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As the landslides wreaked havoc over Chittagong division in the last two weeks, there was one thing that everyone was at a consensus about – this was a man-made disaster. Years of news reports, legal notices, and research papers on hill-cutting and deforestation all point to one thing. The losses might not have been so catastrophic if only there was better governance. Take Cox's Bazar district. Mohammad Selim and his 3-year-old daughter Tishu Moni were killed in a landslide near Teknaf last week. This very district is currently pursuing approximately 150 lawsuits against hill-cutters. Sardar Shariful Islam, the assistant director of the Cox's Bazar Department of Environment (DoE), cites that number. "These cases were filed since 2012, and it's not just the labourers who are being sued. For every incident of illegal earthmoving that came to our notice, we try to include the owner of the land in the lawsuit," says

Islam. "There were also cases of hill-cutting on government property, in which case we try to get the land-grabbers convicted." "Try" is the operative word here. With the department being run only by three people—including Islam himself—the number of cases they have so far completed is a grand total of zero. "We have finished the investigation of only 25 cases I'd say. We are now waiting for hearing dates," Islam adds, resignedly. Following a 2012 writ petition by Bangladesh Environmental Lawyers' Association (BELA), the Supreme Court directed that steps be taken to ensure that mountain-moving does not happen without environmental clearance. The DoE assistant director Islam's experience shows that hill-cutters are routinely making a mockery of the directive with no repercussions. Added to that is the fact that up until a year or so back, no local inspector could sue hill-cutters without

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divisional clearance from the top bosses, according to Islam. "No independent lawyer or legal association can file a lawsuit under the environment law on behalf of victims," says Manzil Murshid, the president of Human Rights and Peace for Bangladesh, an

organisation that filed several cases against hill-cutting. "We can only file cases referring to section 102 of the Constitution." A case under section 102 simply calls on the court's power to intervene and order that a certain hill-cutting be stopped. "We cannot sue perpetrators to punish them or

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stop them from repeating the act again," argues Murshid. The lawyer can only file petitions urging action to be taken. His frustrations cannot ring more true in a context where hundreds of cases filed by the short-staffed DoE inspectors are yet to start investigation. Murshid argues that independent lawyers with better resources should be allowed to file lawsuits. In 2014, when Murshid petitioned that the Chittagong Development Authority stop flattening the hill beneath the mayor's residence, the court did everything in its power to stop it—the fullest extent of which was ordering them to get an environmental clearance. They started cutting the hill again in 2016. The challenges of getting an environmental clearance—is in itself a matter of debate. The districts of Cox's Bazar, Rangamati, Bandarban and Khagrachhari are yet to be mapped out to demarcate how land can be used in different zones, claims the DoE assistant director Shariful Islam.

To draw a parallel, Dhaka is meant to be governed by the Detailed Area Plan (DAP), which establishes what can be where, within the city (although this plan too has its criticisms). "City planners in the district level are yet to design anything like that," says Islam. This opens up the field to alternative interpretations of which projects can get clearance or not. Deciding whether something is an environmental threat can become very ambiguous when it comes to issues like deforestation. Not all deforestation projects are as severe as turning an area into a desert overnight, but are still harmful. A Chittagong University assistant professor, Biswajit Nath's 2014 research in Bandarban shows that while the forest cover might look green from an aerial view, deforestation is definitely happening. He focused on the areas surrounding the Matamuhuri river and analysed it from 1981 to 2010 and published it in the Journal of Geosciences and Geomatics.

"Areas with dense vegetation have decreased," says Nath, now a doctoral fellow at the Chinese Academy of Sciences. From making up 46.34 percent of the area in 2001, the portion of lands with dense vegetation had gone down to 18.13 percent in 2010. More clear-cut deforestation was also happening by 2010; there was literally no area minus vegetation in 2001, which jumped to 20 percent of the area 10 years later. An analysis like this is important because it puts into perspective deforestation techniques like transplanting dense woods with tobacco plantations—still green, but just not the right type. "Tobacco cultivation happens on the downward slope leading into the Matamuhuri river. Mass-scale agriculture in places like that can lead to soil erosion and silt up the river," says Nath, speaking from his experience working in the area. Soil erosion leads to mudslides and ultimately dangerous landslides. The one thing that these laws do not take into

cognizance is that these are the very activities which lead to the loss of human lives. Even if an occasional case does go through, the penalty is laughably insignificant. The penalty for earthmoving is only a maximum of Tk 2 lakh fine and two years of jail if the person is a first-time offender. For repeat offenders, however, the penalty is Tk 10 lakh maximum, and a prison stay-away for 10 years, but there is a catch. The Cox's Bazar DoE for example has yet to bring a single offender to court—when the first case has not been proved yet, how do you identify repeat offenders? The challenges of tackling landslides are numerous, starting from the failure of the local government and an overburdened legal system, to corrupt politics and greedy businesses. The question that remains is this, for how many more years shall we count the dead?

Four long days of darkness. People of all ethnicities walk on the streets with scared, worried faces. They walk as fast as they can. I have never seen Rangamati like this. Rangamati the town, which is affectionately called the heaven of the country because of its serene beauty, is now a death trap after the landslide on June 13 that took away 150 lives (and counting).

Prince lost her life in the landslide, the day after she celebrated her birthday. Rekha took Prince to a neighbour's home on the morning of June 13 thinking that she would be safer there than in the makeshift house in which they lived. But fate works in its own way. Rekha's makeshift house was crushed, but both she and her husband remain alive. Their child died in a house which they assumed was safer. Rekha and I are distantly related. I met her on June 14. She was cooking food for her dead girl as a part of the post-death ritual that the Chakma people perform. I stood in front of my niece, who is way younger than me, but is now suffering an unbearable pain. She looked at me and said, "Aunty, please come and have a seat."



Rescue operation

Memories of June 13, 2017

I woke up with a start to find my bed shaking. I looked at the ceiling fan and tried to understand whether an earthquake was taking place. There was no sign of one, so I went back to sleep. But my bed started shaking again. This time it was stronger. I sat down, looked through my window, thinking—is that a tree falling down? No, nothing. I lay down again and immediately understood that the land underneath my bed was moving. It was such a surreal feeling—coming to terms with the fact that the land where I stand with such pride was not a friend anymore. I ran to the balcony from where the whole of my front-yard can be seen; on one side of it, was a hill that has been a dear neighbour all my life. But within seconds, I saw it coming down—complete with walls, trees and homes. My dad was moving towards the end of the house where the land was collapsing. I cried out: "Baba, baba, don't go there, don't go there." My voice got lost in the thundering rain. I watched the hills crumbling down as he walked towards it. It fell down before my dad could reach it. We were amongst the lucky ones. But my niece Rekha wasn't that lucky. Neither were the 150 persons whose bodies have been recovered. Rekha's four-year-old daughter



Acute water crises forces people to queue up for water.



With roads obstructed and electricity gone for days, filling stations ran out of fuel.

LIVE FROM A GHOST TOWN

MUKTASREE CHAKMA SATHI

PHOTOS: STAR FILE

doesn't seem safe. He kept on saving things. I went to my neighbour's house with my daughter. I left her there and told the neighbour to take care of her—I am leaving her here because your house is made with bricks. I left Prince there with a packet of chips, but she said she wanted to have rice with me." She went back to help her husband. It was around 9 or 9.30 am. "Suddenly I don't know what happened. I can't describe it," Rekha continued. "I found myself buried. I was buried till my waist; only my head was above the soil. I kept on screaming for help. Nobody could hear me as it was raining cats and dogs. I don't know how I managed to rescue myself and my husband. After that, I looked around and saw there was no sign of my neighbour's house. There was just red mud and branches. I called out, and screamed. I couldn't even recognise where the house where I left my Prince for safety was."

Prince was found around 5 pm. She was on her neighbour's lap. The neighbour's wife was trying to save her. The fire service workers cried when they found the bodies of these two. They are a symbol of how people try to save each other even when they know they can't. Nobody knows. The district administration published a list on June 18, 2017 stating that 2,591 people have taken shelter in 19 different shelters. According to media sources, around 150 bodies have been rescued thus far. The administration stopped the rescue operation saying they would do it on the spot if somebody came and claimed that their friends and family were still missing. As a development worker who visited the different shelters on June 14, my observation is that the numbers will



Rescue operation

PHOTO: PRABIR DAS

change frequently, and the administration will face a difficult time in providing exact figures of deaths, injured, and houses destroyed or at risk. The circumstances are such that it's not really possible to conduct a comprehensive needs-assessment of all those affected by the landslide. As such, it is highly likely that whatever relief is being brought in, will be provided on an ad hoc basis. With work suspended for days for labourers in Rangamati, many workers are taking refuge at shelters with the hope of receiving some food to sustain themselves. While they have certainly been affected by the cyclone, they are not victims in the same way as those who have lost everything during the landslide; but how is one to ask those



Rekha with Prince

PHOTO: COURTESY

difficult questions and judge the authenticity of a person's claim on the shelters? The number of people in shelter centres goes up and down, depending on the weather. If there is rain, the numbers rise; if it is sunny, they go to collect things from the site where their home used to be. At the shelters we visited, the situation is grim, to say the least, so much so that families who have lost their loved ones do not even have the luxury of grieving for their lost one. A girl I met at one of the shelters had lost her 13-year-old brother and her father was grievously injured, but when we went with packets of salines, she

was fighting with those around her for a packet, no signs of grief on her face, just resignation and the will to survive. There are also a few shelter centres (mostly pagodas) which are yet to be identified by the administration where people take shelter during the night. Rangamati is not like the Rangamati it was before. Two days after the landslide, on June 15, corrupt businessmen and public transport drivers hiked the price of essentials and fares as soon as they came to know that the roads were broken and that the connection with the rest of the country was severed. They couldn't pass on the opportunity to make profit out of the misery of people! Thanks to people's activism on social media and proactive networking with the administration, the latter took steps and set up mobile courts to check the price of essentials. Now the situation is a bit stable. People have started helping out those who are suffering. But this is also a place where bonding in community exists, in a very strong way. Be it in Bengali communities or within the indigenous people. They live in paras where everybody knows each other. After the landslides, many people have taken shelter in relatives' and neighbours' houses. Some, who were affected by the landslide in the town but have the option to go back to their villages, have gone back. Many have just rented another place and moved out. However, as most of the houses are broken or at risk, people are facing difficulties in renting out places. I am not going into the debate whether this landslide was a manmade disaster or mother nature taking revenge on us for harming her. I would like to see this devastating situation as a wake-up call. A wake-up call to the administration of Rangamati and the government of Bangladesh, who promote the hills as tourist spots but make no efforts to make the hills safe for their inhabitants. It should also come as a wake-up call for the people of Rangamati that it doesn't matter which ethnicity you belong to, you are, in the end, vulnerable and can die within seconds. Life is simply too short to not live in peace and harmony.

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