

Succour for the rivers at last

HC orders must be implemented without delay

IN yet another landmark judgment, the High Court has issued detailed orders to the government laying out various measures to reclaim and save our rivers. In the judgment, on a case filed by Human Rights and Peace for Bangladesh, the Court has suggested such actions and amendments of laws which the legislators, and the administration, should have done long ago to save the nation's lifeline.

While we thank the Court for its very comprehensive guidance, we recall an earlier judgment, in 2009, laying out a laundry list of things to do for the administration to resuscitate the moribund rivers, particularly the five major ones. The prescription suggested action to save them from encroachment and pollution, among other things. Regrettably, a harmful nexus between powerful vested quarters and a section of the administration has put paid to the intention of the government to reclaim the rivers and restore them to their original state. The orders and directives of the highest court of the land were implemented, but only as per the way that suited the vested quarters, as the demarcation of the rivers shows.

We seem to have forgotten—given the way that we treat our rivers and the very lackadaisical effort to preserve them—that civilisation flourished or perished because of rivers. We had been consistently calling on the government to equip the National River Protection Commission, which was set up in September 2014 following the HC directives of 2009, with adequate powers. While its task is to protect the rivers, it is actually merely a recommending body and lacks the power to implement any of its decisions. Hopefully, it will be accorded more tooth to accomplish its tasks following the orders.

The 450 or so rivers (of all sizes) that help us survive are under threat; many of them have disappeared altogether. We suggest that a national survey be carried out to determine the current status of all the major rivers. However, we believe that the High Court's orders can only come as relief for our rivers if those are implemented quickly, with due diligence and without fear or favour.

Prioritise cancer prevention and treatment

Care facilities for patients severely inadequate

ALTHOUGH there is no official data regarding the number of cancer patients and the types of cancer most prevalent in this country, it is estimated that every year around 1.1 lakh people develop cancer in Bangladesh. More than 1 lakh die from the disease each year. Yet, as experts point out, we are far from having a comprehensive and holistic plan for cancer awareness and treatment. This paper yesterday highlighted how cancer care services in Bangladesh are inadequate. We have no national protocol for treatment, costs are high, cases of wrong diagnosis abound, and there is a shortage of trained doctors, staff, facilities and treatment options.

What this effectively means is that less than a third of all cancer patients can avail themselves of treatment. In total, there are about only 500 beds for cancer patients in public hospitals, and given the costs, only the well-off can access private facilities or go abroad for treatment. That prevention is better than cure holds particularly true for this disease. That as well as early detection, which can drastically improve the likelihood of recovery, are missing. The issues go on; what is important to note is how severely we are underprepared.

It is high time the government prioritised cancer as a major public health issue. Yes, there are some good efforts, such as the plan for establishing one 100-bed hospital for cancer treatment in each of the eight divisions. But this is not nearly enough, especially given the lack of specialised medical training and education. Globally, specialised treatments are being developed but patients in Bangladesh lack access. We need a well-planned policy, taking into account both the immediate and long-term needs of the patients with a cost-control mechanism so that healthcare is accessible to not just the well-off.

LETTERS TO THE EDITOR

letters@thedadlystar.net

Where there's a will, there's a way

It is certainly good news that no question papers from the ongoing SSC examinations have been leaked so far. The education ministry, with the help of the law enforcement agencies, is living up to its promise. They have reportedly detained two networks that illegally leak question papers.

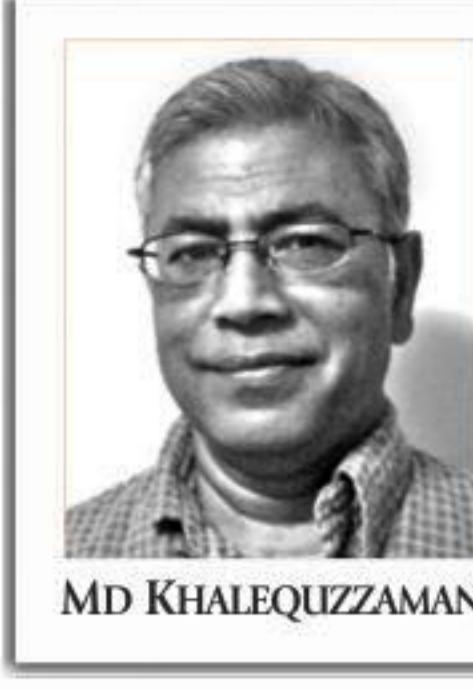
If the ministry is eventually successful, it will be viewed as yet another example that the government can turn around a bad situation if it really intends to do so.

I genuinely believe that if there's a strong will among the policymakers, they will be able to solve many pressing issues that affect us every day.

Manirul Kabir, By e-mail



Can the historic High Court judgement save our rivers?



Md. KHALEQUZZAMAN
T HE High Court in Bangladesh delivered a historic judgement on February 3, declaring rivers as legal entity and assigning the National River Protection Commission (NRPC) as the legal guardian to act as their parents in protecting the rights of waterbodies, canals, *beels*, shorelines, hills and forests. Indeed, this is the most comprehensive verdict by any court in the world that gives such specific directions to protect the rights of rivers or any other natural entity.

The HC in Bangladesh deserves accolade for being so thorough with its directions. The case of Bangladesh's rivers is not the first verdict by a court to assign legal status to a river. In 2017, the parliament in New Zealand granted the Whanganui, the nation's longest navigable river, the same legal protection as a person. Similar to a legal trust, the river will be represented in court by a representative of the indigenous Maori people and a representative of the crown. Following that verdict, a court in India has ensured that the Whanganui won't be the only body of water with legal status: The Ganges river and its tributary, the Yamuna, were also granted the rights of personhood in the same year. In 2008, the government of Ecuador changed its constitution to enshrine nature with human-like rights, "to exist, persist, maintain, and regenerate its vital cycles." In 2010, Bolivia passed the Law of the Rights of Mother Earth, giving nature equal rights to humans.

The HC verdict in Bangladesh regarding the legal rights of rivers goes beyond just recognising rivers as legal entities; it outlines a mechanism to implement the rights of rivers. The HC provided detailed directions to several government agencies to take steps to enlist the land grabbers and to publish the names of perpetrators, not to provide loans nor to allow them to run for public offices, to treat river grabbing as a crime, to remove illegal structures from rivers, and to amend the laws to punish criminals responsible for the deterioration of the natural flow of rivers. Now, the big questions that beg answer is, will the HC judgement be enough to save our rivers?

The answer is probably no. The legislative and executive branches of the government will have to embrace this verdict wholeheartedly and will have to commit to the implementation of this verdict. In addition, civil society, media,

and general public will have to honour this verdict and do their parts in implementing it. This verdict resulted from a series of actions by various elements of society. Many environmental groups have been involved in awareness building about the sorry state of the environment and of rivers for years. *The Daily Star's* report on the Turag River was crucial to initiate a writ petition by the Human Rights and Peace Organisation. Following the writ petition, the HC directed the government to stop earth-filling, encroachment and construction along the Turag River. In line with the court order, the chief judicial magistrate of Gazipur submitted a report before the HC in October 2017. Finally, the HC delivered the full verdict ensuring the legal status and a plan of action for various agencies to follow. Similarly, for

grabbers are sheltered by influential political and social quarters in the country. As a result, the HC verdict of 2009 to demarcate the river boundaries around Dhaka could not be implemented properly during the last 10 years. Similarly, this historic verdict to recognise rivers as legal entity will not be implemented without collaboration from everyone involved.

For the verdict to bring fruit, several things will have to happen. First, the parliament will have to endorse the verdict and formulate appropriate laws, acts, and rules that will pave the way to it being implemented. Second, the law enforcing agencies will have to understand all aspects of water resources, sources of pollution, the legal boundaries of rivers, *beels*, canals, shorelines, forests, and hills. The



A man rows a boat in the Buriganga river which has been badly polluted due to unabated dumping of garbage and used engine oil from vessels.

PHOTO: RASHED SHUMON

the verdict to be interpreted properly, it will take various elements of the government and society to work together.

What is to be done next? A court order alone will not be enough to solve this problem, which has very deep roots that has spread like cancer in many spheres of life. For instance, the quality of rivers has degraded because of everyday activities of ordinary citizens, household wastes, medical and industrial discharges, and agricultural activities. To improve the quality of rivers, everyone will have to play their part—the citizens, industries, and the implementing agencies.

Similarly, the rivers are dying due to low-flow during lean seasons, as well as diminishing upstream flow in transboundary rivers, which create

favourable conditions for illegal grabbers to encroach on them. Many of the land

government can help in this regard by providing legal boundaries of all water bodies in the country following the cadastral survey (CS) records. Third, a national consensus on protection of rivers and other water bodies in their natural state will have to be reached by all political and social organisations in the country. Fourth, it is important for everyone to first understand and recognise the elements of human rights so that they can demand similar rights for rivers that has gained the legal rights.

For example, humans want to be free and do not wish to be chained down or strangled. Similarly, all rivers should have the rights to flow freely without being strangled by dams, or barrages, or diversionary structures on them.

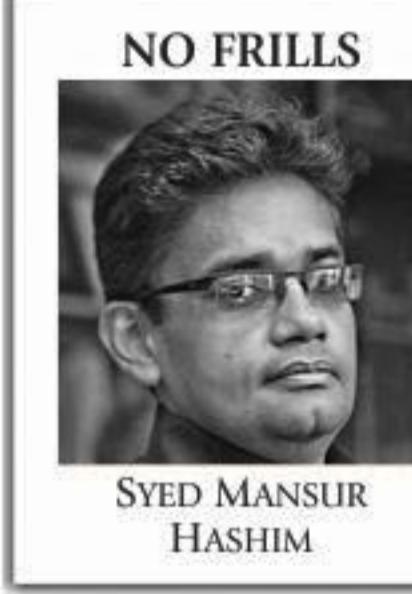
Along that line, the government will have to commit not to put infrastructures

be in line with the HC directions to increase awareness about rivers through seminars and workshops at schools and industries.

While the HC judgement is definitely a historic document and a step in the right direction, it will take a concerted effort and a commitment from everyone to be implemented. Rivers are the lifeline of our economy, environment and the very existence of Bangladesh as a delta country. It is hoped that every citizen and government agencies will take this verdict as a good omen and will do what is right. Bangladesh cannot survive and prosper if its rivers die. It is up to all of us to decide how we should save our rivers and our people.

Md. Khalequzzaman is professor of Geology, Lock Haven University, USA.
E-mail: mkhalequ@lockhaven.edu

Economic diversification key to creating new jobs



SYED MANSUR HASHIM
A S per a report published in *The Daily Star* on February 4, job creation target under the government's draft report, the Seventh Five Year Plan (SFYP) was

3.9 million for 2016-2017. In reality only 1.78 million jobs (less than 50 percent) were created during that period. The SFYP had plans to create jobs for the teeming masses of underemployed and also create positions for new entrants and the thrust had been the manufacturing sector which would make room for about 20 percent of job aspirants. Unfortunately, what we are seeing is that the manufacturing sector grew by 10.22 percent in FY17, yet the number of jobs fell to 8.8 million from 9.5 million in 2013.

This unfortunately brings to the fore the transformation that our manufacturing sector is undergoing. We are witnessing a jobless growth and this trend requires better understanding of the major sectors that employ the labour force. As stated in the SFYP report, "while this raises the question whether the manufacturing is going through the phase of jobless growth, until now it has remained unresolved. More survey and analyses will be needed to better appreciate the trends in employment and output growth in the sector." The fact that new jobs fell back in 2013 should have served as a wake-up call for policymakers to look into this "phase of jobless growth". While manufacturing has grown, we are confronted by the fact that employment in this sector has remained the same at 14.4 percent in the first two years of the plan.

According to a member of the General Economic Division of the Bangladesh Commission, new jobs have not been created in the manufacturing sector because the sector, as a whole, has been

moving towards modern technology and machinery that is less labour-intensive and require fewer people to operate manufacturing processes. While it remains the prerogative of the government to generate more employment for a growing population, setting targets should be based upon ground realities. The traditional economic model of more GDP growth leading to more employment appears to be floundering in the face of induction of new technology and processes where demand for employment moves to more skilled workers as opposed to semi-skilled workers in manufacturing.

Bangladeshis who will not be going abroad for work.

Last year, *Prothom Alo* carried out a survey to gauge the youth's perception about their prospects about domestic jobs. While 74 percent respondents were generally happy about the economic situation, 82 percent were unsure about securing a job in today's economy. Indeed, Bangladesh Bureau of Statistics (BBS) data at the time reflected this apathy, that sustained economic growth over the past so many years had not delivered employment opportunities. What all this points to is that the growth has not been inclusive and the bulk of

our youth are not associated with any economic activity, nor do they have ample opportunity to upgrade their profiles in the absence of any meaningful skills development mechanism.

What it all boils down to is that a higher economic growth rate does not automatically guarantee employment. The Centre for Policy Dialogue (CPD) in its discussion on the budget (2018) had warned that a great depression could be triggered if this state of joblessness continues and that there is around 30 percent unemployment amongst the educated class. Of course, there is a

section of this unemployed educated who are becoming entrepreneurs or launching self-proprietorships, but entrepreneurial skills are not for everyone and policy initiatives are in order to change the status quo.

There are many things that can be done and we are sure those who are in the driving seat are thinking about them. The problem of course is that it takes years for us to go from thinking to planning and then to implementing our plans. Economists have been pointing out for years that initiatives are needed to increase our productivity in an increasingly globalised economy. As stated before, we have millions of unemployed educated youth. Educated in the sense that they have degrees—but what steps have been taken to transform their skills set? Isn't it high time that we took a hard look at what industry requires and what our graduates can offer? Isn't it about time we acknowledged that due to the mismatch between demand and supply in a knowledge-based economy, the skilled jobs in our economy are increasingly going to expatriate workers because our people are not up to standard? Instead of simply blaming the manufacturing industry for moving up the technology ladder, can we not ask what steps have been taken to diversify the economy so that more people can be employed in new sectors? Precisely what initiatives have been taken to diversify the export basket, beyond readymade garments, pharmaceuticals and leather and include new areas in agriculture (e.g. flower export to the Middle East/Europe) so that more unskilled members of the labour force can get employment? Volumes could be written on what could be done but hasn't. Only policymakers have the power to transform the lives of the citizenry and instead of making excuses, we expect them to show us concrete plans of action that will generate new jobs.

Syed Mansur Hashim is Assistant Editor, *The Daily Star*.

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