

Conference on 'People- Centric Governance and Accountability FORUM'

Speech by: Dr Justice Syed Refaat Ahmed, Chief Justice of Bangladesh

Date: 08/12/2024, Venue: BICC

Honorable Chair Dr. Debapriya Bhattacharya,

Distinguished Special Guests Mr. Stefan Liller, Resident Representative, UNDP Bangladesh,

Ms. Corinne Henchoz Pignani, Charge'd'Affairs Embassy of Switzerland in Bangladesh,

Ms. Lamiya Morshed, Principal Coordinator for SDG Affairs of The Hon'ble Chief Adviser's office,

Esteemed organizers from the Citizens' Platform for SDGs, Or SDG বাস্তবায়ন নাগরিক platform Bangladesh, distinguished participants, dear friends, members of print and electronic media, ladies and Gentlemen.

A very good morning

শুভসকাল।

বক্তব্যের শুরুতেই আমি কৃতজ্ঞতা ও গভীর শ্রদ্ধাজ্ঞাপন করছি গণজাগরণে আত্মদানকারী প্রত্যেক শহীদে
র স্মৃতির প্রতি। আমি তাঁদের আত্মার মাগফিরাত কামনা করছি। ছাত্র-জনতার এই অভ্যুত্থানের সময় অসংখ্য
শিক্ষার্থী ও সাধারণ মানুষ আহত ও ক্ষতিগ্রস্ত হয়েছেন। তাঁদের অনেকেই এখনো চিকিৎসা গ্রহণ করছেন।
আমি তাঁদের সকলের দ্রুত নিরাময় ও সুস্থতা কামনা করছি।

সুপ্রিয় বন্ধুগণ,

বৈষম্যবিরোধীছাত্র-আন্দোলন

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ফলেসংগঠিতগণঅভ্যুত্থানেরকারণেরবিষয়েআপনারাসকলেইঅবগতআছেন। এই মুহুর্তে আমরা এক ধ্বংসস্তূপের উপর দাঁড়িয়েআছি। বিগতবছরগুলোতেবিচারপ্রক্রিয়ায়আমাদেরবিচারবোধ ও ন্যায়বিচারেরমূল্যবোধকেবিনষ্ট ও বিকৃত করা হয়েছে। সততারবদলেশঠতা, অধিকারেরবদলেবধুনা, বিচারেরবদলেনিপীড়ন, আশ্রয়েরবদলেনির্যাতনকে স্বাভাবিকব্যাপারেপরিণত করা হয়েছে। অথচ এরকমসমাজ ও রাষ্ট্র আমরাচাইনি। এই ধ্বংসস্তূপে দাঁড়িয়েইআমাদেরকেনতুনকরেযাত্রাশুরুকরতেহবে।

আমিউপরে যে মূল্যবোধেরবিনাশ, বিকৃতি ও দূষণেরকথাউল্লেখকরেছি সেগুলোআমাদেরআবারপুনঃপ্রতিষ্ঠাকরতেহবে। এই চ্যালেঞ্জঅনেকবড়। আজ থেকে প্রতিটি শ্রেয়, শুভ ও কল্যাণকরকর্মে সকলেই গণমুখী, জনগনকেবিচারবিভাগকেআপনাদেরপাশেপাবেন।

আমরাসকলেইঅবগতআছি যে, দেশের এই ক্রান্তিলগ্নেরভগ্নদশা থেকে বিচারবিভাগও মুক্ত নয়। এই পর্যায়েআমি দ্যার্থহীন কঠে আপনাদেরকেআশ্বস্থ করতেচাই যে এই পরিস্থিতি থেকে উত্তরণেরকল্পেবিচারবিভাগকিছুঐতিহাসিকসংস্কারেরবলিষ্ঠ পদক্ষেপনিয়েইতিমধ্যে এক নতুনযাত্রাশুরুকরেছে। ছাত্র-জনতারবিজয়ের এই ঐতিহাসিকমুহূর্ত নির্যাতিত ও নিপীড়িতমানুষেরপাশে দাঁড়ানোর এক সুবর্ণ সুযোগআমাদেরসামনেএনে দিয়েছে। আমরা যেন এই সুযোগেরপূর্ণ সদ্ব্যহারকরতেপারি সেদিকেআমাদেরকেসর্বদা খেয়ালরাখতেহবে।

আপনাদের সম্মতিনিয়েআমিআমারবাকি বক্তব্য ইংরেজিতেরাখছি।

Ladies and Gentlemen

It is a truism that a State should try so far as possible to govern through a coherent set of principles whose benefit it extends to all citizens. The judiciary's role as an organ of the State is to declare the true and legal content of such principles. That, in my opinion, is the essence of Rule of Law and hence constitutionalism. In my opinion, the primacy given to popular will lies latent in the very genesis of the constitution as a social contract aiming for the establishment of a democratic society free from exploitation through limited government. The narrative that signs supreme here is of the relation between the 'sovereign State' and the 'Sovereign

People' in the context of the people being recognized as the legitimate source of the State's powers. In that sense, a constitution as a compact is basically a license to a limited government. In that regard, the citizenry organized in a civil-political society retains the power as final arbiter of the quality of governance and of resultantly ushering change in the instrument and mode of governance and of resultantly ushering change in the instrument and mode of governance.

Distinguished Participants,

The theme of today's conference, "People-Centric Governance and Accountability," speaks to the essence of democracy. Governance, derives its legitimacy from the consent of the governed. However, in recent years, authoritarian governance has undermined this principle in many contexts, silencing voices, curbing freedoms, and marginalizing citizen platforms. Such governance erodes the trust between state and society, making it impossible to achieve meaningful development or ensure that no one is left behind.

The Sustainable Development Goals (SDG) are, at their core, about human dignity, inclusion, and empowerment. Targets such as Goal 16—promoting peace, justice, and strong institutions—are fundamental to the achievement of all other goals. Without accountability, transparency, and inclusive decision-making, the transformative promise of the SDGs risks being reduced to rhetoric.

Ladies and Gentlemen,

Today, Bangladesh faces critical questions about its governance structure. How do we strengthen institutional autonomy and ensure judicial independence? How do

we empower citizens, especially those at the grassroots, to participate meaningfully in governance? How do we balance the urgency of reform with the need to maintain stability?

One key aspect of this conversation is institutional accountability and our transition from a farmed to a substantive democracy. This requires institutions that are transparent, responsive, and free from undue political influence. It also demands a judiciary that upholds the rule of law and safeguards fundamental rights, providing a bulwark against authoritarian tendencies.

The present interim government has highlighted its commitment to comprehensive reform across all major sectors, including the judiciary. These reforms are an opportunity to reimagine governance in a way that centers the needs and aspirations of ordinary citizens. Judicial reform, for instance, must not only focus on efficiency but also on accessibility, ensuring that justice reaches even the most marginalized. It is here that judges are expected to assume extended and expanded roles as court administrators taking on the roles at once of reformists, managers, innovates, and educators.

Our progress on the SDGs offers both hope and caution. Strides have been made in areas like poverty reduction, education, and healthcare, but persistent gaps remain. The challenge of institutional effectiveness is particularly acute, with many citizens perceiving governance structures as disconnected from their realities.

The Citizens' Platform for SDGs or SDG বাস্তবায়নে নাগরিক platform Bangladesh, has taken a commendable initiative to create a space for dialogue on these critical issues. Dialogue is essential not only for identifying solutions but also for

rebuilding trust—a trust that has been eroded by years of authoritarian tendencies and exclusionary practices.

Distinguish Participants,

One area that exemplifies the need for citizen-centric governance is access to justice. While the functionality of institutions like Village Courts or গ্রামীণআদালত has shown promise in resolving disputes locally and affordably, they are not immune to the broader challenges of accountability and autonomy. Community-based justice systems must be strengthened not only as a means of reducing the burden on formal courts but as a platform for empowering citizens at the grassroots.

At the same time, legal aid services or আইনসহায়তা সেবা play a critical role in ensuring that justice is not a privilege reserved for the few but a right accessible to all. In Bangladesh, the Legal Aid Services has been instrumental in providing support to those who are disadvantaged, marginalized, or otherwise unable to access formal legal mechanisms. These services are more than just a safety net—they embody the commitment of the state to uphold the principles of equity and fairness.

The District Legal Aid Offices, in particular, have emerged as transformative hubs for alternative dispute resolution (ADR) at the peripheral level. By offering mediation and conciliation services alongside formal legal aid, these offices have become essential in resolving disputes quickly, affordably, and amicably. This approach not only alleviates the burden on overburdened courts but also fosters a culture of dialogue and understanding within communities.

Through their innovative use of ADR methods, District Legal Aid Offices exemplify how justice can be made more people-centric, addressing the needs of

individuals at the grassroots level while promoting social harmony. Such initiatives are a testament to the potential of legal aid to be both transformative and empowering, creating pathways for a more inclusive and accessible justice system.

I believe that a people-centric judiciary is one that not only adjudicates but also empowers. It educates citizens about their rights, provides them with accessible services, and builds trust through transparency and fairness. All these stems from the belief that at the end of the day the judiciary stands accountable to its constituents, that is, the public at large. That philosophy once translated into action can see to the reinvention and reorientation of any sluggish top-down system to a service-centric one committed to provide quality adjudication, comprehensive services and expanded diversionary alternatives to adversarial trial. The result is a reinvented governance regime driven by the moto that 'people in plight and distress deserve and expect an expeditious and effective disposal of problems'.

In closing,

Let us reflect on the legacy of 1971 and the sacrifices of 2024 call us to action, compelling us to reimagine governance as a platform for human dignity and empowerment. These sacrifices remind us that our commitment to democracy, justice, and accountability is not a matter of choice—it is an obligation imprinted into the very fabric of our nation's identity.

I extend my heartfelt gratitude to the organizers of this event for convening this vital dialogue. May our deliberations today illuminate a way forward that honors the sacrifices of the past while building a future grounded in justice, democracy, and shared prosperity.

Thank you. / ধন্যবাদ।