
Legal Framework for Protecting Water Bodies

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Threats to the wetlands in Bangladesh

- Encroachment by real estate and Individual
- Industrial Pollution
- Town Sewerage and through wastage



Constitution and International Treaty

- Bangladesh constitution (Section 18A)
 - The state shall endeavour to protect and improve the environment and to preserve and safeguard the natural resource, bio-diversity, wetland, forests and wild life for the present and future citizens.
 - RAMSAR Convention on Wetlands came into force for Bangladesh on 21 September 1992



National or state policy which guides the management principles of the wetlands

- Bangladesh has no specific policy on wetland.
- Water policy has specific section about wetlands.
- Environment, Fish, National Water Management Plan, Coastal Zone Policy, agriculture &, Land policy etc policies has direction about water bodies.



Existing Acts and Rules to wetland protection

- Bangladesh Water Act
- National River Protection Commission 2013
- Mega city, Divisional Town and District Town's municipal areas including country's all the municipal areas' playground, open space, park and natural water reservoir Conservation Act, 2000
- The Canal Act 1864 ,
- Bangladesh Environment Protection Act 1995
- Local Government (Pourashava) Act 2009 ,
- Local Government (City Corporation) Act 2009 ,
- Local Government (Union Parishad) Act



Legal definition of what is a wetland

Different law define wetland by different way. But Water act 2013 and Water Reservoir Conservation Act, 2000 clearly define wetland.

According to Water Act 2013 wetland is;

"Wetland" means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is periodically covered with shallow water, and in normal circumstances, support or would support vegetation typically adapted to life in saturated soil.

According to water reservoir conservation Act, 2000

`Natural wetland' means- the place declared as the flood flowing land as River, canal, beel, pond, stream, fountain indicated in master plan by the government gazette or government and flowing water and the land which conserve the rain water should be included here.



Enforcement power related organization

Law	Authority/Implementation org
Bangladesh Water Act 2013	Executive Committee
Bangladesh Environment Protection Act 1995	Department of Environment
Natural water reservoir Conservation Act, 2000	Department of Environment, District Commissioner
The Ports Act, The Canal Act	Bangladesh Inland Water Transport Authority.
Local Government (Union Parishad) Act Local Government (City Corporation) Act Local Government (Pourashava) Act	Local Government Authority

Government has newly passed water act 2013. According to the law govt. will be setup a body, which will central agencies to control water related issues in Bangladesh



State programs or schemes for conservation of wetlands in your country

- Bangladesh Government develop Haor Master Plan by Bangladesh Haor and Wetland Development Board (BHWDB), under the Ministry of Water Resources .
- Bangladesh Government has a Water Resource Management Plan
- Local Government Authorities, Ministry of Public Work, Local Govt. Ministry has initiative to protect water bodies.



Judgment to Protect Wetland/water bodies

- Save river Burigonga, Balu, Turag and Shitalakha
- Control of Industrial Pollution in the river.
- Stop illegal encroachment earth filling and temporary & permanent structures building on the River Burigonga.
- Stop unauthorized non-permitted satellite township under the name “Modhumati Model Town project
- BGMEA building case....



Writ Petition filed

- Canal Protection at Savar, Dhaka - Legal action against land grabbers and protect environment
 - Canal Protection at Savar - Protection of environment and protect water reservoir
 - Pollution of water of Buriganga river - Health security
 - Pond Protection at Barisal City - Save environment and protect the pond
 - Pond protection at Dhaka University - Save the environment and protect the pond
 - Pond Protection at Fakirbari in Barisal City - Save environment and protect the pond
 - Pond Protection at Chittagong - Save the environment and protect pond
 - Pond Protection at Jhoutola at Barisal - Save environment and protect the pond
 - Pond Protection at Lalmohan Pourashava - Save environment and protect pond
 - River Buriganga Protection - Stop construction of BIWTA recreation centre within river
 - River Buriganga, Shoshanghat, Dhaka Protection - Save river and environment
 - River Gomati protection, Comilla - River protection
 - River Buriganga encroached by salt industry, Hazaribagh, Dhaka - Save river and environment
 - River Buriganga save from Sand traders - Stop encroachment by way of sand filling in the river area
 - River Karnafuli protection from encroachment, Chittagong - River protection
 - River Kopotakkha protection and stop DAM within the river - Stop encroachment within river and save river
 - River Meghna protection at Narayangonj - Stop encroachment and save the environment
 - River Protection of Kirtonkhola at Barisal - Legal action against land grabbers and protect environment
 - River Protection of Sandha at Barisal - Sandha River Barisal
 - Sea Beach Protection of Kuakata at Potuakhali - Legal action against the land grabbers
 - Sea Beach protection at Coxbazar - Save tourist place
 - Canal Protection Haikar Khal encroachment, Mohammadpur - Khal protection
 - River protection- Ichamoti Nodi at Pabna
- Source: hrpb.org.bd/List-of-the-PIL-cases



Major successes and failures with regard to wetland conservation and protection

Successes

- Water Act 2013, River Commission 2013 is the recent major policy initiative
- Local Govt. has so many positive initiatives to protect water bodies.
- Government allocate budget to protect water bodies
- Protection of Tanguar Haor and Hakaluki Haor

Limitation

- Lack Implementation of law
- Government have no monitoring system to protect water bodies
- Enforcement authority has limited resource to take continue action.
- People has not enough knowledge why wetland should protected



