

# ECOSYSTEM RESTORATION: NECESSARY LAWS AND POLICIES IN BANGLADESH

The Daily Star along with Association for Land Reform and Development (ALRD) and Bangladesh Environmental Lawyers Association (BELA) organised an online discussion titled "Ecosystem Restoration: Necessary Laws and Policies in Bangladesh" on June 13, 2021. The primary objective of the roundtable was to discuss necessary policies and the implementation of existing policies to preserve and restore our ecosystem.



**KHUSHI KABIR,**  
Chairperson, ALRD  
and Coordinator,  
Nijera Kori

Preservation of our natural ecosystems has become an issue that is now discussed regularly. This issue isn't one that only Bangladesh should be focusing on, but something that requires global attention.

In the context of Bangladesh, we need to think about how we can preserve all of our natural ecosystems, such as the rivers, lakes, hills, haors, etc. Every one of these ecosystems has a certain level of importance to the overall ecology of our country and, therefore, should be prioritised for preservation and restoration as soon as possible.

A big part of today's discussion will be on the existing laws and policies and whether they need to be amended or if further laws need to be formulated to ensure preservation and restoration of our ecosystem.



**SYEDA RIZWANA HASAN,** Chief Executive, BELA

Bangladesh has 10 agro-ecological zones and 17 hydrological hotspots.

In the water bodies of Bangladesh, a total of 10 species of fish have been declared as being endangered, and at present, seven of those have already gone extinct. In the Asia Pacific region, the rivers of Bangladesh are the most polluted.

There are rivers and water bodies mentioned in the national reports of the government, but the sad reality is that some of these rivers only exist on pen and paper and have ceased to exist long ago.

Such is the case of the Someshwari river, which has almost ceased to exist due to unlawful and unregulated extraction of sand and stones. Government authorised sand quarries (balumahals) that were leased to private entities are being extracted illegally, even though there is a regulation in place to prevent the destruction of the river.

Ideally, 25 percent of any country should comprise forests to ensure the environment continues to thrive. Yet, as per the estimation of our government, this figure stands at around 13 percent for Bangladesh.

Deforestation is having a drastic effect on climate change and carbon emissions in Bangladesh. According to an International Union for Conservation of Nature (IUCN) report, 268 species of animals are at risk, with 56 of them on the verge of extinction. According to the Environmental Performance Index, among the 180 countries, Bangladesh ranks 179th on average. Somehow, last year, we ranked 162nd, but this is still very concerning.

The current situation has not arisen due to a lack of laws or policies but due to the lack of proper implementation of these laws and policies.

Some of these laws are also archaic. For example, the Protection and Conservation of Fish Act is from 1950, and the Forest Act is from 1927. These laws have to be updated using the latest information and considering the state of our ecosystems at present.

We must encourage our young generation to abandon consumerism and switch to a more sustainable lifestyle.



**MD HASIBUR RAHMAN (BILU),** Chief, Northern Zone, Independent Television Ltd Bogura Bureau Office

In Bogura, we have already lost a river. The land was initially donated to a school, with the remaining parts being used for construction works.

We all know about the Karatoya river. We have seen how, along the river banks, local

influential have built various constructions including a park and a marine academy.

The government have issued a notice preventing anyone from grabbing the land that lies along this river. However, river grabbers have continued to do so. No legal action has been taken against those exploiting the river for their own profit. I would request everyone working on this issue to come see how the Karatoya river is being grabbed.

The topsoil businesses that have been continuing in Bogura have cost us the topsoil of nearly 1952 hectares of land.



**DR TUHI WADUD,** Associate Professor, Begum Rokeya University, Rangpur

Last month I learned that Intraco Solar Power Ltd had occupied a part of the Teesta River in Kaliganj Upazila, Lalmonirhat, to produce solar power. The Deputy Commissioner said their project is on private land. The land was eroded by the river some years back. But the same land when arises again cannot be considered private land and sold.

The Chakirposhar River in Kurigram is in a devastating state due to illegal occupation. Around 25,000 acres of paddy fields have become waterlogged. The National River Conservation Commission (NRCC) has sent five notices, and the Ministry of Land has sent one. The Deputy Commissioner is caught up in a loop of paperwork while the waterlogging continues. Fishers are unable to catch any fish at this point.

How long can we keep working on protecting rivers one by one? If the government wishes to rescue all rivers, it can be achieved in less than two years. First, there should be a government directive for the Cadastral Survey map workers to identify all river boundaries. The government should also pass a law that forces people to stop occupying public land within a certain period. Otherwise, they would have to pay compensation for the damages caused through occupation.



**DR MD. MANZOORUL KIBRIA,** Professor and Coordinator, Halda River Research Laboratory, Department of Zoology, University of Chittagong, Bangladesh

Halda River has a unique ecosystem. The tidal river contains original gene banks of four fish species, which will go extinct if the river is ever endangered. It is also the only water source for 60 to 70 lakh people in Chattogram. Massive amounts of tobacco are being cultivated upstream. In 2011, a rubber dam was placed on the river. The Peaking Power Plant has been established in Hathazari, which does not have an Effluent Treatment Plant (ETP). A private Asian Paper Mill has been established that also does not have an ETP. Residential areas have also been developed there, so Chattogram city wastes are all diverted to the Halda River. If we wish to conserve the ecosystem of the Halda River, we must prevent occupation and pollution of the river.

Only laws can't ensure preservation and restoration of our ecosystem. What we require are integration and coordination of various efforts. For example, the number of fish eggs and dolphins in the Halda River has increased in 2020 and 2021 through the combined efforts of local and district administration, NGOs, the Halda River Research Laboratory, and the Halda River Protection Committee.



**SANJEEB DRONG,** General Secretary, Bangladesh Indigenous Peoples Forum

The Someshwari River is located in Birishiri, Netrokona. In Meghalaya, the river is called Simsang River, and there is

a city called Williamnagar. Where the river enters Bangladesh, there is no sand or rock extraction, river erosion, etc. At the source in Williamnagar, the river flows over a mountain. The Garo people of Meghalaya did not destroy the Someshwari River, but we have done so for the past 12 years. This is because we view rivers, forests and nature as something to profit off of. We fail to think sustainably. Such attitude of the policymakers must be changed.

Only five percent of the world population comprises of indigenous people, yet they protect 80 percent of the biodiversity. Madhupur forest, Garo and Khasi Hills, and Chittagong Hill Tracts (CHT) are all preserved by the indigenous people. Gazipur used to be home to indigenous people as well, but settlers now occupy the land. The modern civilisation which is preoccupied with development must seek the knowledge of indigenous people to protect the land and rivers. The government should formulate Indigenous Peoples Rights Act (IPRA).



**DR DILIP KUMAR DATTA,** Professor, Environmental Science Discipline, Khulna University

Sustainable development should be termed as "sustainable retreat" if we wish to conserve the environment. Opportunists, though few in number, exploit the environment to make a quick buck.



**SHAMSUL HUDA,** Executive Director, ALRD

Our institutions are not working properly. If the environmental courts were active, hundreds of sentences per month would be issued for the destruction of the environment. However, we rarely see anyone being criminalised for environmental pollution. We must ensure proper implementation of the existing environmental laws.

I am sure the government wants to save the environment, but for that, you need a proper plan. They need to take the lead to save our rivers and forests.

We have a large brick manufacturing industry that causes tremendous environmental damage. We have laws control this, but again, these laws are not being implemented. Political persons affiliated with this industry have hindered the process of legal action.



**RAQUIBUL AMIN,** Country Representative, International Union for Conservation of Nature

We must rethink the growth-centric development model. Government alone cannot save the environment, and citizens

and there are 856 ongoing cases in these courts. We have submitted charge sheets for 614 of these cases. Besides, in the magistrate court, 320 cases have been filed, and charge sheets for 174 cases have been submitted. However, we are uncertain about the penalty.

We are thinking about reducing the use of brick by introducing cement blocks. The government has decided to implement the use of blocks from 2025. At first, we will start with government buildings, and gradually we will move towards private buildings. Already the block industry is developing in our country as a result.

Our population is growing fast. We need to take steps to feed and nourish them properly while also sustaining the environmental resources.



**MD RAFIQU ALAM,** Executive Director, Reach to Unreached

Fish reproduction has been hampered because of the rapid development of the shipping industry. In Barishal, there are eight factories. They have an ETP but they are not using it properly. Instead, they discharge their waste into the rivers. In one of our studies, we found that the pH level of our rivers is continuously falling. As a result, some species of fish no longer exist. We are not protecting our natural resources appropriately. Our reckless acts are destroying the environment. The Kirtankhola River in Barishal has lost two-thirds of its total size due to pollution.

**SYEDA RIZWANA HASAN,** Chief Executive, BELA

We can't portray the environment court as a success because they are failing to achieve the expected goals. It is difficult for people in the areas that are suffering the most to report their grievances.

The indigenous people living in the forest areas should not be harassed by the government, as they are not the ones harming the ecosystems. Instead, we should focus on those who are damaging our environment.



**SABER HOSSAIN CHOWDHURY,** Chairman of Parliamentary Standing Committee on Environment, Forest and Climate Change

We are talking about partnerships here. ALRD, BELA and The Daily Star have organised this event. They are focusing on collaboration. The government alone can't solve every problem. We will surely need the participation of citizens.

I also receive many complaints these days, but we don't have the mechanism to take steps on these issues. I think we can create a rapid response cell with the help of a standing committee and ministry to address this issue.

Another issue is that we have a forest act, but there is nothing about the conservation of forests in there. When the British Empire established this law, they only focused on exploiting the people for collecting tax. Currently, we are working on the Act to address the conservation and preservation issues.

The first step to create an effective restoration plan is to run an audit to understand our current situation. In this way, we will be able to set realistic goals and plan out how to reach them.

**KHUSHI KABIR,** Chairperson, ALRD and Coordinator, Nijera Kori

If we want to save the environment, we should first understand that we are a part of the environment. The human race won't be able to survive without the ecosystem that preserves life.

The rapid response cell should work without any partiality, irrespective of how powerful the individuals involved are. If an individual or a company is doing injustice to our environment, they should be punished accordingly.

## RECOMMENDATIONS

- Ensure that people are adequately informed about laws and regulations regarding ecosystem conservation and restoration.
- Reduce consumerist practices so as to allow the next generation to create more sustainable habits.
- Stop grabbing and pollution of rivers.
- Indigenous people should have control over their land and forests
- Ensure that the wildlife act is strictly followed in all eco-parks and protected areas.
- Replace bricks with cement blocks for construction purposes as these have a lower carbon footprint.
- Ensure demarcation of river boundaries using pillars.
- Update all outdated environmental laws and ensure that they are properly implemented and enforced.
- The government should formulate Indigenous Peoples Rights Act

However, the majority are grassroots people depending on the environment for their lives and livelihoods.

We should focus more on tidal river management to bring life back to the rivers. By doing so, the link between rivers and flood lands can be used to automatically deposit sediment on the flood lands and increase the depth of the rivers. The sea-level rise caused by climate change will also be minimised since alluvial land will be high.



**RAJA DEVASISH ROY,** Chief of Chakma Circle, Chittagong Hill Tracts

There are state and non-state actors for ecosystem restoration. We need to synergise the actions of both actors and reorganise responsibilities. Our forest act has not changed since the British era. The draft of the new forest law contains some harmful aspects that we should abolish. A separate policy is required for CHT so that the regional and district council, customary associations and local people can work together to protect the landscapes, water bodies and biodiversity.

A regulatory framework needs to be established which deters individuals from cutting down forests.

The indigenous people have some control over the land, so the environment and biodiversity are protected. This is partly because their customs and rituals prevent them from harming the environment.

When setting up protected areas and eco-parks, the Wildlife Act has to be followed diligently.

must actively take part in the process. Besides existing measures, we should take incentive-based measures as well. We must ensure the proper connectivity between urban and rural regions to restore biodiversity.

Water valuation is another issue. Both slum dwellers and those living in expensive housing in Gulshan should have access to the same quality water.



**ZIAUL HAQUE,** Director, Department of Environment (DOE)

As per Article 18A of our Constitution, the state is responsible for restoring the ecosystem and environment. Our citizens have high expectations from us, but we have our limitations. We have laws and policies to restore the environment but cannot always implement them properly as we lack adequate human resources, skills and technology.

The DoE has the authority to take any necessary steps needed to restore the environment. But the officials often leave the department after a short while due to a lack of incentives. There should be adequate motivation to retain the employees.



**AHMED SHAMIM AL RAZI,** Additional Secretary, Ministry of Environment, Forest and Climate Change

We set up environment courts in 25 districts,