are one of the greatest threats to biodiversity. The problem continues to grow at great socio-economic, health and ecological cost around Pakistan. Invasive alien species exacerbate poverty and threaten development through their impact on agriculture, forestry, fisheries and natural systems, which are an important basis of peoples' livelihoods in the country. This damage is aggravated by climate change, pollution, habitat loss and human-induced disturbance. This Amendment in the Act, aims at provision of definition and inclusion of IAS, as the subject of consideration by the Scientific Authority while issuing the permits for import or export.

**SENATOR SHAHADAT AWAN
MEMBER-IN-CHARGE**

^{As}
[TO BE INTRODUCED IN THE SENATE]

Proposed Bill

Annex-B

A

BILL

further to amend the Pakistan Trade Control of Wild Fauna and Flora Act, 2012

WHEREAS it is expedient further to amend the Pakistan Trade Control of Wild Fauna and Flora Act, 2012 (XIV of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

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(2) It shall come into force at once.

2. **Amendment of section 2, Act XIV of 2012.** - In Pakistan Trade Control of Wild Fauna and Flora Act, 2012 (XIV of 2012), hereinafter referred to as the said Act, in section 2, after clause (e), the following new clause shall be inserted, namely:-

“(ea) **“Invasive Alien Species”** means the plants, animals, pathogens and other organisms that are non-native to an ecosystem, and which may cause economic or environmental harm or adversely affect human health;”

3. **Amendment of section 5, Act XIV of 2012.** - In the said Act, in section 5, in the rider clause, for paragraph (a), the following paragraph shall be substituted, namely: -

“(a) the Scientific Authority has advised that such export shall not include the Invasive Alien Species or detrimental to the survival of the species involved and to other species of fauna and flora;”

4. **Amendment of section 6, Act XIV of 2012.** - In the said Act, in section 6, in sub-section (2), in paragraph (a), after the words “fauna and flora”, the words **“or counted in Invasive Alien Species”**, shall be inserted.

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**SENATOR SHAHADAT AWAN
MEMBER-IN-CHARGE**