BANGLADESH
LAND STATUS REPORT 2015

Editorial Committee

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Prof. Shafiq-uz-Zaman
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ALRD
Association for Land Reform and Development



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Foreword

This is the first-ever annual land status report in Bangladesh. This Land Status Report for Bangladesh has a short background history.The idea of producing annual land status report was conceived first by the Association for Land Reform and Development (ALRD)—a pro-people Bangladeshi NGO—with the hope that such a report will have at least two-fold utility. First, it will have knowledge and learning value on a developmental subject ignored by many (since 1980s) in an era of globalization and in an era of "perceived power" of free market economy when market fails the poor and marginalized people.And second, it will have policy implications at least in terms of monitoring the progress of "Land Status" in Bangladesh by the people at large as well as by the local level people facilitated by the local level community organizations. The idea of having a Land Status Report was floated almost ten-years back. And it took us last about ten years to come up with this accompanying "Land Status Report: Bangladesh, 2015".

This is primarily due to lack of experience that, we — the team of authors and ALRD — struggled to work out methodology for such a work including thinking about what to include and what not to include in the First Report, which will form the basis for future reports on the subject. This first ever report on the subject may not be a perfect one, and that also may not be very important at this stage. The most important thing, as we understand in the process, is to start the process of reproduction of our knowledge-base on the subject.This report shall be seen as a "Starter" based on which we will try to improve the upcoming Land Status National Reports, in the years to come.

The accompanying *Bangladesh Land Status Report 2015*contains fifteen chapters written by relevant experts on the specific subject in Bangladesh. The report contains nine broad areas: (1) The overall political economy of land-water-forests; (2)The Khas land owned by the government; the Khas land in the 'Char' (islands surrounded by rivers, most of which is owned by the government); the land owned by the religious minorities but they are, in reality, not the owners due to the effect of the Enemy Property Act and Vested Property Act; the land-forest of the indigenous peoples and associated human rights treaties and conventions, (3) Women's land rights including the laws of inheritance, (4) the nature of rural land market viewed from the poor and marginalized farmers, and issues of commercialization of land, (5) Land laws, (6) Civil society and development partners' engagement in land rights movement, (7) effects of climate change on land, (8) Capacity assessment of land administration and management system, and (9) Status of land reform monitoring index and associated issues.

A quick view of the issues raised and analyzed in the volume reveals that, in this first land status report, our aim is to raise all pertinent issues and attempt to analyze everything we thought needed in understanding complex land issues keeping in mind future Agrarian-Land-Aquarian reform. No doubtthis has been a very ideal attempt. After 3 years of engagement in the process, we came to a conclusion that the all future annual report while needs to delve deeper in to the issues raised in this report should emphasize or give more concentration on "one key issue" each year (e.g.; land grabbing, khas land, land of indigenous peoples, water bodies, forest, women's inheritance, land laws, effect of climate change on land-water-forest resources, role of local community and local government in changing ownership and access scenario of land, and so on. In nutshell, there is a need to understand more about the social, economic, cultural and historical inequities and injustices originated from the asymmetric

ownership and access to land-water-forest. These have to be changed to better the situation of the predominant land-poor mass of Bangladesh. In the days ahead, in consultation with the land-deprived people in both the rural and urban areas, we need to put our concerted efforts towards minimizing the rising ownership and access gap of the land poor people in land-water-forest, which are more man-made than made by nature. It may be appropriate to conclude this short foreword with Jean-Jacques Rousseau (1712-1778) who said, "You are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody."

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Professor, and Founder Chairman,
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Acknowledgement

Association for Land Reform and Development (ALRD) has been working since its inception primarily to bring the issue of land in broader sense (including water,forest etc),its management,use and access from the perspectives of the hard working producers-marginal and poor farmers,women in agriculture, fisher folk and various other marginalized communities including the indigenous people and minorities into the mainstream agenda of our socio-economic planning and development.

Land Status Report was basically conceived as one of the essential pillars for mobilizing policy opinion towards that objective.

The idea was shared and re-discussed on several occasions in formal and informal meetings with the authors of this report and few others all of whom enriched us immensely in expanding the the idea and finally making it a reality.

We are thankful to all the authors namely: Prof. Abul Barkat, the principal author, Justice Kazi Ebadul Hoque, Prof. Shafiq-uz-Zaman, Raja Devasish Roy, Prof. Sadeka Halim, A.K.M. Masud Ali, Sohel Ibn Ali, Asmar Osman, Manzuma Ahsan, Gazi Mohammad Suhrawardy and last but not the least Waliul Islam for their unique contribution and insightful observations.

We are specially indebted to Prof.Abul Barkat not only for his hard work and maximum contribution to this report in terms of volume of work, also for his special contribution in developing the path breaking land status monitoring tools termed as Land Reform Monitoring Index, which has been appreciated and acclaimed by practitioners as well as experts both at home abroad.

HDRC and Ramon Publishers deserve appreciation for their cooperation.

Shamsul Huda
Executive Director
ALRD
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