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Laws relating to Prosecution Service in Bangladesh: A Critical Analysis

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Manuscripts submitted for publication must be in three copies, double-spaced typescript or electronic print-out on A4 size (8.5"×11") white sheets with margins of 1" on all sides and pages consecutively numbered. The manuscript should have a title-page with the title of the article and the author's name, designation and contact address. The author's name or anything that may identify the author should not appear anywhere in the text paper. An abstract in English must be provided within 200-300 words at the beginning of the article. Submissions should be addressed to the Editor in Chief, Rajshahi University Law Journal, Faculty of Law, University of Rajshahi, Rajshahi 6205, Bangladesh.

Loss of Biodiversity in Bangladesh: A Legal Analysis with Special Reference to Convention on Biological Diversity, 1992

Md. Sahal Uddin*

Abstract: Among the natural resources, biodiversity holds a tremendous character in the economic development of Bangladesh. Besides keeping the air breathable, biodiversity works for Bangladesh with food, water supply, medicines, clothes and shelters. It is very hard to realize and calculate the benefactions of biodiversity upon the economy of Bangladesh. This highly advantageous biodiversity is under a serious threat. Loss of biodiversity may have cyclic aftermaths on ecosystems because of the multiplex affinity among species. For example, extinction of one species may cause the extinction of another. To measure biodiversity loss, scientists assess which species are at risk of extinction as well as survey ecosystem decline. Man made squeeze, unlimited dredging, hydrological interference, contamination; chemical fertilizers are causing the detrimental effects on habitat, biodiversity as well as on sinkhole. Over-exploitation, deforestation, habitat change to agriculture, pollution, and interfering species are being considered the most important current operators of biodiversity loss in Bangladesh. To conserve habitats and biodiversity, to promote sustainable development and to improve qualitative indexes of human life, many national laws have been adopted at national levels over the world. In this journey, Bangladesh recognizes the indispensable significance of engaging in global attempts to halt the causes of humiliation of biological diversity. The international and legal regime covering climate change is also administered by the Convention to regulate International Trade in Endangered Species of Flora and Fauna (CITES) to some extent. Till to date, there is no direct legislation in relation to climate change and its adverse effect on biodiversity. This paper is a venture to analyze the implementation of concerning international and municipal legal instruments. The reasons of fatigue of biodiversity and the repercussions on ecosystem amenity and relating laws are also examined in this study. The specific aim of this Paper is to find out the menace on biological diversity, causes and consequences of loss of Biological diversity in Bangladesh. Finally, author will make some recommendations to materialize the legal segments concerning the issue.

Keywords: Biodiversity, Legal Analysis, Convention, Development

1. Introduction

Biodiversity promotes a wide span of ecosphere amenities. It includes diversity within species between species and of ecosystems.¹ Biodiversity also includes Biotechnology which is the use of biological processes to develop products, has a long history and refers to a range of techniques, including selective breeding, cross-fertilization and

* Professor, Department of Law, University of Rajshahi, Rajshahi, Bangladesh

¹ Article II, *Convention on Biological Diversity*, 1992

fermentation.² It also refers bio-safety which is a concept relating to safety measures including risks to human health arising out of the application of modern science of biotechnology.³ Biodiversity encompasses all species of plants, animals, microorganisms and the ecosystems and ecological processes of which they are parts. It's an important element of sustainable development and survival of humankind and life support system.⁴ Among the biodiversity-affluent countries in the world, Bangladesh has varieties of plants and animals for its divergent ecosystems which gave Bangladesh a unique standard in containing Genetically Modified Organism⁵ and Living Modified Organism⁶. Coastal and marine ecosystems, inland freshwater ecosystems, terrestrial forest ecosystems, hilly ecosystems and man-made homestead ecosystems are the five main ecosystems in Bangladesh. Wetlands are the most significant super natural ecosystem of Bangladesh and are well known for its affluent biodiversity. Hilly ecosystems in Bangladesh make up around 12% of the country's total land area. The divergent agro-ecosystems of Bangladesh are plentiful in hereditary resources of plants and animals. This well furnished biodiversity in Bangladesh is under substantial threats for various reasons. The aim of the present study is to find out the causes of loss, legal loopholes, impacts and to make an expository analysis concerning the issues.

2. Classification of Biodiversity

As per the description of the International Union for the Conservation of Nature⁷ biodiversity is treated at three major levels: genetic diversity within each species, species diversity and ecosystem diversity. Genetic diversity is the discrepancy of genetic intelligence contained in all of the individual plants, animals and microorganisms come into being within populations of species. Generally, it is the variation of genes

² Lal Kurukulasuriya and Nicholas A. Robinson, *Training Manual on International Environmental Law*, UNEP, Nairobi

³ Asif H. Qureshi, 'The Cartagena Protocol on Bio-safety and the WTO-co existence or incoherence?' *International and Comparative law Quartely*, Vol.49, Part 4, 2000, pp.835-855

⁴ Dr. Abdullah Al Faruque, *Environmental Law: Global and Bangladesh Context*, New Warsi Book Corporation, Dhaka, 2016, P. 78

⁵ Hereinafter treated as GMO

⁶ Hereinafter called as LMO

⁷ Hereinafter called as IUCN

among species and populations. Species diversity is the imbalances of species or the living organisms. It indicates to species richness and species plenitude. Species richness refers to the total number of species in a specific area. Species plenitude refers to the related numbers among species. Ecological diverseness connects to the variation of natural topography, biological bunches and ecological processes in the ecosystem.

3. Importance of Biodiversity in Bangladesh

Biodiversity has worldwide tremendous instrumental value as it provides immeasurable number of resources.⁸ From ethical and moral point of view, each conformation of life on world is idiosyncratic in nature and requires honour nonetheless of its value to human beings. Mankind is a part of environment and the unaffected world has a value for human patrimony. Biodiversity has also aesthetic value in the sensitivity that human beings achieve great distraction from natural environment. It maintains the uprightness of environment through ecological balance and as such it has significant ecological value. Biodiversity is intrinsic in providing ecosystem services that assists mankind, including producing oxygen, controlling the climate, nutrient cycling and other services.⁹ National economy of Bangladesh also depends upon biodiversity. Near about 25 percent GDP of Bangladesh are coming from biodiversity. Half a million people's employment and households depend upon *Sundarbans* the largest mangrove forest in Bangladesh. Aquatic resources provide More than 60 million people's daily need and 60 percent of the country's enzyme demand is met through fish. In Bangladesh ecotourism is becoming an amateur and a large figure of tourists are escalating in the super natural tourism spots in the country day after day. Nature based tourism provides a remarkable number of livelihoods in Bangladesh. A large number of revenues is crediting in the national economy from nature-based tourism in the country but that has not been accounted in an appropriate method till to date.

8 Michael Bowman and Catherine Redgwell, *International Law and the Conservation of Biological Diversity*, Hague, Kluwer Law International, 1996, p.54

9 Alex Meguid, 'Law, Genetic Diversity and Hybrids: Future Perspective for international Environmental Law', *Asia Pacific Journal of Environmental Law*, Vol.12, Issue 1, 2009, pp. 203-226

4. Major Causes for Loss of Biodiversity in Bangladesh

In Bangladesh, loss of Biodiversity is ascribed to various stratum.¹⁰ Illegal and commercial logging, dismantling of natural vegetation, inception of infrastructure and transport matrix, extractive activities, construction of dams for hydropower, poverty, encroachment and land grabbing, greed and corruption, wars, tourism, introduction of exotic species, over exploitation etc. can be treated as major causes for loss of Biodiversity.¹¹ Major threats on Biodiversity in Bangladesh can be traced in the following way-

4.1 Extreme Population Density, High Poverty, and Unemployment

Bangladesh is a densely populated country. Population Density, High Poverty, and Unemployment are detrimental to Biodiversity. Poverty is more profound in dry-lands than in any other ecosystem area. The loss of productive land starts a ruthless circle for many rural people in Asia, Africa, and Latin America in which land mortification is both operator and aftermath of poverty.¹² Fuel exhaustion pattern in the rural Bangladesh is highly connected to forest degradation which is also highly responsible for biodiversity exhaustion in Bangladesh.

4.2 Climate Change and Sea Level Increase

In climatic context, Bangladesh is under a major threat of climate change and corresponding sea level increase. More than half portion of the country will have flooded if the water intensity increases by 50 cm. By 2050, rising sea levels will immerse some 17 percent of the nation's land and supplant about 20 million people.¹³ Bangladesh has already witnessed major alteration in cloudburst form, humidity etc. Climatic change in the country will create a large-scale adverse effect to the persistence of living animals which are considered as large part of our ecosystem.

10 M Alamgir, SA Mukul, Turton S, *modelling spatial distribution of critically endangered Asian elephant and Hoolock gibbon in Bangladesh forest ecosystems under a changing climate*. Applied Geography, Vol. 60, 2015, PP. 10-19

11 Dr. Md. Mizanur Rahman, 'Habitat Loss, Biodiversity Loss', *The Daily Star*, 5 June 2010

12 B. Kjellen, 'The saga of the Convention to Combat Desertification: The Rio/Johannesburg Process and the Global responsibility for the Drylands', *RECIEL*, Vol. 12, 2003, P. 127

13 <https://www.google.com/search?client=>, last visited on 12 September 2023.

4.3 Habitat Loss, Degradation and Putrefaction

Biodiversity sustenance is strongly connected with the nature, species, land and the entire ecosystems. Modernization of land using pattern, expansion of agricultural lands, changes in pasturing pattern are destroying the ecosystems in the country. Open rivers and other bodies of water in Bangladesh are diminishing fast due to development intercession, random urbanization, encroachment and siltation, which are destroying the habitats of primordial fish species and other oceanic animals.¹⁴

4.4 Fuel Wood Collection and Illegal Spoliation

In international trade, a large international market (basically illegal) of unrestricted unfarmed animals and their parts are in existence only because of their elegance and allaying values. The international trade in wildlife is contrasting and incorporates hundreds of millions of plant and animal specimens.¹⁵ Moreover, unlawful put downing timbers, fuel-wood collection, unsupportable cultivation of alien plants are also liable for the degradation of biodiversity in the country.

4.5 Mortification and Environmental Pollution

Among the major cautions to sunken biodiversity in Bangladesh soil and water pollution is the most remarkable one. The sunken ecosphere is the vulnerable sufferer and is contaminated by venomous pesticides and industrial secretions that caused depletion of aquatic biodiversity. Present environmental condition of Bangladesh is not at all equipollence. Extreme air, water and noise pollution are threatening human health, ecosystems and economic growth of Bangladesh.¹⁶

4.6 Interfering Non-Native Species

Huge number of tropical and alien plant species has been inaugurated to Bangladesh since British colonial period for harvesting purposes. Among the species some have naturalized but many have become poked over local flora and fauna. In recent years, ponderous preferences for fast-growing, high-yielding tropical species has also threatened the existence of native species in the country.¹⁷

14 *Ibid*

15 'What is CITES', available at <https://www.cites.org>, last visited on 30th April 2022

16 <http://me.buet.ac.bd/icme/icme2009/Proceedings>, retrieved on 13 September 2023

17 <https://www.sciencedirect.com/science/article/pii/S235198942030737X>, retrieved on 13 September 2023

4.7 Legal Loopholes and Weakness in Policy Framework

The supreme law of the land, the Constitution of the Peoples Republic of Bangladesh distinctly directs to safeguard entire ecosystem as well as biodiversity.¹⁸ The Bangladesh Biodiversity Act 2017 was enacted in 2017. Lack of proper implementation of the Constitutional and statutory legal provisions, absence of satisfactory regulatory mechanisms and luminary principles, fragile implementation of those principles, lack of consolidation of departmental functions are other supplementary challenges for biodiversity conservation in Bangladesh. Moreover, low collaboration and categorical homogenization, feeble national information system and inadequate knowledge on ecosystem structure and function are the vital reason for biodiversity loss in Bangladesh.

4.8 Reluctance of Political Willingness

Major Environmental issues are not present in the manifesto of the maximum political parties in Bangladesh. Regrettably, in some cases, politically empowered persons are found illegally involved in environmental degradation and forest destroying.

4.9 Absence of Public Awareness

Mass people of the country are not aware about environmental degradation. Shortage of information and knowledge regarding biodiversity guided the common people to destroy environmental equipments.

4.10 Scenario of Loss of Biodiversity in Bangladesh

Bangladesh is an opulent flora and fauna zone. 22 amphibians, 400 fishes, 126 reptiles, 628 birds, 113 mammals, were recognized all over the country. Around 5,700 species of endogen were identified in Bangladesh.¹⁹ Many wildlife species have been put to death in Bangladesh and many more are intimidated with extinction. The country has lost 10% of its mammalian fauna, 3% avifauna, and 4% reptiles during the last 180 years.²⁰ Above 50 species are critically

18 Article 18A, *The Constitution of the Peoples Republic of Bangladesh*

19 M R Rahman and M Asaduzzaman, 'Ecology of Sundarban, Bangladesh', *J.Sci. Foundation*, Vol. 8 (1) and 2, 2010, PP. 35-47

20 Bashar MA. *Instant Basics of Environment Wide Approach to Nature Lover*, Positron publication, 38/2/Ka, Banglabazar, Dhaka-1000, 2004, P. 176

imperiled in Bangladesh among them 23 species are already declared as endangered in the Red data book of IUCN²¹. Moreover, 83 species are threatened and are included in the appendices of Convention on International Trade in Endangered Species (CITES)²². Among them the most endangered species are: Elephant, Tiger, Wildcat, Whistling duck, Knobbed duck, Black partridge, Crocodile, Python, Monitor, River Terrapin, Roffed Turtle, Softshell turtle and all marine turtle among reptiles.²³ Bird population in Bangladesh is decreasing in an alarming rate; major threats to them are habitat demolition, trade and over hunting. Numerous wild species have already been exterminated forever from the nature.

5. International Legal Instruments Regarding Biodiversity

Human Rights and Biodiversity are co-related and as such loss of biodiversity is considered as major threat to mankind.²⁴ To obtain the targets of the Sustainable Development Goals (SDGs) biodiversity conservation is highly significant.²⁵ International legal institutions relating to biodiversity mostly depend on international Treaties and Conventions. The CITES Convention 1973 and the 1992 Convention on Biological Diversity²⁶ bear the great importance for the sustainable sustenance of biological resources including fauna and flora. CBD has adopted an integral approach to biodiversity conservation. It has

21 The IUCN Red Data Book is a list of threatened species (also known as The IUCN Red List) founded in 1964 is the World's most comprehensive inventory of the global conservation status of biological species (Animal, fungus and plant species) See for more details <https://www.iucnredlist.org/>

22 CITES is a multilateral treaty to protect endangered plants and animals from the threats of international trade. It was drafted as a result of a resolution adopted in 1963 at a meeting of members of the International Union for Conservation of Nature. See for more details <https://cites.org/eng/disc/what.php>

23 Gain P. *Bangladesher Bipponno Bon* (The Endangered Forest of Bangladesh). *Society for Environment and Human Development (SEHD)*, Lalmatia, Dhaka Bangladesh, 1997, P. 276

24 See for more details report of the 34th session of UN Human Rights Council

25 The Sustainable Development Goals or Global Goals are a collection of 17 interlinked global goals designed to be a "blueprint to achieve a better and more sustainable future for all". The SDGs were set up in 2015 by the United Nations General Assembly and are intended to be achieved by 2030.

26 Hereinafter called as CBD

established knotty structure for a cross-divisional and usually concerted approach to systematize and holistic global ecosystem outlook on biodiversity conservation.²⁷ CITES Convention accords the magnitudes of sanctuary to more than 35000 species of animals and plants. These are listed in the three CITES Appendices as per the degree of protection they require. Each protected species or population is included in one of three lists. The Appendix that lists a species or population contemplates the range of the threats to it and restrictions that apply to the trade. Any type of wild plant or animal may be included in the lists of species protected by CITES. Once listed, imports and exports of the species apprehensive are subject to a permit system implemented by national governance and scientific authorities.²⁸ Being a supplementary agreement to the CBD, the Cartagena Protocol on Bio-safety²⁹ is also significant. Convention on the Conservation of Migratory Species of Wild Animals 1979³⁰ is considered as blessings for the species of wild animals that wander across the globe.

The CITES acknowledges the individuals of all contracting State parties as the best watchdog of wild species in their respective countries. Ensuring the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits derived from genetic resources are the prime object of CBD. CBD determines the biological diversity conservation as a holistic part of sustainable development which also includes the declaration of social, economic and environmental development. International environmental legal instruments, like principle of liability for trans boundary damage,

27 Chidi Oguamanam, 'Biological Diversity', in Shawkat Alam *et al* (eds.) *Routledge Handbook of International Environmental Law*, Routledge, London, 2013, p.226.

28 Philip Sands and Jacqueline Peel, *Principles of International law*, 3rd Ed., Cambridge University Press, Cambridge 2012, p. 472

29 The Cartagena Protocol on Bio-safety to the Convention on Biological Diversity is an international agreement on biosafety as a supplement to the Convention on Biological Diversity effective since 2003. See for more details https://en.wikipedia.org/wiki/Cartagena_Protocol_on_Biosafety

30 The Convention on the Conservation of Migratory Species of Wild Animals, also known as the Convention on Migratory Species or the Bonn Convention, is an international agreement that aims to conserve migratory species throughout their ranges. See, https://en.wikipedia.org/wiki/Convention_Wild_Animals

other principles relating to precautions & cooperation are confirmed by CBD. These principles have a significant influence on environmental law-making at the municipal arena.

6. Critical Appraisal on Laws and Policies of Bangladesh regarding Biodiversity

Bangladesh is a signatory to all the major international instruments relating to biodiversity along with the CBD. The Constitution of Bangladesh ensures the protection and conservation of Environment and Biodiversity for present and future generations.³¹ Accordingly, the Government of Bangladesh enacted the Bangladesh Biodiversity Act, 2017. This enactment explicitly indicates to the CBD in its preface at the time of implementing with the international instruments relating to biodiversity. Biodiversity conservation, sustainable use of biodiversity and proportionate sharing of biodiversity centric benefits have been assured by the said Act. And as such there exists a close nexus in between the said Act and CBD. Significance of preserving conventional anxiety on biological resorts also took place in the body of the Act. To obtain the objectives of the Act, establishment of Biodiversity Management Committees in country's local Government's level have been suggested. A fund named after 'Biodiversity Conservation Fund' has also been encouraged in the said Act for ensuring the conservation and good governance of Biodiversity heritage sites. The Brick Manufacturing and Brick Kilns Establishment (Control) Act, 2013 also ensures biodiversity protection³².

Department of Forest is empowered by the Forest Act, 1927 to take necessary actions to conserve & preserve forest including forest biodiversity and wildlife.³³ Social forestry has also been instituted by the aforesaid Act. Protection of entire forestry in Bangladesh & creation of new forestry has also been inspired by the Act.

The Play-ground, Open space, Park and Natural Wetland Conservation Act, 2000 stipulates the protection and conservation of the play-ground, open space, park and natural wetlands in Bangladesh. Alteration of nature of the abovementioned places which is detrimental to ecological balance requires prior approval from the concerned authority. By imposing such type of condition, the Act is contributing a

31 Article 18(A) *The Constitution of the Peoples Republic of Bangladesh*

32 Section 8, *The Brick Manufacturing and Brick Kilns Establishment (Control) Act, 2013*

33 Sections, 3-27, *The Forest Act, 1927*

lot in preserving the nature. To bring the preservation and security of the country's biodiversity, forests and wildlife into light, Wildlife Security Act, 2012 is also playing a crucial role. The Act stipulates to set up a "Wildlife Advisory Council". The Council would be the regulatory body for biodiversity governance. Government is empowered to declare any area as a special area for natural habitation of wildlife and plants by virtue of the Act.³⁴

The Government is also empowered to declare biodiversity conservation zone.³⁵ A co-management system is also introduced in the Act for ensuring proper governance of the natural resources relating to indigenous perception. Indigenous ethnic communities are also within the purview of the Act.³⁶ Till to date, The Environment Conservation Act 1995(amended in 2010), is considered as the prime law for conservation & protection of environment in Bangladesh. This Act widens the horizon of biodiversity as well as Ecologically Critical Areas.³⁷ The legal structure for conservation of biodiversity at the time of implementing with proper standards shows the overriding adherence of Bangladesh. And as such implementation of legal guidance regarding biodiversity preservation are facing more challenges. Only legal instruments are not sufficient to keep biodiversity in a proper standard until the mass people do not change their actions considering the importance of biodiversity.

1st National Biodiversity Strategy and Action Plan (NBSAP) and 2nd NBSAP have been adopted in Bangladesh respectively in 2006 and 2015 in line with the fulfillment of the obligations of CBD. Bangladesh National Conservation Strategy (2016-2031) inserted the awareness development and capacity building of the mass people in relation to biodiversity. Amalgamating of the conveniences of biodiversity has been advocated in the strategy. Bangladesh also promulgated policies and legal guidelines in relation to environment and biodiversity.³⁸ In recent times, the Government of Bangladesh also transfigured some of the recommended policies into actions. Most of the ecological and

34 Section 22, *The Wildlife (Conservation and Security) Act, 2012*

35 Section 23, *Ibid*

36 Section 32(1), *The Wildlife (Conservation and Security) Act, 2012*

37 Ecologically Critical Area is regarded as environmental protection zone in Bangladesh. In 1995, particular areas in Bangladesh have been selected as Ecologically Critical Areas as a result of the Environmental Conservation Act

38 https://iced.cag.gov.in/?page_id=256, retrieved on 17 July 2023

biodiversity oriented sensitive areas have been announced as special Parks & Sanctuaries by several laws for securing its protection³⁹.

There should be stylish stability in between economic development and biodiversity preservation. Adverse impact of ecosystem degradation and biodiversity loss grabbed our development centric achievements in most of the cases. The present propensity is that economic growth and industrial developments would be achieved in hurry even at the cost of mortifying and destroying the ecological balances. Allotment of forest areas for construction of industrial areas are the blazing examples in this respect.⁴⁰ Only one mangrove forest Sunderban is surrounded by more than 180⁴¹ industrial establishments. Sunderban is an Ecologically Critical area. All these are happening with prior governmental clearance. Among the industrial establishments 24 industries are of red category of IUCN. Most of the common people of Bangladesh are not aware about this type of progressive activities.

A substantial decrease on biodiversity has been witnessing in Bangladesh in recent couple of decades. Basically this is happening due to human initiated impacts. Human comfort is also affecting by this type of decrease on biodiversity. To focus the issues relating to preservation and supportable use of biodiversity a bunch of steps have been taken from both governmental and nongovernmental sides. A remarkable number of validating plans and policies have already been taken. Nevertheless, satisfactory performance in pitching biodiversity loss and ecosystem mortification has not been achieved.

In Bangladesh, basic warning to biodiversity is surrounded with the speedy and unconscious gentrification, automation and transfiguration of land use pattern. Using of forest land and wetlands into other purposes are also concerned with the deterioration of biodiversity. Water and air pollution, climatic disorder, over-harvesting are also detrimental to biodiversity.

39 <https://en.wikipedia.org>, retrieved on 22 July 2023

40 MB Uddin, MJ Steinbauer, A Jentsch, SA Mukul, Beierkuhnlein C (2013). *Do environmental attributes, disturbances, and protection regimes determine the distribution of exotic plant species in Bangladesh forest ecosystem?* Forest Ecology and Management, PP. 72-80

41 *The Daily Prothom Alo*, 12 July 2017

Crucial impediments for biodiversity conservation in Bangladesh are closely connected with the lack of consciousness of authoritative persons on the significance of biodiversity in national economy. Revenue operated land use patterns, non-approbation or minimum approbation of environmental precaution in development projects are also the significant impediments for biodiversity conservation. Non advent of market based tools for disassemble and stagnation of ecosystems, under squeezing of local government capacity, disproportion in ownership and contentedness sharing by using biological assets, bounded level of knowledge, aptitudes and consciousness, scanty financing, etc. also create hurdle to keep biodiversity in its natural form. Comprehensive population density is considered as driving force for most of the above mentioned menaces.

The remunerative and non-remunerative standards of all the preserved areas in the country are unrevealed to the common people of Bangladesh, although there has some intermittent calculation of the contribution of some reserved areas (e.g. *HakalukiHaor*, *Chalanbeel*, *Tanguar Haor*, *Sundarbans*, etc.). Contemplating of collective and individual costing on ecosystem preservation is urgently required. Participating in global Biodiversity Finance Initiative (BIOFIN) project⁴² is also essential.

Participation of private sector investment in Bangladesh is not so good connecting to biodiversity preservation. Still it is in an infant stage. Usually, commercial banks in Bangladesh at a wider scale depend on short-term down payments and gain-losses discrepancy restricts their capacity and as such they are reluctant to invest in ecosystem restoration or conservation.

For biodiversity conservation adoption of 'polluter pays principle' can be a great starting point of funding. Ecotourism centric revenue could also be used for such purposes. To promote biodiversity friendly and environmentally responsible business, corporate sectors may also come forward. Public-Private Partnership (PPP) could also be introduced for taking necessary actions in keeping biodiversity in its original form. Bangladesh is heading towards middle income status and as such

42 BIOFIN is a UNDP arranged global collective partnership to develop and implement evidence-based approach that improves biodiversity outcomes using finance and economics. It's a global partnership launched by UNDP and the European Commission, supports countries to enhance their financial management of biodiversity and ecosystems.

ODA⁴³ and subscriptions underpin is moderately diminishing. At this juncture, private sector may be an excellent source of conservation pecuniary matters. Additionally, application of 'polluters pay' principle could be fascinating tools to attract the private sector in promotion and protection of Biodiversity.

Due to global positioning system of Bangladesh climatic disorder has the most vulnerable impact on biodiversity and ecosystems. Institutional mechanism regarding explicit apprehension of climate perils and vulnerability of ecosystems are not growing up in Bangladesh. Adjusting mechanism in near future in a substituting climatic pattern is not settled in Bangladesh. Therefore, fruitful intervention is essential to assess climate risks and vulnerability. Integrated blueprint containing extended observance of ecosystems with climate change is also important.

The annunciation of the Rules has substantial significance for the preservation and improvement of biodiversity in Bangladesh. The Rules have instituted many revolutions in the governance of ECAs, which encompasses, inter alia, public engagement in environmental settlement, actual measurement by the accountable authority, communicating to the government, an exclusive funding structure, involvement of local communities in assets governance, substitute sustenance production for affected people, inducement for local communities engaged in environmental governance, the composition of particular site plans for the management of ECAs, and the enhancement of public-private participation for environmental management. Despite these constructive hallmarks of the Rules, there are some experimental obstacles for the accomplishment of the Rules. First of all, the Rules have not established any self-standing formal mechanism yet. Not a single steadfast official structure has been established by the Rules. Rules are equipped with the live institutions i.e. the DoE⁴⁴ for the administration of ECAs. There are only 22 offices of DoE out of 64 districts and has no office in any Upazilla and Union though the Rules provide that, an officer of the DoE will carry out the secretarial functions of the District, Upazila and Union committees. And as such, just for empirical reason of regulating ECAs, one self-reliant cell in the command post of DoE and at least one office of the

43 ODA stands for Official Development Assistance

44 DoE stands for Department of Environment

DoE in every district would need to be instituted to observe the implication of these Rules.

Most of the functions of the Committees are consultative in character and some of the functions of the various committees are co-incidental and, in some cases, appear to be clashing. Scarcity of power and consistency will diminish the fulfillment of the purposes of the Rules. To build the nation as conservation approachable one, a well built political adherence, sufficient budget, viewpoint and agony is needed to conserve the precious biodiversity before it is too delay to extinct most valuable species from nature obstinately.

7. Conclusion

Geographical placement of Bangladesh in the globe makes Bangladesh as one of the most jeopardized countries in respect of climate change, sea level rise, ecosystem, tourism and biodiversity as well. The Government of Bangladesh must have to take appropriate remodeling actions in coping with this indispensable segment. As mass people of Bangladesh significantly depend on biodiversity centric resources, the matter would be considered widely. Pointing only on ecological issues would not ensure a sustainable guarantee for biodiversity conservation. For securing country's forthcoming biological diversity natural resource governance would be introduced with the active participation of the Government. This governance system should include public participation. A well-synchronized plan of action regarding regulatory framework and governance of entire environmental equipments is urgently needed. Institutional dimensions have to be enlarged and trained manpower has to be deployed for the conservation of biodiversity. Ultimately, laws and policies concerning the issues in Bangladesh require urgent reform considering the inclination of environment, climate, ecosystem, ecological balance and biodiversity.