Speech of Dr. Justice Syed Refaat Ahmed, Hon'ble Chief Justice of Bangladesh on Launching of Money Laundering Bench Book
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H.E. Ambassador Tracey Ann Jacobson, Charge d' affaires, US Embassy Dhaka.

Learned Attorney General for Bangladesh,Mr. Md. Asaduzzaman

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Distinguished guests,

Dignitaries,

Ladies and Gentlemen,

Good morning,

Ours is a time when the guardianship of financial integrity has never been more vital. In an age when borders blur and transactions move instantaneously, our defenses must also evolve with comparable, if not equal, agility. This occasion today of Launching of Money Laundering Bench Bookmarks a collective nascent

step towards greater clarity, stronger accountability, and a deeper understanding of the frameworks that protect our economy from shadows threatening to seep in.

As one grounded in the study of jurisprudence, I often try to look at crimes and their wider impact from a legal philosophy standpoint. Such a standpoint is crucial in crafting a balanced approach towards understanding the complexities underlying the crimes and conceptualize appropriate criminal justice approaches to them.When we look at money laundering through the lens of distributive justice, for instance, we begin to understand that its impact is profoundly moral. At its core, distributive justice asks how benefits and burdens should be allocated in a fair and just society. Thinkers such as John Rawls remind us that just institutions must be arranged in such a manner that works to the advantage of the least well-off. Money laundering violates this principle from the start.It takes wealth gained through corruption, exploitation, or organized crimes and reinserts the same into the economy as if it were earned legitimately. This process rewards those who operate outside the moral and legal rules that everyone else is expected to follow, distorting the distribution of resources that should otherwise be governed by fair procedures.

Furthermore, laundering erodes the institutional foundations that areprerequisites for justice. Public goods such as schools, healthcare, infrastructuredepend on transparent financial systems and equitable taxation. Yet laundered money evades regulation and deprives the state of resources needed to fulfill these obligations. The social burden does not simply disappear, it is rather shifted onto ordinary citizens who pay their taxes andabide by the law. In this way, money laundering creates a hidden redistribution that benefits criminal actors while imposing costs on people who respect the social contract.

Ladies and Gentlemen,

Today, money laundering is a global challenge, involving sophisticated schemes that cross borders and funnel funds through offshore accounts to hide their criminal origins. Its complexity extends across criminal, administrative, financial, and international legal systems. In general, it contributes to terrorismand an array of other crimes; in several countries notably, money laundering also at times becomes the meansthrough which authoritarianism thrives. All the state institutions in such countries become intertwined with the launderers and there develops a symbiotic relationship between them. This is exactly what we saw unfolding in the context of Bangladesh.Transparency International has provided a partial breakdown of money laundered annually under the previous regime. For instance, as their report suggests, $3 billion was sent abroad through trade mis-invoicing and by foreign citizens working in the country. Additionally, dishonest manpower brokers laundered $2.2 billion to secure visas and work permits for overseas job seekers. On top of this, $7.5 billion was laundered every year through mobile financial services.

Moreover, the Governor of Bangladesh Bank has remarked that tycoons connectedwith the former administration siphoned off $17 billion from the banking sector alone. Transparency International suggests that the actual amount is likely much higher. With regime changes, the underlying structures sustaining the enterprise of organized crimes do not dissipate overnight, rather continue to be.

While the Money Laundering Prevention Act of 2012 provides a formal framework, the law alone cannot uphold justice without rigorous enforcement and

ethical commitment from all institutions of the state. The judiciary, as the custodian of the rule of law, bears a massive responsibility.Judges must comprehend not only the legal text but also the historical and social realities,and patterns of criminal behaviourthat allowed billions of dollars to be siphoned off from the nation.

In this contextthe introduction of the *Money Laundering Law Bench Book* marks an important step in strengthening our approach to financial crimes within the justice system.

Financial misconduct today often involves carefully structured transactions and complex layers intended to obscure the movement of illicit funds. Judges handling these cases must interpret detailed statutory provisions while navigating evolving forms of financial wrongdoings. This Bench Book has been prepared to support that task by providing clear guidance grounded in both legislation and authoritative judicial precedent.A notable contribution of this resource is the way it consolidates scattered materials into a singular, coherent, and accessible reference. It brings together statutory requirements, interpretive principles, and established tests, including those guiding decisions on bail and the assessment of laundered assets. In doing so, it enables judges to approach these matters with greater consistency and efficiency.

Dear Participants,

The Bench Book also offers helpful direction on jurisdictional issues. The interaction between special legislation and general laws can be a source of confusion, and misunderstandings in this area have occasionally also affected judicial proceedings. By explaining these boundaries with precision, the Bench

Book enhances procedural precision and transparency and reduces the likelihood of cases being brought before an improper forum.

Its guidance on seizure, attachment, and confiscation procedures is also equally valuable. These processes are essential to the enforcement of anti-money-laundering measures. The Bench Book aims to support trial courts in carrying out these responsibilities with rigour as well aswith adherence to constitutional requirements.

I wish to acknowledge the Bench Book Advisory Committee headed by a Judge of the Supreme Court of Bangladesh,/the Ministry of Law, Justice, and Parliamentary Affairs,/the U.S. Embassy in Dhaka, and the experts from the United States Department of Justice's OPDAT program for their coordinated efforts. Their collaboration has contributed meaningfully to the development of this resource and to the broader strengthening of ourjudicial capacity. This also shows how valuable working in collaboration is.

The Supreme Court remains responsible for overseeing the law is applied in a consistent manner across all tiers of the judiciary. This Bench Book aligns with that objective and offers practical assistance in maintaining coherence in decisions related to financial crimes.I encourage judges, legal practitioners, and investigators to make the best use of this resource. Through disciplined and coherent engagement with such tools, we shall reinforce the standards of procedural fairness that the administration of justice demands.

Thank you.