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Land Emerges, Land Disappears: Char Dwellers Continue Fighting for Land Tenure Security

***A Case Study of Char Bangla, a Riverine Char Land
in the Coastal Region of Southern Bangladesh***

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Key Messages

- Land titling will enhance the adaptive capacity of the char people. Otherwise, they will exhaust their resources and undergo physical and mental stresses in the process of securing land titles and addressing land conflicts.
- Char Bangla dwellers have adapted to climate change through a variety of ways, including changing their cropping patterns along with the seasons, timing their cultivation according to predictions of natural disaster, switching to occupations that are more adapted to the weather and climate; diversifying their crops; changing their eating habits, among others. But an injurious coping strategy that they have resorted to is to cut their spending on health and on their children's education, with all the negative anticipated outcomes.
- Char landless families in the coastal areas will continue to face the frequency and intensity of cyclones and other extreme weather events. Unless their land tenure security is strengthened, they will continue to struggle to face disasters and to rebuild in the aftermath.

Char Bangla is one of over 145 chars in the Southern part of Bangladesh. A char is created in the dynamics of erosion and accretion in the rivers of Bangladesh. The char emerges as an island within the river channel, or as land attached to the riverbanks. Once vegetated, such lands offer opportunities for settlement or agricultural activities.

Char Bangla was formed in this way. It began to form along the Bura Gouranga river in the 1960s and gradually took the size of a large char land in the 1980s. Char Bangla is now nearly 1,012 hectares in size.

Located in Char Biswas Union in Galachipa *upazila* (sub-district) in Patuakhili, Char Bangla is populated by about 500 landless families.

Who Owns the Chars?

According to State policy, when a char is raised in a river, it is first handed over to the Forest Department, which undertakes its forestation for 20 years. In parts of the char that are fit for human settlement, the State administration grants a one-year lease to landless people for cultivation.



A char land in Bangladesh. Photo by Dhaka Tribune.

Lands on chars are used for purposes of settlement as well as cultivation. As much as 90 percent of the chars that are not eroded in the first four years of their emergence are used for either cultivation or settlement. After seven or eight years, both settlement and agricultural practices are commonly found

in the chars. Reliable data on landholding size in the chars is difficult to obtain. Some parcels of char land may have claimants even though they are submerged. Other areas change classification from water to land, or from grassland to cropland. Other lands are strictly *khas* (public) land: some char lands are *khas* land, but not all *khas* lands are char lands.

Country Context

With a population of 163 million living in an area of 147,570 square kilometers (or 1,252 persons per square kilometer) [World Bank, 2016], Bangladesh is one of the most densely populated countries in the world. Over 70 percent of the population lives in rural areas and is mainly engaged in agriculture and related activities. More than two-thirds of the rural population is landless or functionally landless (owning less than 0.2 hectares of land), and 26.4 percent are below the national poverty line with over half of these being classified as very poor [BBS, HIES, 2016]. Endowed with limited land and other natural resources, and with a high population density, poverty is a pervasive problem in rural Bangladesh. According to a 2016 world risk report by the United Nations University, Institute for Environment and Human Security (UNU-EHS), Bangladesh is ranked fifth in the disaster risk index. Between 1970 and 1998, 171 large-scale water-related hazards, such as cyclones, storm-surges, droughts, floods, and river erosion disasters killed an estimated half a million people and affected more than 400 million. The poor are hit hardest because they live in greater density in the most poorly constructed housing in settlements on lands prone to hazards - particularly along the 700 kilometers of coast affected by storm surges [CERP, PPA Report, WB, 2005]. The morphology of the country's rivers is highly dynamic and river bank erosion is also a regular phenomenon, particularly along the banks of the main rivers. The present rate of the Jamuna bank erosion is about 1,770 hectares per year while bank erosion by Padma River is about 1,298 hectares per year. Lower Meghna erodes at a rate of 2,900 hectares per

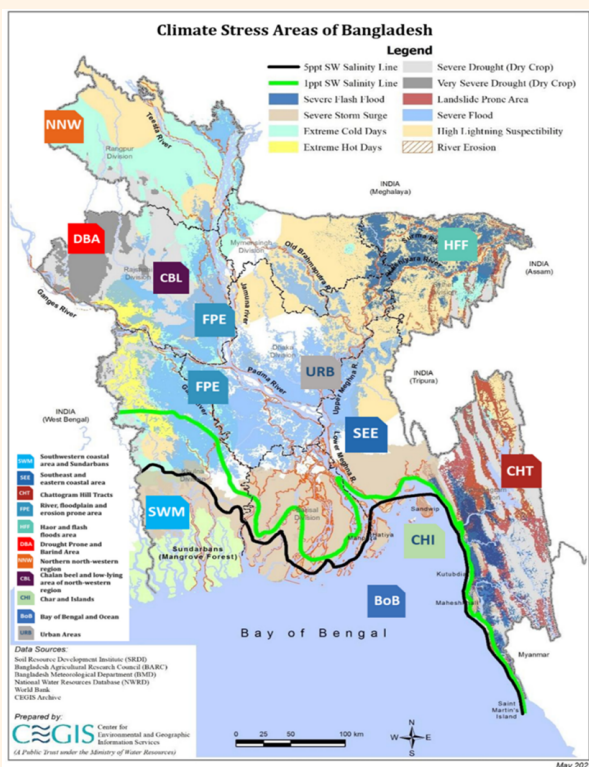


Figure 1. Climate stress areas of Bangladesh. Map prepared by CEGIS.

year (Bangladesh Delta Plan 2100, 2018). On average, an estimated 20 to 25 percent of the country becomes inundated due to river spilling and drainage congestion. Extreme situation arises when the three major rivers (the Ganges, the Brahmaputra, and the Meghna) reach their flood peak at the same time. In general, 55 to 60 percent of the country is inundated during extreme flood events. Annually up to 20,000 to 30,000 households lose their homes, land, and livelihood as a result of erosion and thus become destitute (EKN, 2007).

In 2019, the Department of Land Records and Survey (DLRS) started the Diara Survey — a special kind of survey to determine how many chars are found in Galachipa sub-district, in Paruakhali district and to measure their area coverage.

Originally, the char lands were listed as *khas* land in the State land account. The agriculture *Khas* Land Management and Settlement Policy 1997 had redefined who comprised landless households. According to the Policy, the landless refer to: (a) households that depend on agriculture but do not have land of any kind [homestead and agriculture]; and, (b) households that are dependent on agriculture, have homestead land less than 0.10 acre (0.04 hectare) in size, but do not have agricultural land.

Eighty percent of the inhabitants of char lands have no land of their own and are considered as ultra-poor. They live in leased land and are vulnerable to various forms of exploitation. They struggle for a living without access to proper sanitation, primary healthcare and education, basic infrastructure, and protection of the law. They are excluded from State initiatives and institutional services (e.g., legal aid, health, education, livelihoods, social protection, village court, and formal judiciary).

In the years 2005, 2006, and 2007, the landless people of Char Bangla each received a one-year lease from the administration. Five years later, some land grabbers and landlords (*jotdars*) came in and tried to claim the char land. In particular, they brought in their own tenants (sharecroppers) to cultivate the land and thereby displace the settlers. Disputes erupted between the tenant recruits and the farmers, prompting the administration to stop the settlement of the char land. Criminal and civil suits were filed, but as a result, the people lost their land, causing them great financial hardship.



Agricultural land in Char Bangla. Photo by ALRD.

In 2006, the landless people filed a writ petition in the High Court challenging the administration's decision to withhold the one-year lease that it had earlier granted. Six years later, in 2012, the High Court finally ruled in favor of the farmers, and directed the administration to allocate the one-year lease in favor of the landless people until the Diara Survey has been completed.

The High Court also instructed the administration to form a committee to monitor and complete the Diara Survey within one year.

At first, the Deputy Commissioner (DC) of Patuakhali district did not comply with the High Court's order. This prompted the farmers to file a contempt petition against him. Only then did the DC begin undertaking the Diara Survey. The COVID-19 pandemic halted all related activities, but in 2021 the Diara Survey resumed and it is still ongoing.

In cooperation with the non-governmental organization (NGO), the Association for Land Reform and Development (ALRD), and their partner organizations, the landless people held several meetings with the DC, Upazila Nirbahi Officer (UNO), the Assistant Commissioner (Land), and

Regional Officers overseeing the Diara Survey. They also submitted several memorandums citing various irregularities in the conduct of the Diara Survey. This clearly shows that the process of getting settlement for landless people in char areas is quite time-consuming and complicated.

Impact of Disasters on Char Dwellers

Climate disasters like flood and river erosion put a lot of pressure on char dwellers. So do erratic weather patterns, such as hotter summers and milder winters. It has been observed that there are now only four seasons instead of the usual six. This has negatively affected farmers' production calendars and expected incomes.

Like the rest of Bangladesh, Char Bangla sustained the full impact of Cyclone Sidr in 2007 and of Cyclone Aila in 2009. Patuakhili District, where Char Bangla, is located, was one of the hardest hit areas.

Salinity in water and soil is one of the adverse impacts of climate change hazards, such as cyclones, floods, storm surges, droughts, and changing temperature patterns. In all of these cases, agricultural land in coastal areas is degraded. During Cyclone Aila, the pressure of 10- to 13-meter-



Residents of Char Bangla sift through their damaged houses for usable material in the aftermath of Cyclone Aila. Photo by The Guardian.

high tidal surges broke the river embankment, resulting in the intrusion of saline water into agricultural land and shrimp farms. Along with prolonged waterlogging, this resulted in increased salinity in water and soil. Agricultural land became unproductive, and farmers growing rice, jute, and sugarcane suffered massive crop failures. Farmers tried to plant *boro* rice, which can grow under poor conditions, but the land had become too degraded even for that.

Furthermore, to produce *boro* rice, pulse, or other crops, farmers had to take out loans, which created additional financial burden on smallholders, marginal farmers, laborers, and sharecroppers.

Responses by the Community

Today, 320 families living in Char Bangla still lack tenure security. Like Siraj (see Box story #1), they do not know whether or not they will have a piece of land of their own in the future. After the two devastating cyclones, Sidr and Aila, and because of the destructive floods caused by river erosion year after year, Char Bangla people have diversified their occupations: most engage in agriculture and fishing. Twenty-five percent rely on three occupations (agriculture, fishing, small trading); and, about



One of the regular discussions among residents of Char Bangla. Photo by ALRD.

10 percent engage in four occupations (agriculture labor, non-agricultural wage labor, fishing, small scale trading). Other Char Bangla farmers have opted to leave their community and migrate to other places.

Another adaptive practice of the Char Bangla dwellers is to change their cropping patterns along with the seasons, time their cultivation according

SIRAJ KHAN, 65, has been living with his family on Char Bangla for the last 27 years. He has never had a piece of land to call his own. He catches fish in the nearby Galachipa river and cultivates rice on a small low-lying piece of land in the neighboring area.

In 1993, a group of families, including his own, settled in the char area, which was nothing but a jungle at the time. They cleaned up the area and began living there. During the first five years of their stay, they were left undisturbed and they lived relatively peacefully.

"Five years later some influential people from other areas showed up and started claiming that they were the landowners. In 2007, Cyclone Sidr hit our community. The strong winds did not affect us that much, but the storm surge damaged our houses. We took shelter in a local shelter home, intending to rebuild our houses thereafter. But soon after Cyclone Aila hammered us. Again, the storm surge caused more damage than the cyclone wind. Water rose four feet higher than before. Since our homes were all makeshift houses, all were destroyed except for a few. The flood did not last long, but all our crops were damaged. Since the char Bangla is very far from the sub-district headquarters, we got neither relief nor media coverage. At that time, most of the people lived by fishing. Luck was on our side, and we caught a lot of fish in the river. But danger remains, as tide



Siraj Khan. Photo by ALRD.

water rises to our house during the new moon and the full moon. At present, the Diara survey (a special survey for one or more char lands) is going on. We are hoping that in the near future, the government will grant us khas land in accordance with the policy. We will fight for our land rights just as we will continue to fight to survive climate disasters" Siraj relates.

to predictions of natural disaster, and to switch to occupations that are more adapted to the weather and climate. They have tried to cultivate crops according to the season or climate. They have grown mostly *boro* and *rabi* paddy guided by the seasons from January to June: January for planting, March for weeding *boro* paddy, and, from May to June for harvesting *boro* paddy. They have started cultivating vegetables, pulse, and sometimes jute.

They have also changed their eating habits. During the flood period, char dwellers are forced to sell their cattle to purchase food for the family and to forestall the death of their livestock.

Coastal belt char dwellers are also encouraged to diversify crops. They grow saline water-tolerant crops, and vegetables such as pumpkin.

Analysis

The majority of the poor and extreme poor have little access to assets, most important of which is land. Land, indeed, determines the economic condition in rural Bangladesh where agriculture and fisheries are the major pillars of the household economy. Land also determines social standing and political power. A family without land — a deprivation in and of itself — and without higher education is caught in a vicious cycle of poverty. Thus, landlessness appears to be one of the key factors for social exclusion and capability deprivation. The latter further leads to other deprivations and exclusion from employment, higher education, standard housing, and social security.

It is quite evident that human actions are responsible for the acceleration of climate change. As climate change advances, the frequency and intensity of extreme weather events, such as cyclones, heat waves, flooding, droughts, and heavy precipitation, are going to increase significantly. Although the global frequency of tropical cyclones is expected to decrease or remain essentially unchanged, they may become more intense.

Char landless families in the coastal areas will continue to face the frequency and intensity of cyclones and other extreme weather events. Unless their land tenure security is strengthened, they will continue to struggle to face disasters and to rebuild in the aftermath.

Recommendations

- Properly designed participatory approaches to adaptation can play a role in reducing vulnerability to disaster prone areas.
- Char land people, animals, and agricultural products require adequate protection and shelter from extreme weather events.
- Local awareness about climate change should be enhanced for generation of local people knowledge.
- Insurance for crops could be introduced for char land people.
- Knowledge and resources for crop diversification should be developed, as well as adaptive agricultural practices. Crops like wheat, corn, and watermelon can be planted but they should fetch the proper market price.
- Both the print and electronic media can play a significant role in spreading information down to the community level on how to cope with the impact of climate change.
- Land titling will certainly enhance the adaptive capacity of the landless people. Otherwise, they will exhaust their resources (money, crops, time, social capital, among others) and undergo physical and mental stresses in the process of securing land titles and addressing land conflicts (including court cases, criminal allegations, and, other disputes).
- Secure tenure can improve the adaptation capacity of women and children. Insecure land tenure of the family impacts more on women and children who frequently forego their basic needs, such as food, health, shelter, education, livelihood, and, security, thus making them less resilient to climatic disaster. Women also can not apply their indigenous knowledge related to family farming and homestead gardening due to lack of land or land tenure security. ■

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