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INTEGRATED PROTECTED AREA CO-MANAGEMENT (IPAC)

ORIENTATION WORKSHOP ON FOREST, ENVIRONMENT AND FISHERIES LAWS AND POLICIES

August, 2009

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Summary Report

According to Milestone log for contribution to IPAC project, BELA is responsible for arranging a Workshop for IPAC team including field staff on legal issues related to Protected Area (PA) co-management. In accordance with the log frame of IPAC project, a day long Orientation Workshop for the field team members of the project and Govt. officials was held on June 07, 2008 at BELA conference room, Dhaka. The schedule of the Orientation Workshop was finalized with due consultation with the Chief of Party, IPAC project.

Objectives

The sessions of the workshop were designed with particular focus for the grassroots level staffs who have been given the responsibility to introduce the co-management approach for sustainable natural resource management, equitable economic growth and environmental governance. The objective of the workshop was designed with these specific needs and expected that the participants would be able to gain the skills on the following:

- Increase awareness on policies and laws on environment, fisheries and forests
- Gather knowledge and skills about relevant laws and policies
- Enable dissemination of this knowledge to concern stakeholders
- Increase understanding of needed / desirable reforms and changes – to guide and advocate strengthening / improvement of policy and legal framework for implementation of IPAC.

Participants

The workshop was attended by a total of 23 participants covering the areas of Sunderban, Cox's Bazar, Chittagong Hill Tracts, Sylhet, South East and Central Cluster. Apart from IPAC officials, Professor of University of Dhaka, Assistant Director, DoF, Assistant Conservator of Forest from Forest Department, Chief of Party and Governance Specialist of IPAC Project and Chief executive of BELA were also present in the workshop.

For list of participants of the workshop, please refer to Annex – 1.

Course Content

The content of the course was designed according to different laws and policies relating to environment and conservation of bio-diversity with special focus on fishery and forestry. The team of BELA lawyers facilitated the workshop sessions. The specific topics selected for the workshop were as follows:

Environment

1. Environmental Conservation Act, 1995
2. Environmental Conservation Rules, 1997

Fish

1. Protection and Conservation of Fish Act , 1950
2. Marine Fisheries Ordinance, 1983
3. Fish Rules, 1985
4. Fish Policy, 1998
5. Jalmohal Management, 2005

Forest

1. The Forest act, 1927
2. Forest Policy , 1994
3. Social Forestry rules, 2004
4. Korat mill

Others

1. List of Legislation
2. ICPTS
3. Relevant Articles of Constitution

For details of the workshop schedule, please refer to Annex – 2.

Orientation Process

The orientation process was managed through a participatory and interactive workshop approach. The participants were provided with the hard copies of the relevant laws and policies that were discussed. Each session was followed by an open discussion to ensure participation and ended with summing up so that participants were able to grasp the subject matter easily. The resource persons used PPT presentation as needed.

Resource Persons

- **S Rizwana Hasan**, Advocate, Supreme Court & Chief Executive, BELA
- **M. Iqbal Kabir**, Advocate, Supreme Court & Senior Lawyer, BELA
- **Bahreen Khan**, Advocate, Supreme Court & Senior Lawyer, BELA

Course Inauguration and Closing Sessions

The course was inaugurated by Mr. Robert T. Winterbottom, Chief of Party of IPAC, who discussed the objectives of holding such workshop, scaling up and sustaining co-management approach and importance of relevant laws and policies.

During the closing session, Mr. Utpal Dutta, Governance Specialist of IPAC facilitated and presented the findings of the workshop. The one day long workshop ended with vote of thanks by M. Iqbal Kabir.

Summary of Workshop Discussions

The discussion by S. Rizwana Hasan, Chief Executive, BELA emphasized the national legal, policy and institutional aspects of existing arrangements of models of co-managements and various international agreements which Bangladesh has ratified. Through an analysis of the different case studies she discussed the best practices, lessons learnt and the challenges. A number of conclusions were drawn about the key characteristics that a supportive policy and legislative framework should contain.

Focus was also given on Forest Act 1927 especially provisions related to village forest where people are allowed to enjoy to some extent the ownership of the forest resource.

Ms. Bahreen Khan, Advocate, Supreme Court & Senior Lawyer, BELA discussed Environmental Conservation Act, 1995 and the Rules made there under in 1997. She

highlighted the law provisions on categorization of different industries, environmental clearance certificate, effluent treatment plant, ecological critical area and so on. Moreover, opportunity of co-management for resolving crisis through legal mechanism was also discussed in her session.

M. Iqbal Kabir, Advocate, Supreme Court & Senior Lawyer, BELA discussed various laws relating to fisheries such as Protection and Conservation of Fish Act, 1950; Marine Fisheries Ordinance, 1983; Fisheries Rules, 1985; Fisheries Policy, 1998; Jalmohal Management, 2005. Relevant Articles of the Constitution and various ICPTS relating to protection and conservation of fisheries were also discussed. It was mentioned that Jolmohal management has not yet received proper guidance from the government and still Ministry of Land is not showing pro-people approach and stewardship towards the Jolmohal rather considering it as a source of revenue. Again he mentioned that new government policy on Jolmohal management is yet to be disclosed to the people and according to new fisheries policy, extension of leasing period of Jolmohals under different development project will be considered.

For Workshop Photos, please refer to Annex – 3.

Comments of the Participants:

- It was a good orientation program
- The training session was informative and effective
- The training contents were very good
- It requires more times for understanding legal issues. One day program is not enough.
- Workshop expectation fulfilled by facilitators.
- Increased knowledge on legal issues which will be disseminated in the field.
- Very tight schedule
- Workshop session was not boring rather interesting.

Conclusion

The workshop provided an opportunity to understand different legal issues related to environment, biodiversity conservation, protected areas co-management. The workshop also provided opportunity to discuss different legal issues from different location of the country as well as acquaintance with all team members from all clusters, technical team members from Dhaka and relevant partners. It was expected that the outputs from the workshop will provide more opportunities to the participants for understanding the legal issues locally and necessary measures to mitigate problems will be taken accordingly.

Annex- 1: List of Participants

Orientation workshop On Forest, Environment and Fisheries Laws and Policies

Date 7th June 2009, Venue: BELA Conference Room

(Not according to seniority)

Sl. Name Designation Working Location/Cluster

01. Md. Faruque Biswas, Site Coordinator, Sunderban Cluster
02. Pranotosh Chandro Roy, Site Coordinator, South eastern Cluster, Cox'sBazar
03. Goutam Kumar Ghosh, Site Coordinator, Sunderban Cluster
04. Rajib Jones Mitra, COGF, Sunderban Cluster
05. Partha Dewan, COGF, CHT Cluster
06. Mohammad Amirul Islam, Sylhet Cluster
07. Shaila Shultana, COGF, North east Cluster
08. Nikhilesh Chakma, Site Coordinator, CHT Cluster
09. Mohammed Muzammel Hoque, Site Coordinator, Chakaria site, South East Cluster
10. Hoq Mahbub Morshed, Asst. Conservator of Forests, Forest Department. Agargaon
11. Biswajit Sen, COGF, South Eastern Cluster, Coxesbazar
12. Syed Ali Azher, Assistant Director, DoF, Dhaka
13. Abu Sayeed Mohummad Sharif, North East Cluster, Sreemongal
14. Md. Zakir Hossain, Communication out reach and Governance Facilitator, Central Cluster.
15. Shital Kumar Nath, Site Coordinator, Central Cluster
16. Utpal Dutta, Governance Specialist, IPAC, Dhaka
17. Dr. Niaz Khan, Professor, Dhaka University
18. Md. Iqbal Kabir, Senior Lawyer, BELA
19. S. Rizwana Hasan, Chief Executive, BELA
20. Robert T. Winterbottom, Chief of Party, IPAC
21. Monjurul Ahsan, Site Coordinator, BELA
22. Md. Ehsanul Hannan, Lawyer, BELA
23. Ms. Bahreen Khan, Senior Lawyer, BELA

Annex- 2: Course Schedule

Orientation workshop On Forest, Environment and Fisheries Laws and Policies
Date 7th June 2009, Venue: BELA Conference Room

09.15- 9:30 **Registration**
09:30-10.00 Introduction and welcome by **Mr. Bob Winterbottom**

10.00-12.00 **Session-1**
Forest Laws, Rules and policy

Speaker/facilitated by: **S Rizwana Hasan**
Advocate, Supreme Court
& Chief Executive, BELA

11:30-11:45 **Tea**
11:45-12.00 **Open Discussion**

12:00-01:15 **Session-2**
Environment Laws and Policy

Speaker: **Bahreen Khan**
Advocate, Supreme Court
& Senior Lawyer, BELA

1:15-2:15 **Lunch**

2:15-04.00 **Session-3**

Fishery Laws and Policy

Speaker: **M. Iqbal Kabir**
Advocate, Supreme Court
& Senior Lawyer, BELA

4:00- 4.15 **Tea and Open discussion**
4:15- 4.30 **Concluding Session**

Annex- 3: Workshop Photos

