

**Life Sketch  
of  
DR. MOHIUDDIN FAROOQUE**

Date & Place of Birth : 25 June 1954, Gopalgong, Bangladesh

Father's Name : Late Hemayet Ahmed

Mother's Name : Mrs. Anwara Ahmed

Wife's Name : Salima Farooque (Rita)

Children : Son: Issa Farooque  
Daughter: Hema Mashiat Farooque

Occupation till Death : a) Advocate, Supreme Court  
b) Founder and Secretary General,  
Bangladesh Environmental  
Lawyers Association (BELA)

**Education :**

<b>Degree/Diploma</b>	<b>Institute</b>	<b>Year Awarded</b>	<b>Class/Division</b>
LL.B (Honours)	Dhaka University	1977	2 <sup>nd</sup> Class
LL.M	Dhaka University	1979	1 <sup>st</sup> Class 1 <sup>st</sup>
Dip. in Constitutional Law	Institute of Constitutional & Parliamentary Studies (New Delhi)	1981	1 <sup>st</sup> Division

**Thesis:** Rule of Law and Its Ascendancy Over the Constitutions of India

Dip. in Parliamentary Institutions and	-Do-	1981	1 <sup>st</sup> Division
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Procedure

**Thesis:** Process of Law-Making in the Indian Parliament.

Parliamentary Fellowship	-Do-	1981	Not Applicable
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**Thesis:** Suspension of Fundamental Rights During Emergency (with special reference to right to life and personal liberty).

Dip. in Applicable International Law	Manchester University	1985	Not
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**Thesis:** The Unacceptable Diplomat.

Ph.D (International Law)	Manchester University	1988	Not Applicable
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**Thesis:** Non-navigational Uses of the Waters of International Rivers: Rights of Riparian States-Extent & Limits.

#### **PUBLICATIONS/MIMEOGRAPHS:**

1. "The International Year of the Child-The Need", published in Bangladesh Institute of Law & *International Affairs (BILIA) Bulletin*, 1979.
2. "Indian Elections-End of a Crisis", Published in the *BILIA bulletin*, 1980.
3. "*persona non Grata: Victim of non Grata Conducts*", Published in *Indian Journal of International Law*, issue one, vol. 28, 1988.
4. Ph.D thesis, *Non-navigational Uses of the Waters of International Rivers: Rights of Riparian States-Extent & Limits*, the University of Manchester, (Mimeo).
5. "Shared River Problems: Co-operation-a Legal duty", published in *The New Nations*, October, 1988.

6. "Flood: Riparian Responsibility Under International Law", published in *The Bangladesh Observer*, October, 1988.
7. "Resolving River Disputes", published in *Holiday*, 28-1-88.
8. "Depoliticization of Water Issue", published in *The New Nations*, January, 1989.
9. "River of Politics", published in the *Dhaka Courier*, Vol. 5, Issue 22, 1989.
10. Co-editor, *Proceedings of the International Seminar on Bangladesh Floods: Regional & Global Environmental Perspectives*, Part 1, General Volume, Published by Bangladesh Research Bureau, 1989.
11. "Shared River Problems: Obligation in Collecting & Exchanging Information", published in *Bangladesh Quest*, Vol. 1, 1989.
12. "International Law on Shared Rivers: Bangladesh Perspectives", keynote paper presented at the National Seminar on International Law on Shared Rivers: Bangladesh Perspectives, 1989, organized by Institute of Engineers, published in *Bangladesh Quest*. Vol. 3, 1990.
13. "Water Rights and Management of Water Resources under Conflicting Demands in Bangladesh Context" published in *Proceedings of the Workshop on Methodology for Sustainable Water Resources Management & Development*, SUWAR, Report B1, 1991, Stockholm.
14. Co-author, "Conflict Resolution: Theory and Practice", in G.Lindgren, K. Nordquist and P. Wallesteen, ed, *Peace Process in the Third World*, Department of Peace and Conflict Research, Uppsala University, 1991.
15. "Community Management or Untenable Tenure: Strategy for Saving the Madhupur Sal Forest in Bangladesh", published in *Voices From the Field: Fourth Annual Social Forestry Writing Workshop*, East West Centre, Hawaii, 1992.

16. "Tenurial Complexity Destroying Forest: A Socio-legal Reflection on Madhupur Forest in Bangladesh", in *Bangladesh Quest*, Vol. 4, 1992.
17. "Double Independence, Triple Victory and Then.....", *Dhaka Courier*, December, 1991.
18. "In Defense of Environmental Order: The Security of Survival", in *South Asian Security: Role of Internal Dimension*, Academy Publisher, Dhaka, 1994.
19. "Development and Conservation of Transboundary Rivers: Some Translegal Issues", in van Dam, JC and Wessel, J (ed), *Transboundary River Basin Management and Sustainable Development*, 1993, UNESCO, Paris.
20. "Making Public Forest Public: The West Bengal Experience", *Bangladesh Environment Newsletter*, BCAS, Dhaka, vol. 3, Issue I.
21. "Environmental Intervention and Security: Some Reflections on Regulatory Order", in *Strategic Studies Journal*, Majeed, A (ed), AMU, India, 1993.
22. "Institutional & Legal Aspects in Resolving Conflicts of Development with Environment in Bangladesh", in IUCN (ed), *People Development and Environment: Complex Interlinkages in Bangladesh*, 1993, Gland, Switzerland.
23. "Laws on Wetlands in Bangladesh: A Complex Legal Regime", in Nishat, A, et. al., (ed), *Freshwater Wetlands in Bangladesh: Issues and Approaches for Management*, IUCN, Dhaka, 1993.
24. "Law and Customs on Forest: Scope for Participatory Forestry", in *Participatory Forestry Perspectives*, Bangladesh Agriculture Research Council and Winrock International, Dhaka, 1993.
25. Contributor/Author on Bangladesh Chapter in the *Yearbook of International Environmental Law*, Detroit, 1992, 1993, 1994, 1995 and 1996.

26. Legal Implication of Sea Level Rise on Bangladesh: *National & International*, 1994, BUP, Dhaka.
27. *Environmental Education in Bangladesh-The Need for All (Mimeo)*, Manuscript prepared for Department of Environment, GOB, 1993.
28. "Role of Social Organizations in Developing Environment", in GDDA, *Seminar on Role of Social Organization in Developing Environment*, Greater Dhaka District Association, 1993.
29. Farooque, M & Chakma, P., *Muddy Roads & The Bare-footed Travellers*, (Mimeo), Report on Tax Study of Local Government (Mimeo), CARE, Bangladesh.
30. M. Farooque and Bhuiyan A.A., "Role of NGOs and Media in Influencing Government Policy on Community Forestry: The Case of Bangladesh", in Warner, Katherine & Wood Henry (ed), *Policy and Legislation in Community Forestry*, 1993, RECOFTC, Bangkok.
31. Davis-Case, D, Farooque, M & Hussain, J., *You Build as you Travel*, (Mimeo), Consultants Reports on Roadside Plantation, CARE, Bangladesh, 1993.
32. "Land ans the Law", in *Dhaka Courier, Special Issue on 10<sup>th</sup> Year of Publication*, Vol. 10, Issue 3, 1993.
33. Der Flood Action Plan hat keine Rechtsgrundlage", in *SODASIEA, Germany*, 5-6/93.
34. "Legal Aspect of Water Resources Development", (Mimeo), BUET-KTH Workshop, Dhaka, 1993.
35. *Law and Customs on Forests: Issues & Remedies*, Ford Foundation and BELA, Dhaka, 1993.
36. "A Strategy for Saving the Madhupur Sal Forest in Bangladesh", in Fox, J, et.al., (ed), *Legal Frameworks for Forest Management in Asia: Case Studies of Community/State Relations*, East West Centre, Hawaii, 1993.

37. Farooque, M, et. al., *Survey of the Economic Status of Farmers in the Project Area*, (Mimeo), Thana Afforestation of Nursery Development Project, ABD/UNDP/FAO Project BGD/84/054, Dhaka, 1993.
38. "Ignoring Ignorance of Law", Editorial, *BELA Newsletter*, Vol. 1, Issue 1, Dhaka, 1993.
39. "Legal Aspect of Traditional Land Rights Revisited", in SEHD Bangladesh, *Year of the Indigenous Peoples*, 1993, Dhaka
40. "The Unfortunate Law of Misfortune People", in Souvenir of Gopalganj Samity, 1994.
41. "Traditional Land Rights: Conflict of Traditions", SEHD, 1994, Dhaka.
42. "Flood and FAP: Common Transnationality", Editorial, *BELA Newsletter*, vol. 1, Issue-2.
43. "Enforcement Against Enforcers", Editorial, *BELA Newsletter*, vol. 1, Issue 3.
44. "Environment: 'Acting' Locally", *The Daily Star*, 21 June, 1994.
45. "Sharing Shared Natural Resources: the Legal Dimension", *The Morning Sun*, 07 June, 1994.
46. "Ignoring Law has Dire Effects", *The Daily Star*, 30 Nov., 1994.
47. "Holy Ganges: the Unholy Translegal Tragedy", in Hasna Moudud (ed), *Women for Water Sharing* 1995, Academic Publisheres, Dhaka.
48. "Integrity in Development Projects from an Environmental View Point", in EFL, *Proceedings of the SAARC Public Interest Environmental Law Conference*, Colombo, 1995.
49. "Sharing the Shared Natural Resources: The Legal Dimension", in BISS (ed), *South Asia at the Cross Roads: Conflict and Cooperation*, 1995, Academic Publisher, Dhaka.

50. Farooque, M, et. al (ed), *Regulatory Regime on Environment: A Selected Bibliography covering the SAARC Region*, Bangladesh Environmental Lawyers Association (BELA), Dhaka, 1995.
51. Farooque, M, et. al (ed), *Environment in Folklore*, (in Bengali), Ford Foundation and BELA, Dhaka, 1995.
52. Farooque, M and Hasan, Syeda R, “Essential Election Laws and Their Loopholes”, in Tahmina, QA, et.al (ed), *Handbook on Election Reporting*, SEHD, Dhaka, 1995.
53. Farooque, M, “Traditional Land Rights: Conflict of Traditions”, in Khaleque, K, et. al (ed), *Bangladesh: Land, Forest and Forest People*, SEHD, Dhaka, 1995.
54. Farooque, M, et. al (ed), *Environment: The Role of Political Parties*, (in Bengali), BELA, Dhaka, 1996.
55. “Caring for Care-Taker & The Constitution”, *The Daily Star*, 22 March, 1996.
56. Farooque, M, et. al (ed), *Investigative Reporting on Environment*, (in Bengali), BELA, Dhaka, 1996.
57. Farooque, M, “Investigative Reporting and Public Interest Litigation”, in Farooque, M, et, al, *Investigative Reporting on Environment*, ibid, 1996.
58. Freestone, D, Farooque, M and Jahan, SR “Legal Implications of Global Environmental Climate Change for Bangladesh”, in Warrick, RA and Ahmad, QK (ed), *The Implications of Climate and Sea-Level Changes for Bangladesh*, Kluwer Academic Publishers, 1996.
59. Farooque, M and Hasan, SR, *Laws Regulating Environment in Bangladesh*, BELA, Dhaka, 1996.
60. *The Bangladesh Biodiversity Legal and Institutional Profile*, IUCN, Boon, 1997.
61. Editor, BELA Newsletter, BELA Barta, *Sangsad Sangbad* (Parliamentary Bulletin)

62. Regular Contributor, State of Human Rights in Bangladesh, Publication of Coordinating Council for Human Rights in Bangladesh (CCHRB)
63. Regular Contributor, Year Book of International Environmental Law Published from USA.

### **RESEARCH / EXPERIENCES / PARTICIPATION:**

1. "Children-Under the Laws of Bangladesh", and "Adoption", - two research papers prepared for Bangladesh Family Planning Association as background papers for Regional Consultation on Law and Polulation, Organized by the Indian Ocean Region of International Planned Parenthood Federation (IPPF), 1979.
2. Voluntarily worked as a researcher in Bangladesh Jails Reform Commission 1978, to assist the Chairman of the Commission Dr. Justice F.K.M.A. Munim, 1979-1980, the former Chief Justice of Bangladesh.
3. "Land and Water Rights in Bangladesh", a research project of BILIA in which worked as Research Associate, Dhaka, (1981-1982).
4. Principal Investigator, "Law and Custom on Forest Land: Issues and Remedies (A study of Sal forest)", a research project of International Institute of Environemntal Studies & Diaster Management, funded by the Ford Foundation, 1992.
5. Rapporteur, Diaster Prepardness, Brainstorming Sessions, organized by UNDP & Ministry of Relief and Rehabilitation, Bangladesh, February 1990, Dhaka.
6. Organised with Bangladesh Research Bureau the International Seminar on *Bangladesh Floods: Regional and Global Environmental Perspectives*, 04-06 March, 1989, Dhaka.
7. Member, Editorial Board, *Bangladesh Quest*, a quarterly journal of Bangladesh Research Bureau.
8. Former Guest speaker on Law of the Sea and International Law on Shared Rivers, Bangladesh Navy, 1989.



9. Guest speaker on Law of the Sea, Defence Services Command and Staff College, (since 1989), Dhaka.
10. Guest speaker on International Law on Shared Rivers, Bangladesh Civil Service Institute, (Foreign Service), Dhaka.
11. Drafted the Constitution for International Institute of Environmental Studies and Disaster Management, Dhaka, 1989.
12. Editor, *BELA Newsletter*, Dhaka.
13. Member, Coordination Committee, Environment Curricula, the Bangladesh Open University.
14. Editor, *Sangsad Sangbad*, a Bulletin on the proceedings of the National Parliament.
15. Member, Editorial Board, *Asia Pacific Journal of Environmental Law*, Australian Centre for Environmental Law, University of Sydney.

#### **PRIZES & AWARD:**

1. Dhaka University Prizeman.
2. Received an award from the Institute of Constitutional & Parliamentary Studies, New Delhi for the Parliamentary Fellowship Programme.
3. Received C.R. Allen Research Scholarship in Law from the University of Manchester for the Doctoral Programme.
4. Received ORS awards from the Committee of Vice-Chancellors and Principals of the Universities of the UK to cover the tuition fees for Ph.D.
5. Received Kingsley Bursary funds to cover maintenance expenses during the stay at UK for the Ph.D oral examination.
6. Distinguished Jexca Member, awarded by Jhenidah Ex-Cadets Association (Jexca), Bangladesh.

7. Received fellowship from the UN International Law Commission to participate in the International Law Seminar, 05-22 June, 1990, Geneva.
8. Received EEC fellowship to participate in the course on International Water Law and Management, IHE, Delft, the Netherlands, 12-30 Nov. 1990.
9. Participated in the course on Conflict Resolution, Uppsala University, Sweden 22 April-31 May 1991, with Swedish Fellowship.
10. US-AEP Fellowship, July August, 1995.
11. Received ADHUNIK Award from the President of the Republic for outstanding contribution in the Anti-Tobacco movement in Bangladesh.
12. Special award from the Association of Development Agencies in Bangladesh (ADAB) and the Coalition of Environmental NGOs (CEN) for winning the court case against Flood Action Plan (Compartmentalized Pilot Project).
13. Best speaker award from Rotary International, Rotary Club of Dhaka, year 1994-95.
14. Distinguished resource person award from Bangladesh Bar Council.
15. Selected for International Directory of Distinguished Leadership Award of American Biographical Institute (ABI).

PROFESSIONAL MEMBERSHIP (Private and Government):

1. Member of the Bangladesh Supreme Court Bar Association.
2. Life Member, Tangail Bar Association.
3. Life Member, Bangladesh Red Crescent Society.

4. Served as a Member (4 terms), Law Faculty Board, Manchester University.
5. Life member and member, Executive Committee, International Studies Association, Bangladesh.
6. Member, Society for Rule of Law, Dhaka.
7. Member, Executive Committee, Bangladesh Society of International Studies.
8. Member, Bangladesh Research Bureau, Dhaka.
9. Member, Asiatic Society of Bangladesh.
10. Member, Manchester University Alumni.
11. Member, East-West Centre Alumni, Hawaii.
12. Member, International Association for Water Law, Rome, Italy.
13. Member, Executive Committee, Asian Forum of Environmental Lawyers, Kathmandu.
14. Member, Like-minded Environmental Activists Group, Dhaka.
15. Member, International Environmental Law Commission (IUCN, Bonn).
16. Member, Environmental Law Alliance Worldwide (E-LAW).
17. Member, Nitrogen Fixing Tree Association (Hawaii).
18. Member, Commonwealth Human Ecology Council, Bangladesh.
19. Member, All Asia Public Interest Environmental Group.
20. Member, Editorial Board, Asia Pacific Journal on Environmental Law (APJEL).

21. Member, *ODHIKAR* - a coalition of Human Rights Organization.
22. Member, Executive Committee, Society for Environment and Human Development.
23. Head of Environmental Law Alliance Worldwide, Bangladesh (E-Law, Bangladesh)
24. Member, Steering Committee, National Environment Management Action Plan, Ministry of Environment and Forest.
25. Member, National Road Safety Council, Government of Bangladesh.
26. Member, Dhaka Urban Transport Committee, Ministry of Communications.

#### CONSULTANCY AND PROFESSIONAL POSITIONS:

1. Former UNDP Consultant on Environmental Legislation for the Ministry of Environment and Forests, worked under the National Environmental Management Action Plan, Govt. of Bangladesh: Preparation of various projects on environmentally Sensitive Area and National Environment Management Action Program.
2. Former Principal Executive, International Institute of Environmental Studies & Disaster Management, Dhaka: Preparation of about 10 project proposals on various research and training course; since 1989 worked on negotiating donors for fund raising for the Institute and its project.
3. Edited the *Bangladesh National Conservation Strategy* (draft), as IUCN consultant/GoB and was reviewer of the paper on International Dimension.
4. Was Member, Panel of Guest Speakers, 2<sup>nd</sup> Conference on Flood Action Plan, GoB/World Bank, March 1992.
5. Principal Investigator on Water Rights and Institutions in the Joint Project of Bangladesh University of Engineering and Technology and the Royal Institute of Technology, Sweden, on

- Methodologies for Sustainable Water Management and Development, Pathakhali-Konai project being funded by SIDA (Prepared project components), 1992.
6. Principal Investigator, Ford Foundation/IIESDM project on “Law and Custom on Forest Land: A Study of Sal Forest” (Developed and negotiated the studies).
  7. Consultant on Legal Issues in Climate Change: Bangladesh Chapter, BUP-East Anglia University Project, 1992.
  8. Team Leader, Socio-Economic Survey, Thana Afforestation and Nursery Development Project, FAO/UNDP Project No. BGD/84/054.
  9. Consultant, CARE, Bangladesh, 1993 to strengthen local government.
  10. Project Coordinator, Public Interest Litigation on Environmental Issues, sponsored by the Ford Foundation (since June, 1993).
  11. Project Coordinator, Law and Policy Debate on Environment, a Program to strengthen Parliamentary System, sponsored by the Asia Foundation (June, 1993).
  12. Was a member of the Drafting Committee of the IUCN International Environmental Law Commission which produced the *International Covenant on Environment and Development* which has been placed before the UN.
  13. Worked as a member of the Review Committee in drafting the Environment Conservation Act, 1995 and subsequently prepared amendments and commentaries on the Bill for BELA which circulated to the policy and law-makers.
  14. Providing voluntary legal and advisory services on behalf of BELA in getting the proposed industrial effluent discharge under NEMAP and with the Department of Environment adopted by the stakeholder.

15. IUCN consultant to draft the Guidelines for Environment Impact Assessment under the Act of 1995.
16. Principal Investigator and Coordinator of the Study of Fresh Water Fisheries in Bangladesh funded by the Ford Foundation, Dhaka since January, 1995.
17. Worked as Consultant of IUCN Environmental Law Centre, Bonn to prepare Legal Profile for Implementation of the Biodiversity Convention
18. Member, committee for formulating traffic laws in Bangladesh under the Ministry of Communications.
19. Worked as a short-term consultant in 1996 for the Ministry of Environment and Forest to change the existing forest laws and formulate rules.
20. Executive Director, Development Studies Centre, since 1991.
21. Worked as Consultant to prepare a Study on Freshwater Fisheries Regime in Bangladesh for ICLARM, Manila.

## **SPECIAL COURSES & TRAINING**

<b>Name of the Course Certificate</b>	<b>Place</b>	<b>Year</b>	<b>Year</b>
a) International Law (UNILC)	The United Nations Palais des Nations, Geneva	1990	Diploma
b) International Water Law & Management	IHE, Delft, the Netherlands	1990	Diploma
c) Conflict Resolution	Uppsala University	1991	Diploma



- k) Shaping the Future by Law: Environment, Children and Human Health, 20-25 March, 1994, New Delhi, sponsored by UNICEF, Bangladesh.
- l) First SAARC Public Interest Environmental Law Conference, February, 1995 Colombo, Sri Lanka.
- m) Workshop on Wetland Legislation, 26-28 February, Calcutta, India, Sponsored by the IUCN.
- n) US Asian Environment Program Fellowship, July-August, 1995 with Sierra Club Legal Defense Fund and the US Environmental Law Alliance Worldwide, Oregon.
- o) FAP Conference in the Hague, 23-27 Oct., 1995.
- p) Regional IUCN Membership Meeting, LAO PDR, 29 Oct.-3 Nov., 1995.
- q) Meeting of the Editorial Board on Asia Pacific Journal of Environmental Law to finalize the format and publication details, 17 December, Singapore, 1995.
- r) Workshop on International Environmental Institutions and Delegation of Legislative Authority, MAX – PLANCK – INSTITUT, Germany, 20-22 March, 1996.
- s) Consultative Meeting to Frame Guidelines for Country Legal Profile on Biodiversity, 23-24 March, Bonn, IUCN Environmental Law Centre.
- t) Asian Workshop on Communication and Education Strategies for ministries of Environment and Potential Partners, 17-19 July, 1996, Bangkok.
- u) Training Seminar on International Trade Agreements, 22-25 August, 1996, Calcutta.
- v) Attended the IUCN General Assembly and Congress, October, 1996 in Montreal.



- w) "Consumers in Global Age" 22-24 January, 1997, Consumers International, New Delhi.
- x) Attended the conference on Public Interest Litigation in cases of Disaster Mitigation as a Resource person, Kathmondu,7-9 August.1997.
- y) Attended about 50 national, regional international conferences, seminars and workshops as a resource person held in Bangladesh.

### **INTERVIEWS PUBLISHED:**

1. TIEMPO, published by CRU, East Anglia University, UK.
2. Bhorer Kagoj, Dhaka.
3. Janakantha, Dhaka.
4. BBC World Service (Bengali & English), UK.
5. Finland, (local newspaper)
6. Germany, (Magazine on South Asia)
7. Sweden, (local newspaper)
8. Panos on FAP
9. Ajker Kagoj (local newspaper)
10. The Daily Star
11. Weekly Bichitra
12. Weekly Purnima
13. Radio Australia
14. Many Times in Bangladesh Television
15. German Radio
16. The Hundu, India
17. Channel 4, UK

### **Publications:**

69 Publications including 7 Books

### **Credits and Awards:**

1. Founder and Secretary General, BELA
2. Internationally known Environmental Lawyer

3. Member of International Environmental Law Commission
4. Member of International Water Law Association
5. Member of about 15 High Powered Government Committees
6. Dhaka University Prizeman
7. Best speaker award from Rotary International, Rotary Club of Dhaka.
8. Received Adhunik Award from the Hon'ble President in 1997 for significant contribution in Anti-smoking Campaign promoting
9. Received Special Award from Association of Development Agencies of Bangladesh and Coalition of Environmental NGOs for acquiring landmark judgement against development scheme in the name of FAP-20
10. Distinguished resource person award from Bangladesh Bar Council
11. Distinguished Member and Vice-President of the Jhenidha Ex-Cadets Association
12. Pioneered environmental cases and Public Interest Environmental Litigation (PIEL) in Bangladesh
13. Nominated for the biographical inclusion in the eighth edition of the prestigious International Directory of Distinguished Leadership

**Last Days:** Dr. Farooque was admitted to the BIRDEM Hospital on 17 November '97 for breathing complication. Later on, he was taken to Singapore on 19 November and passes away on 2 December '97 at the National University Hospital at 3:51 p.m. Bangladesh time. His cause of death was identified as Fungal Infection of Lungs. The remains of Dr. Farooque were brought to Bangladesh on 3 December '97. Diseased's Namaj-e-Janaja was at the premises of BELA, Supreme Court and his Dhanmondi residence.

On 4 December '97 he was buried at the Martyred intellectual graveyard at Mirpur.

He has left behind mother, wife, one son, one daughter, two brothers four sisters and many devoted workers and well-wishers.