

**Speech by Dr. Justice Syed Refaat Ahmed, Chief Justice of Bangladesh
on the seminar title "Upholding Environmental Justice: The Role of Judges
for a Sustainable Future"**

Venue: InterContinental, Date: 03/03/2025

**Honourable Special Guest my friend Mr Justice Antonio Herman Benjamin,
Hon'ble Chief Justice of the National High Court of Brazil (Superior
Tribunal de Justicia)**

Judges of both the Division of the Supreme Court of Bangladesh

Respected Attorney General for Bangladesh

HE Mr. Paulo Fernando Dias Feres, Ambassador of Brazil in Bangladesh

Learned President, Acting Secretary of the Supreme Court bar Association

Members of the Supreme Court Registry

Guests,

Members of print and electronic media

Ladies and Gentlemen

Good Afternoon - Boa Tarde

Before proceeding further, allow me to extend my heartfelt gratitude and warmest welcome to my esteemed friend and distinguished jurist, Chief Justice Antonio Herman Benjamin of Brazil. Your presence here in Dhaka is both an honor and a testament to the enduring bond we share in our commitment to environmental justice. Your tireless efforts and invaluable contributions to environmental jurisprudence have been a source of inspiration for legal practitioners worldwide. It is indeed a privilege to host you in Bangladesh, and on behalf of the judiciary of

Bangladesh, I extend my deepest appreciation for your gracious presence at this seminar.

It is with profound appreciation and firm commitment that I stand before you today to deliver upon a matter of unparalleled significance on environmental justice and the solemn duty vested upon us, the custodians of law, in ensuring a sustainable future. We gather here not as mere spectators to the unfolding crisis of environmental degradation, but as sentinels of justice, bearing the weighty responsibility of shaping jurisprudence that serves as the bulwark against ecological ruin.

My esteemed friend and distinguished jurist, Chief Justice Antonio Herman Benjamin of Brazil, has long been a stalwart in the global movement towards environmental justice. Our association, forged in the crucible of judicial discourse, first took root in Brazil in Pousada Sao Bento in the centre of an ancient land of 1.8 billion years old where three days of intense deliberations yielded the statute of the Global Judicial Institute for the Environment and was later reaffirmed during the Asia-Pacific Judicial Conference on Climate Change Adjudication in Nay Pyi Taw, Myanmar. This enduring camaraderie testifies to the global nature of our collective mission, a mission that transcends borders and gestures us to forge ahead with resolute determination.

Environmental Justice in the Context of Bangladesh

Bangladesh, a nation of resplendent natural beauty, stands today at the precipice of environmental vulnerability. The existential threats posed by climate change, deforestation, industrial pollution, and unregulated urban expansion demand an unwavering judicial response. The judiciary of Bangladesh has historically

embraced its role as the vanguard of environmental protection, employing public interest litigation, constitutional mandates, and statutory interventions to safeguard the environment. Landmark rulings on river protection, air quality regulation, and the enforcement of environmental laws serve as testament to our commitment.

Ladies and Gentlemen,

Justice Antonio is here with, regard to the Model Forest Act Initiative (MoFAI), a pioneering endeavor aimed at establishing a comprehensive and forward-thinking legal framework for legislators, policymakers, and key stakeholders. This initiative seeks to modernize legal structures governing the protection, conservation, restoration, and ecologically sustainable management of forests, with a distinct emphasis on native forests and vegetation. Employing a systemic, interdisciplinary, and multistakeholder approach, MoFAI integrates evidence-based strategies to develop a model legislative text that can be adapted and customized to suit the unique environmental and legal contexts of individual nations.

Esteemed audiences,

Among the many natural marvels that grace our land, the Sundarbans stands as an unparalleled beacon of ecological richness and resilience. As the world's largest contiguous mangrove forest, this UNESCO World Heritage Site is home to a vast array of flora and fauna, including the majestic Royal Bengal Tiger, the rare Irrawaddy dolphin, and countless species of birds, reptiles, and marine life. The Sundarbans functions as a natural shield, protecting our coastal communities from the devastation of cyclones and tidal surges, while also playing a crucial role in carbon sequestration and climate regulation. However, despite its immense ecological and economic significance, this extraordinary ecosystem faces an

existential crisis in the era of climate change. Rising sea levels, increasing salinity, industrial encroachments, and unchecked deforestation are pushing the Sundarbans to the brink of ecological collapse. If we fail to act decisively, we risk losing not only an irreplaceable natural heritage but also the very environmental security upon which millions of people depend. It is our solemn duty, as stewards of justice, to ensure that this irreplaceable sanctuary is protected for future generations through stringent legal frameworks, sustainable policies, and unwavering judicial oversight.

Ladies and Gentlemen,

As I was saying about environmental justice and the imperative of legal frameworks like the Model Forest Act Initiative (MoFAI) in safeguarding our natural heritage, I now turn to another fundamental aspect of justice, i.e., my commitment to judicial reform. You, my friend, are here at an important juncture in our institutional history. You find us in the midst of a profound and far-reaching transformative endeavour that I take the liberty here to inform you of.

When I assumed office as the Chief Justice of Bangladesh on the 11th of August last year, it was amidst an unequivocal call from the people for a judiciary that is independent, efficient, and transparent. The voices of the citizens, seeking justice unblemished by external influence and judicial delays, resonated with the urgency of reform. Recognizing the judiciary as the pillar upon which democracy and the rule of law stand, I vowed to prioritize institutional reforms that would restore public confidence and enhance the integrity of our judicial system. Guided by this solemn duty, on 21 September 2024 I declared a roadmap which set forth an agenda on reinforcing institutional autonomy, ensuring merit-based appointments, securing financial and physical security for judges, and streamlining the discipline

and removal process to uphold judicial accountability. These reforms were not merely administrative measures but a pledge to the people of Bangladesh that the judiciary would be a bastion of justice, free, fearless, and steadfast in upholding the constitutional rights of every citizen.

Distinguished colleagues,

Article 116 of the Constitution was a fundamental pillar of the original Constitution, designed to uphold the institutional autonomy of the judiciary and safeguard its independence from external influence. However, over time, by the Constitution 4th amendment to this provision significantly altered its essence, centralizing control in a manner that curtailed judicial autonomy and weakened the separation of powers. This shift not only undermined the independence of the judiciary but also eroded public confidence in the justice system. Recognizing the profound implications of this change, my ongoing reform initiatives are dedicated to reclaiming the institutional autonomy that was originally enshrined in the Constitution. Through these efforts, I seek to restore the judiciary's integrity, reinforce its impartiality, and ensure that it remains a persistent guardian of justice, free from political or administrative interference.

With my commitment to judicial reform firmly established, I am now on a reform roadshow, bringing my agenda of transformation directly to the district judiciaries. This initiative aims to bridge the gap between the highest echelons of the judiciary and the grassroots levels, ensuring that our courts remain accessible, transparent, and efficient in their service to the people. I have already managed to cover major divisions across Bangladesh, engaging with judges, court officials, and legal practitioners to assess and address challenges firsthand.

Esteemed Guests,

The pursuit of justice, whether in the realm of institutional reform or environmental protection, is not confined to the boundaries of any single jurisdiction, it is a collective responsibility that transcends borders. Just as I have committed myself to strengthening the judiciary's independence and efficiency through reform, so too must we recognize that environmental justice demands a unified, global response. The judiciary, as the guardian of constitutionalism and fundamental rights, must embrace its role in shaping a jurisprudence that upholds ecological sustainability with the same rigor and dedication that it applies to safeguarding human rights and democratic integrity.

To my esteemed friend, Chief Justice Antonio Herman Benjamin, and to all gathered here, let this seminar serve as a clarion call for a judiciary that does not merely interpret the law but enforces it with vision and valor. Let us stand as sentinels of the environment, ensuring that the gavel strikes not merely for retribution, but for restoration.

May our collective endeavors pave the path for a future where justice and sustainability are inextricably intertwined, and where the rule of law serves as the guardian of our planet's fragile harmony.

Thank you.