

## Sharing water among co-basin nations

It is their common interests that should bind the co-basin nations and prompt them to resolve all their problems relating to water sharing across the board.

SYED FATTAHUL ALIM

**G**LOBALLY, water, especially sweet water, is becoming a scarce resource with every passing day. But countries through which one of the major sources of sweet water, the rivers, flows, are often at cross purposes on sharing this common resource. Small wonder the issue of sharing of water, from rivers that flow through more than one country, is becoming a growing problem. Absence of a universally recognised principle on sharing water from common rivers in a region has been the reason for misunderstandings and tensions among nations.

But time has come for different countries to think that rivers and other natural sources of water are to be shared among them amicably and not look at it from the angle of narrow national interest only.

At a recently held seminar on the issue of co-basin cooperation, Bangladesh's Foreign Minister Dipu Moni has candidly noted how challenging the issue is by pointing at the snail's pace of progress on sharing of Teesta water after signing of the Ganges Water Treaty between Bangladesh and India some 14 years before (in 1996).

Considering that there are some 54 rivers that flow between the two countries, and given the pace of progress in resolving the water sharing issue, she rightly inferred that it would take a millennium for Bangladesh and India to close all their water deals.

But why is it that such an issue of life and death for the people of the region is yet to take centre stage in the eye of the regional political leadership? Are they still in the old mindset that a resource of nature like water is boundless and so it hardly poses any special problem for the users? Or are they still of the view that rivers and natural reservoirs of water are owned by the

nations where their origins happen to lie? So, is the issue of sharing with others immaterial?

With the rise in the demand for water among countries for navigational and crop-cultivation purposes, the urgency for protecting the ecosystems that those rivers or various reserves of freshwater nurture has also been increasing day by day. And diverting the natural flow of rivers to serve purely national interests has often proved self-defeating.

For example, diversion of the Ganges water through building the Farakka Barrage has hardly served the purpose for which it was originally built. On the contrary, the Farakka project that cost India billions of dollars has increased the misery of the downstream people and been responsible for upsetting the environmental balance nurtured by the Ganges ecosystem irreversibly both up and downstream of barrage.

Similar fate might be awaiting the related ecosystems, in case any major change is made by tinkering with natural flow of other rivers shared by the co-river basin nations.

It must be clear in this particular context that all our concerns about the protection of rivers is centred around the interest of the people who depend on them. In fact, protecting environment for its own sake has no place in our considerations at the moment.

So if it is found that at some point of its course, a river is going to pose a serious threat to the settlements or croplands that flourish on its banks by changing its course by itself, then it would be an imperative to protect the settlements or croplands in question by erecting a water control structure there to stop river erosion.

And if such an erosion-prone area lies at the common border of two or more co-

basin countries, then that provides an ideal case for handling the matter among the nations sharing the problem. So, it is their common interests that should bind the co-basin nations and prompt them to resolve all their problems relating to water sharing across the board.

Bangladesh is a country that critically depends on the transboundary rivers for its continued sustenance and survival. For all the rivers that cross its border to flow into the Bay of Bengal have their roots in India. And after originating from the Himalayas in most cases, the rivers flow through a third country, before they cross into Bangladesh. This has put Bangladesh in a tight spot on the issue of sharing water from those rivers with India.

As noted at the beginning, absence of a well-developed international guideline for resolving water disputes between nations from cross-boundary rivers, it has become necessary for countries facing the problem to evolve their own guidelines through friendly negotiations within their bilateral or regional contexts. Framing such guidelines is particularly vital for Bangladesh and India to settle their water disputes

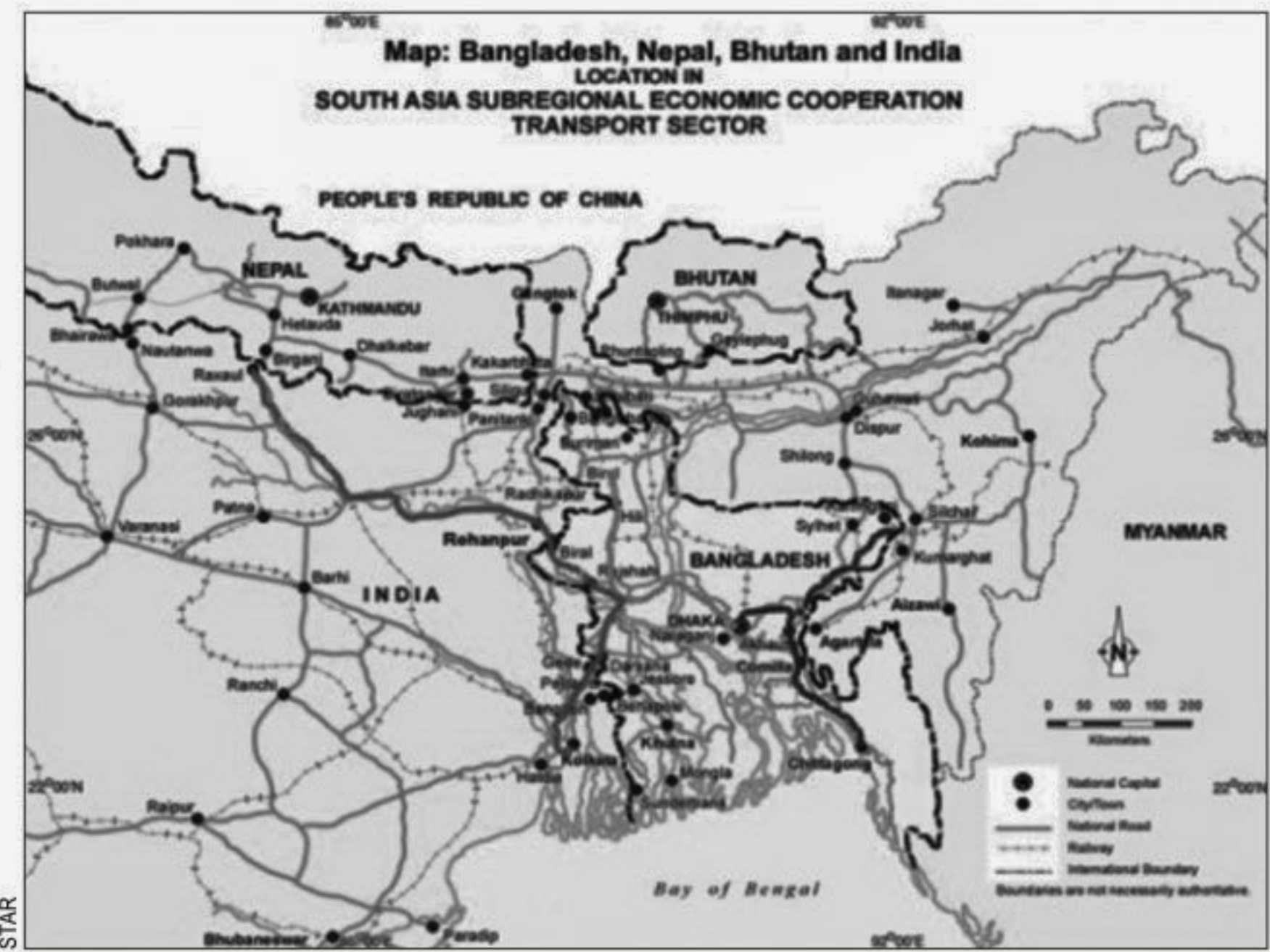
amicably and equitably.

On this score, it has long been observed in Bangladesh that neither the government leadership nor the public servants and experts who sit for water talks could ever put their case strongly before their Indian counterparts.

Ironically, in every case of such talks or dialogues, it had been reported that the talks were successful or that both sides were satisfied with the outcome of the talks. Sadly, things have never progressed, as the should have in all these years. Meanwhile, precious years have been wasted and the fate of our rivers and the people who depend on them continue to hang in the balance.

The time has therefore come for the political leadership of India, Bangladesh, Nepal and Bhutan to think of how they might command, not individually, but as one the waters of their common rivers equitably. And time being the most crucial resource, it cannot also be wasted with gay abandon like it has been done in the past by our leaders.

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## Climate change: Biggest threat to human rights

Even though it involves some difficult rights issues that might be challenging, the government concerned has the primary duty to act in case of violations of rights, but in the case of climate change, responsibility of impacts cannot be attributed to the government nearest to hand, but also to countries far away.

AHMED ZIAUDDIN

**T**HE global climate has been changing as the world gets warmer largely due to greenhouse gas (GHG) emissions resulting from human activities. This fact is now widely accepted but there are still a few formidable sceptics around, who refuse to accept evidence of human causation of recent observed warnings.

According to latest assessment of the Intergovernmental Panel on Climate Change (IPCC), a dedicated international scientific body to review and assess the most recent scientific, technical and socio-economic information produced worldwide to understand climate change, and established by the United Nations Environment Program (UNEP) and the World Meteorological Organization (WMO), observed increase in global average temperatures since the mid-20 century due to increase in anthropogenic GHG concentrations, and that the warming of the climate system has been unequivocal.

About the warming of the planet, the IPCC finds that warming in the last 100 years has caused about a 0.74 degree Centigrade increase in global average temperature, which is up from 0.6 degree Centigrade increase in the 100 years prior to the Third Assessment Report. It observed that since 1961, the ocean has been absorbing more than 80% of the heat added to the climate system, and average Arctic temperatures increased almost twice the global average rate in the past 100 years.

The changes in the atmosphere have been due to marked increase of emissions of carbon dioxide, methane, and nitrous oxide resulting in warming of the planet with infrequent cold days and nights, while hot days, hot nights, and heat waves have become more frequent. They found that the twelve-year period, 1995-2006, ranked among the top 12 warmest years since 1850.

It noticed increased incidents of high intensity winds, increased droughts and heavy precipitation. It found that mountain glaciers and snow cover have declined, land-based ice sheets of Greenland and Antarctica have been lost and very likely contributed to sea level rise between 1993 and 2003, and that ocean warming caused seawater to expand, contributing to sea level rising on an average about 1.8 mm/year during the years 1961-2003 while,

in 1993-2003, the sea level increased at an average rate of 3.1 mm/year.

Based on such and other factors, the Panel projected a model based future after analysing various climate models, and predicted that in the 21st century surface air warming for a low scenario would be around 1.8 degrees Centigrade, with a likely average of 1.1 to 2.9 degrees Centigrade, and for a high scenario, 4 degrees Centigrade with a likely range of 2.4 to 6.4 degrees Centigrade rise of temperature at a rate of 0.1 degree Centigrade per decade in first two decades, and rise of about 0.2 degree Centigrade for the next two. For sea level, it estimated rise of 18 to 59 cm, in low scenario, to 26 to 59 cm in a high scenario, resulting in increase in frequency of warm spells, heat waves, heavy rainfall, droughts, intensified tropical cyclones, extreme high tides etc.

Climate change and Bangladesh: Effects of climate change are all too visible in Bangladesh. According to one study, compared to present day temperature, temperature could increase to 2.4 degrees centigrade higher than the current level by 2100, causing hotter summer, and hot winters. The rainfall could increase to 10% at the same time, changing drastically usual rainfall patterns. The seawater rise would cause more havoc as it is estimated that by 2100 the level would increase by 88 cm from the current level, submerging vast tracts of land with seawater. Frequent and severe floods, frequent storms etc., have already become regular features and are likely to multiply, affecting lives of tens and thousands of people, who are mostly poor and vulnerable.

What have human rights got to do with climate change? Human rights are universal basic rights and freedoms which all humans are entitled to, including civil, political, economic, social and cultural rights entailing such rights as right to life, liberty, freedom of expression, to worship, to own property, to be treated equally before the law, to family, to education, to culture, to health, to subsistence etc. These rights being universal and fundamental, states have obligation to prevent violations of these rights.

However, global warming has been threatening all human rights which are designed to prevent destruction of life, health, property, livelihood, culture, means of subsistence, residence, movement etc. The threats from climate change include

death and danger from droughts, floods, heat, storms, rising oceans, impacts on agriculture and food production, loss of animals, various diseases, destruction of water supplies, and inability to live and sustain lives.

Forced displacements have already impacted strongly, and are likely to do so in future with the predicted rise of sea level and devastating storms, costing a huge portion of gross domestic product. In Asia and Pacific, according to the report of the Working Group on Climate Change titled "Up in the Smoke?" (2007), "human drama of climate change will largely be played out in Asia, where over 60% of the world's population, around 4 billion, lives."

To some extent, the relationship between the environment and human rights, and human well-being, has been recognised. According to Inter-American Commission of Human Rights, realisation of many human rights is necessarily related to and in some ways dependent upon one's physical environment.

The International Court of Justice (ICJ) also feels that damage to environment can impair and undermine all human rights. Protection of environment, according to the Advisory Council of Jurists of the Asia-Pacific Forum on National Human Rights Institutions, is a vital part of the contemporary human rights doctrine and a sine qua non for numerous human rights, such as right to health and the right to life.

Indeed, many rights recognised in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention against Torture, Convention on the Rights of the Child, are relevant to those people whose way of life comes under threat from climate change. States therefore have responsibilities under these instruments to take action to remedy the direct and indirect threats to these rights posed by climate change. These are positive obligations to protect individuals against the threats of climate change, regardless of the causes.

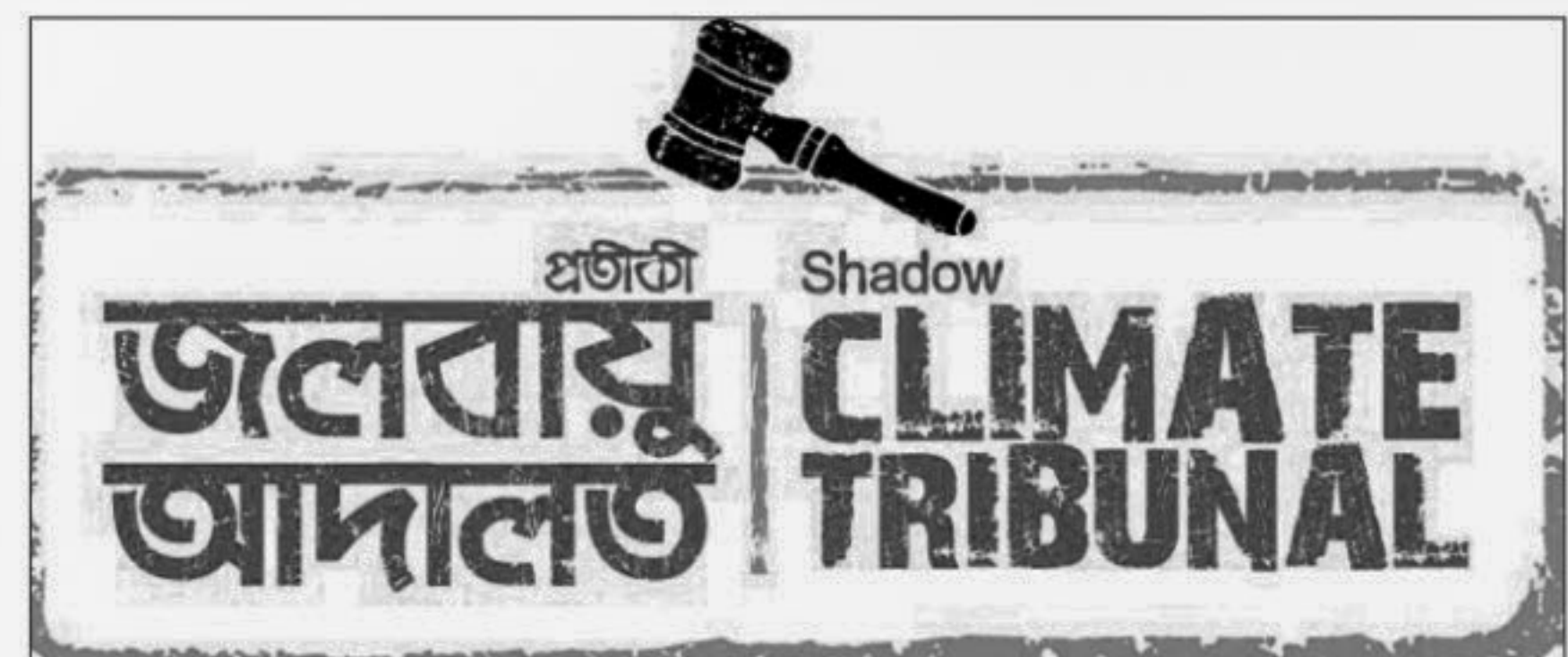
Climate change discourse and human rights: In international negotiations and even in IPCC reports, human rights hardly appear as an issue. These are overwhelmed

by science and economics, but not by those who matter most, the people. In climate discussions in Bangladesh too, human rights are not mentioned. It appears, despite deep and complex interlinks, climate change discourses are silent on human rights. This has to change, and discussions in all earnest should begin to understand the full impact of climate change on human rights.

Even though it involves some difficult rights issues that might be challenging, such as weak enforcement mechanisms under international laws, or extraterritorial responsibilities in that, ordinarily, the government concerned has the primary duty to act in case of violations of rights, but in the case of climate change, responsibility of impacts cannot be attributed to the government nearest to hand, but also to countries far away, and both public and private entities.

Therefore, what is most needed now is adoption of a "human rights based approach" to policy and legislative responses to climate change, based on international human rights norms and standards, and ensuring promotion and protection of human rights. Human rights standards should be minimum thresholds for mitigation and adaptation policies.

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## Rivers and regional cooperation

Climate change demands a quick and credible approach

**R**EGIONAL water sharing and management are today a critical factor in relations between and among states. And nowhere is it more pronounced than in South Asia, where the problem of a sharing of common rivers has often undermined the prospects of bilateral as well as multilateral cooperation. In turn, this absence of cooperation has led to bitterness or mistrust at the political level, to a point where bilateral ties have remained static. But such conditions are today in clear need of reversal owing specifically to the newer and bigger issues thrown up by climate change. The emphasis that has been placed on the global environment in the past decade, if not more, now serves as a warning that unless the spirit of regional cooperation comes into play everywhere and especially in South Asia, it will be the common future of the peoples of the various countries involved that will suffer.

That is the point we would like to stress today. Indeed, it is a point which was effectively deliberated upon at an international seminar in Dhaka on Saturday. Cooperation and understanding, it was made clear, are at present the key elements that can offset the effects of climate change in our part of the world. The difficulty with a lot of people is that the consequences of the changes being wrought in the climate are a factor they yet cannot comprehend fully. One does not blame them given that human nature is never quite ready to believe in the inevitability of things unless the realities are there on the ground. Where the matter is one of the changes taking over the global climate, the effects have already begun to be felt through a series of unnatural movements, such as sudden rains, tsunamis, earthquakes, volcanic eruptions and the like. In other words, climate change is well underway and unless nations come together to handle its consequences, it is the earth that will be in jeopardy. The compulsions for a way out of the quagmire have never been greater owing to the common dangers all of us face. Which is why the future of the climate in our part of the world can be handled better and to everyone's satisfaction only when and if a common approach is taken about the Himalayas, the rivers Padma and Brahmaputra and the Sundarbans. That point was made by a speaker at the seminar on Saturday. Indeed, it is the crux of the problem we face today.

The disquieting bit about existing political conditions in the region has been expressed by none other than Bangladesh's foreign minister. While recalling the initialing of the Ganges waters treaty in 1996, she has lamented the excruciatingly slow pace in reaching a deal with India on the Teesta. And one can hardly ignore her feeling that if such is the case, it will take a very, very long time for deals to be reached on all the 54 rivers common to Bangladesh and India. The need, therefore, is a quickening of the pace. Beyond that, it is of the utmost urgency that the leadership of the South Asian region get together and work out the modalities by which the damage already done to the environment can be checked and the manner in which a mechanism to preserve and augment existing climate resources can be brought into play. If 40 per cent of the world's poorest people inhabit South Asia, there is surely no time to lose.

## Vandalism again!

The sense of impunity must be eliminated

**I**N the latest incident of highhandedness allegedly by some ruling party elements, the youth development complex in Kashiani upazila was vandalised by a group of people led, reportedly, by an office bearer of the local AL. Not only offices of the complex, but also the upazila officers' dorms, were damaged by the hooligans.

And the reason, as we can make out, why the youth development office suffered the wrath of these people is that the candidates of the said office bearer, the Kashiani UZAL social welfare secretary, did not feature in the list of candidates for training at the youth development center. It may be mentioned that the said complex has so far trained almost 1000 unemployed youths in the first phase of its operation and are due to train another 1000 in the second phase.

Contrary to the Prime Minister's repeated warnings some ruling party members cannot come unstuck from the predisposition towards demanding as right everything from tender for government and semi-government works to hostel seats to admission in the universities to admission in various training institutions at thana and upazila levels, you name it.

Surely, the government functionaries have to go by the book in allotting vacancies and giving admission to various institutions. And they are under great pressure, from time to time to bend the rules to accommodate recommendations of the powerful and politically linked. Those who stand steadfast against such illegal demands either suffer personally by way of premature posting to a new and difficult place or are subjected to physical harassment as we saw happen in Kashiani.

What is often overlooked is that in accommodating such unjust demands it is the unfit and undeserved that take place of the deserving candidates. Ultimately it is the nation that suffers and the credibility of and the confidence in the government of the day takes an irreversible tumble. To stem the situation it is for the AL to differentiate between the party and the government in order to be able to fulfill its electoral writ.