



“Zulfiqarabad City: Not Development but Destruction”

Position Paper.



Pakistan Fisherfolk Forum

Acknowledgemnt.

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“Zulfiqarabad City: Destruction, not Development”

Abstract

Pakistan Fisherfolk forum conceives Zulfiqarabad Megacity Project (ZMP) just a wishful thinking of the power brokers supported by local, regional and international land mafia and construction companies. Because, the nexus of land mafia, construction companies and local administrations is extraordinarily active to grab precious lands of coastal sides in all around the world in order to meet their commercial ends.

After analyzing the Project Pakistan Fisherfolk forum rejects it on various social, cultural, ecological, demographic, historical, environmental and geological grounds. PFF has virtually come to conclude that this project will pose existential threat to endangered Indus delta, Mangroves, various fish species and deltaic heritage. It will cause record displacement. Moreover; it will cause potential disasters due to seismic sensitivity of the project site and its coastal location. Therefore, PFF believes, this project is not feasible on various grounds.

Background of the project

Sindh Government has planned to build a mega city namely Zulfiqarabad into Thatta district, Sindh, Pakistan. Sindh Assembly has passed Zulfiqarabad development Authority Bill in 2012. Recently, Sindh Cabinet also approved it (Pakistan Observer 3rd June, 2012). Sindh government has also allocated money for the city in current budget of 2012-2013. A Chinese company has come forward with a proposal to set up an economic zone in the proposed Zulfiqarabad city. The economic zone, as proposed by the Chinese investor, will house leading investors and industrialists from China to undertake mega developmental projects in the new city.

According to the Zulfiqar Development Authority, the city will be built into the deltaic region of four taluks of Thatta District such as KharioChhan, Ketibander, Shah Bander and Jati. The city will utilize about 199 dehs or 70 percent of the land in the four coastal sub-districts. Total population living in the site area is about 280000 people.

The aims and objectives of the project are vague because various documents of the project released by various agencies offer different objectives of the city. According to Government of Sindh, the city, being developed as a port city, is supposed to help the government to check migration of rural population of the province to urban areas, mainly Karachi. The project is expected to generate thousands of jobs during and after its completion, besides enabling the government to utilize thousands of acres of barren land for useful purposes.

A document “Expression of Interest for procurement of consultancy services for Zulfiqarabad city- Conceptual master planning” released by ZDA seems to offer that this city aims at building a modern city which promote venue for regular tourism, making it a destiny for spot fishing and unique golf courses along the coast. Moreover, The documents reads “Its [Zulfiqarabads] proximity to the rural heart land of agriculture makes it potentially a market or trading place for fresh farm produce and the location on the coast provides it with an opportunity to be a market for sea food and could be its forte to move these products to Karachi and beyond it will serve as economic zone. Therefore, it seems that this city will be established as port city too. The Some news reports and governments correspondence also indicate that this city will serve as economic zone.

Why this city is not feasible?

Pakistan Fisherfolk forum rejects the plan of building Zulfiqarabad City on various social, cultural, ecological, demographic, historical, environmental, geological and procedural grounds.

No consultation with community

Public Consultation and Public participation are core value of and mandatory for every development project that affects the peoples. Even the Safeguards Policies and Accountability mechanisms of all International financial intuitions and multilateral Developments Banks ensure public consultation and participation in the project at all levels. In addition, public consultation is most important phase in project management cycle.

“The right to participation is well grounded in the International Bill of Human Rights (for instance, ICCPR, article: 25). More specifically, the 1991 International Labour Organisation Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169) stipulates (Article 7) that indigenous and tribal peoples shall participate in the formulation, implementation and evaluation of national and regional development plans that affect them” (Displacement Monitoring Center P,03)

Moreover, “The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention) addresses the obligations of States in the context of access to information and participation in decision-making about environmental issues”(Internal Displacement Monitoring Center,p,03)

But, it is regrettable fact that Government of Pakistan has neglected all these obligations with regard to the scheme of Zulfiqarabad City that carries environmental concerns along with other apprehensions. Public in general and indigenous Fisherfolk has been kept totally unaware. On the contrary, the records of Public land have been secretly changed. Replying to a DAWN reporter a community member said. “If I don’t know the details of this city, how can I give you an opinion?(Moini 2012).

Therefore, Zulfiqarabd city is sheer violation of various national and international obligations related with public consultation an participations.

Violation of project management guidelines

“In a bid to expedite the project, the government has even violated project management guidelines of the Planning Commission. The guidelines require the Executive Committee of the National Economic Council (Ecneec) to approve any project worth more than Rs500m. When the Musharraf government implemented the Greater Thal Canal project without prior Ecneec approval, the PPP, then in opposition, criticised the general for violating public-sector development protocols (Memon 2012)

A land Grabbing Issue

Costal land near the cities is very precious all around the world which has been attracting the land mafia towards itself. Same is case with Costal land of Sindh. Land Mafia has been actively grabbing the land form the years. The glaring example of the land mafia has been uncheckdley the cutting of mangroves forests in Karachi and sailing it for commercial purposes.

Same land mafia in collusion with regional and international land mafia has planned to grab the precious land of Costal area of Thatta district for Zulfikarabad city.

Out of total 759,995 hectres allocated for the site,25 percent of the land identified for Zulfikarabad is either private property of these people or used by them as 'land for public purposes'

Without consulting the people, Ghulam Ali Pasha rejected land record of 80 thousand acres of land owned by the local people. But latter on due to pressure the ownership rights of people were restored (Ghumro 2012)

Such irrational act exhibited the intention of Government that it intended to grab the land of common people.

PFf conceives it one the biggest case of land grabbing in South Asia.

Moreover, it is highly precious land. To buy it on meager rate also comes under land grabbing purview.

Therefore, The Planned city will come under the purview of land grabbing.

Depriving people from their land is against following international laws and obligations:

1. The Universal Declaration of Human Rights guarantees that “[e]veryone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property.” (Article 17) and “[n]o one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence...” (article 12)
2. The two core human rights covenants (ICESCR and ICCPR) also recognize the principle of self determination; namely, that people may “freely determine their political status and freely pursue their economic, social and cultural development. All peoples may, for their own ends, freely dispose of their land and resources and in no case should a people be deprived of its own means of subsistence.” (ICESCR and ICCPR, Article 1)
3. In 2008, the UN Special Rapporteur on the right to adequate housing called on the UN Human Rights Council to recognize the right to land as a human right and strengthen its protection in human rights law (U.N. Doc. A/HRC/7/16.)

Disaster Prone Area

Development in Pakistan has always been carried out without environmental, climatic and social consideration. It has always shown a lack of wisdom and farsightedness in Pakistan.

Zulfikarabd city is also going to be victim of same fake, self deceptive, mypic and errorius approach. The proposed site of city is very hazardous. The site is on active sesmic zone which has already experienced various disasters of different intensity, size and frequency.

There is with Gujarat Seismic Zone (GSZ) in its southeast while in its northwest Makran Subduction Zone (MSZ) exists. In addition, the site is coastline area which has always rmaind at risk of cyclones and heavy tides.

This area has already experienced various disasters and disaster like situation and risks in recent past. History shows that repeatedly different disasters affected this area, from 1864 to 1889, 54 cyclones and earthquakes has been recorded.

In recent past various disasters have hit this area such as Cyclone, A2 in 1999, Bhuj Earthquake in 2001, Flash floods 2003, Cyclone Yemen in 2007, Super flood in 2010, and Flash floods in 2011.

All these disasters together have caused heavy material and non material losses in the area.

“Surprisingly, there seems to be little or no lesson learnt from the experience of Islamabad — the first planned city of Pakistan — that was also built in a highly active seismic zone.

The zone produced an unprecedented earthquake in 2005 causing 87,000 deaths and destroyed about 32,335 building in various towns and cities including the collapse of Margalla Towers in Islamabad” (Memon 2012).

Keeping all this in view, PFF rejects the plan of Zulfikarabad city.

Protected Mangroves Forests will vanish.

This city is proposed to be built in the deltaic areas of four taluks that carries swaps of mangroves forests.

The Margroves are known as Carbon sink holes and climate friends in all around the world. Not only they absorb carbon dioxide but also stabilize the fierce oceanic tides. This way, the Mangroves forests are called guards of the coastal cities. It has been reported that recent Tsunami in Japan could have caused more losses if the mangroves forests did not exist there. In addition, Mangroves forest works as nurseries for fish species and mating ground for migratory birds.

Due to various underlying and immediate causes the swaps of mangrove Forest in Indus delta has now been reduced to 86,000 hectares from 600,000 hectares (Junejo 2011).

Such drastic decrease in the mangroves forests led Sindh Government to notify these Forests as protected. Virtually, Government of Sindh, Forest and Wildlife department through notification no : F & W (SO11)5(18)2008: dated 2nd November, 2010 has declared mangroves forests of Thatta and Karachi as “Protected Forests.

Therefore, the proposed city will affect the mangroves of Indus delta in worst way. Because of the development of Zulfiqarabad city, about 50 per cent of the mangroves cover of Pakistan will be lost (Memon 2012¹). 50,000 hectares of the proposed site are covered with mangroves forests.

Now therefore, it will be quite illegal and immoral build the city to cause cleansing and genocide of climate friends and put the Coastal city and fish species into peril.

The Development of Zulfiqarabaf City will be breach of various national laws and international obligations

Pakistan is signatory to fifteen Multilateral Environmental Agreements (MEAs)/conventions/protocols and has ratified all of them. Consequently, it is mandatory for the state to ensure the implementation of the agreements that have been endorsed.

In short, Establishment of this city in wake of Mangroves forest will be violation of following laws and obligations:

1. Sindh Forest and Wildlife Department Notification.
2. National Forests Policy of Pakistan (2011)
3. National environmental policy 2005.
4. Convention on Biological Diversity: Signe in June 1992 , ratified by Pakistan on 26th July 199¹.
5. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): signed By Pakistan in 1973 and ratified by it in April 1976².
6. Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention). Pakistan Signed the Ramsar Convention in 1971, and ratified it in July 1976³.
7. United Nations Framework Convention on Climate Change (UNFCCC). The Government of Pakistan signed the UNFCCC in 1992 and ratified it in June 1994.
8. Vienna Convention for the Protection of the Ozone Layer. Pakistan ratified it in December 1992⁴.
9. 1987 Montreal Protocol on Substances that deplete the Ozone Layer: Singed by Pakistan in January 1989 and ratified by it in December 1992⁵.

¹ The Convention on Biological Diversity is about the Conservation and wise use of different biological resources (Plants and Animals). It was adopted in 1992 at the Rio de Janeiro, Brazil and entered into force on January, 1993,

² This convention deals with co-operation among countries for the protection of certain endangered species of the wild animals and plants, and prevent their over exploitation through international trade. The Convention was adopted on 3rd March 1973 and entered into force on 1st July 1975;

³The Ramsar convention deals with the protection of water bodies of international importance and attached Biodiversity, along with promoting wise use of allied resources. The Convention was adopted in 1971 at Ramsar, Iran and entered into force in 1975.

⁴ Vienna Convention for the protection of the Ozone Layer highlights the need to protect the Ozone layer for conserving environment for the present and future generations. The Convention was adopted on 22nd March 1985 and came into force in 1988

⁵ The 1987 Montreal Protocol on Substances that deplete the Ozone Layer under which parties have to take appropriate measures to protect human health and the environment from human activities which change or are likely to change the ozone layer, by reducing the emissions of certain substances that deplete or change the Ozone Layer. The Protocol was adopted in 1987 and entered into force in January, 1989

Final blow to Indus Delta

The proposed site of Zulfikarbad City is Indus delta which has already born the burns.

Before the building of dams and development of an irrigation system on Indus, An annual flow of over 180 Million Acre feet (MAF) carrying a silt load of about 440 million tons passed through Indus to the Arabian Sea, culminating into 17 branches called creeks and forming seventh largest delta of the world. Latter on the cuts and diversion of water from Indus limited water flow to less than 10 maf annulay downstream kotri. Such drastic decrease in flow of water incurred heinous losses on human and marine life of Indus delta. It could be safely to say that the stoppage of adeqaute water flow downstream Kotri towards Indus delta entirely changed the social, economic, ecological and environmental landscape of the delta which generated severe multidimensional crisis. Otherwise, the delta was once most prosperous region. Reportedly, deltaic region despite being 3% of Sindh's total land area produced agricultural production which accounted for 25% of Pakistan's economy.

Decrease in fresh water, by and large, resulted in sea intrusion, subsequent wider internal displacements, losses of livestock and crops, depletions in swaps of mangroves and decrease in fish catch especially Palla. The mangroves forests, reduced to 86,000 hectares from 600,000 hectares. More than a half dozen of fish species have been extinct. Wheras Sea intrusion has engulfed twenty thousand acres of cultivable land

Above all, 14 creeks out of 17 have been ruined in total.

Now Indus delta is protected area under various national and international laws and obligations. Most importantly it is a Ramsar site. To build the city into delta will be just like a murder. Moreover, it seems quite irrational to establish a city into protected delta.

The destruction of delta will not only bring death to a hertage but will destroy Eco System of Rive Indus. It will also bring destruction to bio diversity and marine resources.

The government is obliged to adhere to following national and international law which ensures the protection and preservation of Indus delta in Particular and Deltas in general.

1. Ramsar Convention (1971)
2. UNESCO's World Cultural and Natural Heritage Convention (WHS),
3. The United Nations Convention on the Law of the Sea (UNCLOS),
4. Convention on Biological Diversity: Signed CBD in June 1992 at United Nations Conference on Environment and Development held at Rio de Janeiro, Brazil and ratified it on 26th July 1994.
5. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): signed the By Pakistan in 1973 and ratified by it in April 1976.
6. Convention on Wetlands of International Importance Especially as Waterfowl Habitat.

A case of Displacement:

Zulfiqarbad city will utilize about 199 dehs or 70 percent of the land in the four coastal sub-districts. More than 3 hundred thousand people will be displaced.

“Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing, food, water, health, education, work, security of the person, security of the home, freedom from cruel, inhuman and degrading treatment, and freedom of movement (Office of the High Commissioner for Human Rights)

Pakistan is bound to refrain from, and protect against, forced evictions from home(s) and land arises from several international legal instruments that protect the human right to adequate housing and other related human rights.

1. Universal Declaration of Human Rights,
2. the International Covenant on Economic, Social and Cultural Rights (Article. II, para. I),
3. Article 17 of the International Covenant on Civil and Political Rights states that “[n]o one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence”, and further that “[e]veryone has the right to the protection of the law against such interference or attacks”.
4. Article 16 of International Labour Organization (ILO)
5. General comment No. 4 (1991) and general comment No. 7 (1997) of the Committee on Economic, Social and Cultural Rights, the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2)
6. Article 10, Declaration on the Rights of Indigenous Peoples⁶
7. Basic Principles and Guidelines on Development-Based Evictions and Displacement, developed by the former UN Special Rapporteur on Adequate Housing⁷

6. It reads “Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return”

7. E/C.N.4/Sub.2/1997/7, annex) and A/HRC/4/18 These guidelines address “evictions often planned or conducted under the pretext of serving the ‘public good,’ such as those linked to development and infrastructure projects (including large dams, large-scale industrial or energy projects, or mining and other extractive industries); land-acquisition measures associated with urban renewal, slum upgrades, housing renovation, city beautification, or other land-use programmes (including for agricultural purposes); property, real estate and land disputes; unbridled land speculation; major international business or sporting events; and, ostensibly, environmental purposes. Such activities also include those supported by international development assistance.” (paragraph 8). They also set forth a number of procedural rights, based on existing standards such as the right to information, the right of people to participate in development plans affecting them, the right to recourse and prohibitions against arbitrary eviction proceedings.

Ecosystem will be disrupted:

Fish catch will drastically dwindle.

Ecosystem of Indus delta is major contributor to fish catch in Pakistan. "The economic importance of the Indus Delta can be judged from the fact that, fish catch from the Sindh coast is almost 70 percent of the total coastal fish catch in Pakistan (Memon 2005, p, 4)

Indus delta ecosystem has been already disrupted due to lack of fresh water flow downstream Korti. As a result not only fish catch has decreased but also various fish species have been extinct. It is reported that more than a half dozen of fish species have been extinct so far.

This has affected Palla fish especially which have depleted at alarming scale. In the past, it comprised of 70% of the total catch. Now it constitutes 15 % of the total catch.

Therefore now, Planned Zulfiqarabad City in deltaic area will disrupt the ecosystem and will cause decline in fish which is source of hundred thousands of Fisherfolk and contributor to the economy of Pakistan.

The Construction of City will be violation of following International obligations and laws:

1. Right to food, ensured in Article 25 of Universal declaration of Human Rights.
2. Article 19 of International Covenant on Economic, Social and Cultural Rights, ratified by Pakistan in 2008,
3. UN Convention on Bio diversity signed and ratified by Pakistan in 1994

Myth of Preventing Sea Intrusion:

Some of the Proponents of the project argue that the establishment of Zulfiqarabad into the deltaic area will stop further sea intrusion process. But It is quite mythic argument. Because there is difference between sea intrusion and sea erosion. This project may stop sea erosion which has already engulfed two hundred thousand Acres of land due to fresh water flow in Indus delta. But this city could not stop the intrusion process that is internal as well external phenomenon. In terms of intrusion Sea water has salted the ground aquifers up to the Thatta City that is 150 kilo meters away from sea coast, as revealed by a research study conducted by a Professor of Geology department of University of Sindh.

Therefore, the problem of sea intrusion can't be resolved unless adequate flow of water is released into delta. Otherwise, this city in no way could stop the intrusion.

Conclusion:

It is concluded that plan of Zulfiqarabad City is not feasible. The development of City into deltaic area will bring various nasty repercussions.

This project will pose existential threat to endangered Indus delta, Mangroves, various fish species and deltaic heritage. It will displace more than three hundred thousand people many. Most among those are indigenous Fisherfolk. It seems very self deceptive approach that this establishment of this city will stop sea intrusion. In addition, It will cause potential disasters due to seismic sensitivity of the project site and its coastal location.

Therefore, PFF believes, this project is not feasible. Its establishment will be violation of various national and international laws, and obligation.

Table 1: Existing human settlement on Zulfikarabad site

Sub-District	Union Councils	No of Dehs or Mouzas	Villages	Households	Population (1998 Census)
Keti Bunder	1	42	197	3,928	25,700
Jati	6	56	734	22,337	123,957
Shah Bunder	5	56	634	17,094	100,575
Kharo Chan	1	41	169	2,540	25,666
Total	13	195	1,734	45,899	275,898

Source: Geo-database, District Government Thatta [2]

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