

**Draft Speech for Hon'ble Minister for
Environment and Forest**

Inaugural Session

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At -

***“South Asia Judicial Conference on Environment and
Climate Change”***

Mr. Chairperson of this Session Mr. Justice Surendra Kumar Sinha, Hon'ble Chief Justice of Bangladesh;

His Excellency Mr. Md. Abdul Hamid, Hon'ble President of the People's Republic of Bangladesh;

Mr. Justice Md. Abdul Wahhab Miah, Chairman, Preparatory Committee for the Conference and Senior most Judge of the Appellate Division of the Supreme Court of Bangladesh

Esteemed Chief Justices of Afghanistan, Bhutan, Nepal, Sri Lanka, Malaysia and United Kingdom;

Hon'ble Minister for Law, Justice and Parliamentary Affairs Mr. Anisul Huq;
Beloved Justices;

Mr. Christopher Stephens, Vice-President for Administration and Corporate Management, ADB;

Distinguished Guests, Delegates and Participants from home and abroad;

Representatives of the Print and Electronic Media;

Ladies and Gentlemen.

Assalamualaikum/Very Good Morning.

Environmental protection is described as a possible means of fulfilling human rights standards. Environmental law is conceptualized as giving a protection that would help ensure the well-being of future generations as well as survival of those who depend immediately upon natural resources for their livelihood. Since the Stockholm Conference in 1972, international environmental law has developed to such extent that even the domestic environment of states has been internationalized. In view of the breadth of environmental law and policy, and the manner in which it intrudes into every aspect of environmental protection in an international sense and notwithstanding the concept of state sovereignty, it is argued that to demand a decent environment as a separate human right is redundant. However, Environmental law has in many parts of the world, be it at the international or domestic level, suffered from the problem of standing. Because of this barrier, it is often difficult for individuals or groups to challenge infringements of environmental law, treaties or directives as the case may be. After twenty years of Stockholm Declaration, the UN General Assembly Resolution No. 45/94 recalled the language of Stockholm, stating that all individuals are entitled to live in an environment adequate for their health and well-being.

2. To the world, Bangladesh is a country of natural hazards. This impression is partially correct. Among different types of hazards, cyclones, floods, river bank erosion, drought and salinity are common. These become a serious threat to both people and land of this country. The shifting of major rivers in Bangladesh has long been a dominant environmental problem to a good mass of the rural population. River-erosion is mainly hydrological and when it is associated with widespread flood, the impact becomes devastating and enormous. Flood occur mainly due to two reasons- (i) siltation in the river beds reducing the water carrying capacity and (ii) unexpected heavy and untimely rainfall in the river

source areas where water flow increases suddenly. When the river cannot bear excess water, it over flows the banks and extensive areas get inundated.

3. Against the above backdrop, Bangladesh direly needs an integrated approach to develop public awareness and implement the environmental laws through the judiciary and other organs of the state. We feel that a strong political commitment of the government and a sensitized judiciary can play a vital role to ensure environmental justice and face the challenges of the climate changes. In Bangladesh there is a separate Ministry of Environment and Forest with exclusive administrative authority to take appropriate measures for conservation of environment combating the challenges of climate change. There are other agencies within the government who are assigned with the responsibility to perform specific duty in specialized areas of the environment.

4. The Seventh Five Year Plan 2016–2020 adopted by Bangladesh has set national environmental targets and goals to move the country towards more sustainable economy and society. The main objective of the Seventh Five Year Plan is to ensure environmental sustainability through conservation of natural resources and reduce air and water pollution. The Plan has stressed the need to take into account environment, climate change adaptation and mitigation in a broader development context. In this regard, this Plan recognizes climate change as an added challenge to reduce poverty and environmental degradation. Thus, the Seventh Five Year Plan focuses on key strategic element for natural conservation with increased forest coverage with appropriate tree density, water bodies and protected areas and maintenance of natural resource quality and wildlife at a desired level. Creation of alternative livelihoods and building resilience for the community to lessen anthropogenic pressure on resources will be enhanced. Relevant programmes for

environmental and climate change capacity building at local and national level will be the main interventions of this Plan. Government will offer greater attention to the areas in research for knowledge generation concerning environment and climate change.

5. We have already established the required number of the Environmental Courts having civil and criminal jurisdictions. In this regard the Supreme Court of Bangladesh has been playing a significant role in combating offences against protection and conservation of the environmental elements. In order to successfully confront the twenty first century environmental challenges that include managing the current and mitigating the future impacts of climate change, conserving natural resources and biodiversity and preventing pollution, and to ensure environmental justice, it is imperative upon the states to develop, implement and enforce environmental laws and upon the judiciary to see that all parties concerned abide by the laws and none transgresses its limit. Besides, when the Executive is inactive to protect environment though having sound laws at hand to play in the field, the judiciary is constitutionally duty bound to take up the lead in responding to public interest litigations to save the environment. Public interest litigations (PIL) have recently changed the conventional role of the judiciary in Bangladesh.

Thank you all.