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**Bangladesh**  
**Stakeholder Report for the United Nations Universal Periodic Review**

**Submitted by**

**The Advocates for Human Rights,**

a non-governmental organization in special consultative status

**The Asian Legal Resource Centre**

a non-governmental organization in general consultative status

**Odhikar**

a non-governmental organization in special consultative status

**Anti-Death Penalty Asia Network**

**Capital Punishment Justice Project**

**International Federation for Human Rights**

a non-governmental organization in special consultative status

and

**The World Coalition Against the Death Penalty**

for the 44th Session of the Working Group on the Universal Periodic Review  
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Founded in 1983, **The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education, and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on postconviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

**The World Coalition Against the Death Penalty (WCADP)**, an alliance of more than 150 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

**The Asian Legal Resource Centre (ALRC)** works towards the radical rethinking & fundamental redesigning of justice institutions in Asia, to ensure relief and redress for victims of human rights violations, as per Common Article 2 of the International Conventions. Sister organisation to the

Asian Human Rights Commission, the ALRC is based in Hong Kong & holds general consultative status with the Economic & Social Council of the United Nations.

**Odhikar**, meaning 'rights' in Bangla, is a human rights organization based in Dhaka, Bangladesh established on October 10, 1994 by a group of human rights defenders, to monitor human rights violations and create wider awareness. Odhikar holds special consultative ECOSOC status at the United Nations.

**Anti-Death Penalty Asia Network (ADPAN)** is a regional network of organisations and individuals committed to working towards abolition of the death penalty in the Asia Pacific. Its role is to create wider societal support for abolition of the death penalty in the Asia Pacific region through advocacy, education and network building.

**Capital Punishment Justice Project (CPJP)** stands for a world without the death penalty. Based in Australia, we work with our international and local partner organisations, volunteers, our board, the Australian public, and key stakeholders to develop legal and policy solutions that help save lives.

The **International Federation for Human Rights (FIDH)** is an international human rights NGO that unites 188 member organizations from 116 countries. Since its foundation in 1922, FIDH has been defending all civil, political, economic, social, and cultural rights set out in the Universal Declaration of Human Rights (UDHR).

## EXECUTIVE SUMMARY

1. This report addresses Bangladesh’s compliance with its international human rights obligations with respect to the death penalty, prohibition of torture and cruel, inhuman or degrading treatment, conditions of detention, and administration of justice and fair trial.
2. Bangladesh has not abolished the death penalty or implemented a moratorium on executions, nor has it limited the application of the death penalty to the most serious crimes. The hundreds of people sentenced to death in Bangladesh every year — some in absentia — are subjected to poor conditions of detention, including solitary confinement in “condemned cells,” in violation of the Nelson Mandela Rules. This solitary confinement continues from sentencing through a final appeal, which can take a decade or longer.
3. This report examines the current state of the death penalty in Bangladesh and recommends Bangladesh (1) abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. In the meantime, this report recommends: (2) Bangladesh institute an official moratorium on executions, (3) limit the death penalty to the most serious crimes, as defined by international human rights standards, (4) bolster the judiciary by expanding judicial capacity and efficiency to oversee capital cases, (5) ensure timely access to competent counsel for all capital defendants, (6) take comprehensive steps to eliminate the use of torture and ensure that courts do not consider evidence obtained through torture, (7) prohibit solitary confinement for people sentenced to death, and (8) commute death sentences for all people who have been held in condemned cells, among other recommendations.

### I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

#### A12 Acceptance of international norms

##### **Status of Implementation: Not Accepted, Not Implemented**

4. In the third-cycle Universal Periodic Review (UPR), Bangladesh noted recommendations to ratify or consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).<sup>1</sup> Bangladesh also noted recommendations to ratify or consider ratifying the Optional Protocol to the Convention Against Torture.<sup>2</sup>
5. Bangladesh acceded to the ICCPR in 2000 but has not ratified or acceded to either of the two Optional Protocols to the ICCPR. Bangladesh acceded to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment in 1998 but has not ratified or acceded to the Optional Protocol to the Convention.

#### D23 Death penalty

##### **Status of Implementation: Not Accepted, Not Implemented**

6. In the third-cycle UPR, member states made several recommendations related to Bangladesh’s use of the death penalty.<sup>3</sup> Bangladesh noted all of these recommendations, including recommendations to abolish the death penalty, establish a moratorium on

executions, and reduce the number of crimes to which the death penalty applies.<sup>4</sup> To date, Bangladesh has not implemented any of these recommendations.

7. In noting these recommendations, Bangladesh asserted that the “death penalty remains a valid form of punishment and deterrence for the most serious and heinous crimes,” and that “there are multiple layers of safeguard before it is finally executed.”<sup>5</sup> The government further asserted that “it has been gradually edging out death penalty with other forms of punishments, such as, life imprisonment.”<sup>6</sup>
8. At present, there are 33 capital offenses in Bangladesh, excluding anti-espionage laws, the law on international crimes, and laws relating to the defense forces and parliamentary forces.<sup>7</sup> The death penalty is available for 25 non-fatal offenses.<sup>8</sup> Lawmakers extended the death penalty to 14 of the 33 offenses in the past two decades, indicating that contemporary lawmakers are expanding reliance on the death penalty when enacting legislative reforms.<sup>9</sup>
9. The range of offenses that still carry the death sentence remains broad and includes crimes that do not meet the threshold of “the most serious crimes” within the meaning of the ICCPR Article 6: cases in which it can be shown that there was an intention to kill, which resulted in the loss of life.<sup>10</sup>
10. In 2020, Bangladesh amended the Women and Children Repression Prevention Act to authorize the death penalty for rape.<sup>11</sup> In 2023, authorities executed a person for a rape case filed 19 years earlier, in 2004.<sup>12</sup>
11. Since January 2018, Bangladesh has sentenced at least 1,081 people to death and carried out at least 14 executions by hanging.<sup>13</sup> Some reports suggest that these figures are even higher.<sup>14</sup>
12. In 2018, courts sentenced at least 229 people to death, but authorities did not carry out any executions in that year.<sup>15</sup> In 2019, courts sentenced at least 220 people to death, and authorities carried out two executions.<sup>16</sup> In 2020, courts sentenced at least 113 people to death, and authorities carried out two executions.<sup>17</sup> In 2021, courts sentenced at least 181 people to death, and authorities carried out five executions.<sup>18</sup> In 2022, courts sentenced 338 people to death, and authorities carried out four executions.<sup>19</sup> As of February 2023, authorities have carried out at least three executions in 2023.<sup>20</sup>
13. Extrajudicial killings are also of concern. Amnesty International has documented seven such likely cases of extrajudicial killings carried out by the police, Rapid Action Battalions (RAB), or other unknown persons, and Amnesty International and Odhikar suspect that authorities carried out 466 such extrajudicial killings in 2018 alone.<sup>21</sup> Additional reporting from Odhikar records 391 alleged extrajudicial killings in 2019, 225 in 2020, 107 in 2021, and 31 in 2022.<sup>22</sup>
14. As of August 2022, there are 2,102 people currently under sentence of death.<sup>23</sup> Most of the accused individuals are from marginalized, socially disadvantaged backgrounds.<sup>24</sup>
15. On November 13, 2022, a trial court in Gopalganj district sentenced four people—Batul alias Rabiul, Sujan Sheikh, Md Rafiq Mridha, and Zakir Sikder—to death in a drugs case for smuggling the codeine-based cough syrup Phenesedyl, which while legal in neighboring India, is illegal in Bangladesh.<sup>25</sup>

16. On March 9, 2022, authorities in Cumilla Central Jail executed Shipon Hawlader and Naimul Islam Emon.<sup>26</sup> On November 30, 2022, authorities in Kashimpur Central Jail-2 executed a person named Kamal and authorities and in Rajshahi Central Jail executed Rakibur Rahman.<sup>27</sup>
17. On January 8, 2023, authorities in Kashimpur Central High-Security Jail in Gazipur executed Saiful Islam Rafique alias Saidul Islam Rafique for robbery and rape under the Women and Children Repression Prevention Act. The case had been filed with Bogra Police Station in 2004, before the Women and Children Repression Prevention Act had been amended to allow for the death penalty.<sup>28</sup>
18. As of February 2023, a woman who is a Botswanan national was awaiting trial on charges of smuggling drugs in January 2022 and was facing a possible sentence of death.<sup>29</sup>

### **D25 Prohibition of torture and cruel, inhuman or degrading treatment**

#### **Status of Implementation: Not Accepted, Not Implemented**

19. In the third-cycle UPR, member states made several recommendations related to torture and other cruel, inhuman, or degrading treatment or punishment. Bangladesh noted all but one of these recommendations.<sup>30</sup> Bangladesh accepted a recommendation to “enhance efforts to prevent cases of torture and enforced disappearance and to prosecute perpetrators.” To date, Bangladesh has not implemented any of these recommendations.
20. There are reports of torture in Bangladesh, including that torture is allegedly used routinely as an investigation tool. In a 2020 study by the University of Dhaka Department of Law, at least a third of the families of people on death row who participated in the study reported that authorities had tortured their family members to extract confessional statements.<sup>31</sup> This practice not only violates UN principles and international norms, but also creates a heightened risk of false confessions, and, consequently, wrongful convictions and arbitrary executions.<sup>32</sup>
21. In addition, there have been numerous reports of torture and deaths in custody since the last UPR.<sup>33</sup> These cases include trainee-lawyer Rezaul Karim, who was allegedly physically tortured in front of his father on December 29, 2020, taken to the DB Office of Barisal Metropolitan Police, beaten throughout the night, and who eventually succumbed to his injuries in Barisal Sher-i-Bangla Medical College Hospital, after writhing in agony.<sup>34</sup> The cases also include 25-year-old Rabiul Islam Khan, whose family claims he was detained and beaten to death by police officers on April 14, 2022, while out to buy toys for his children.<sup>35</sup>

### **D26 Conditions of detention**

#### **Status of Implementation: Accepted, Partially Implemented**

22. The above-mentioned study by the University of Dhaka found that after a court sentences a person to death, prison authorities place the person in solitary confinement in a “condemned cell” until either their sentence is overturned or the execution is carried out.<sup>36</sup>

23. Such a practice of imprisoning persons under sentence of death to solitary confinement in condemned cells is in violation of Rules 42-46 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules).<sup>37</sup>
24. These condemned cells “are designed to divest the accused from the sunshine, fresh air and socialization with other prisoners.”<sup>38</sup> Because legal proceedings, from the date of the registration of the case to final adjudication by the trial court, take approximately four and a half years on average, and because final disposition by the High Court Division of the Supreme Court takes approximately five and a half years after that (not including appellate and review from the Appellate Division), people can spend over 10 years in a condemned cell.<sup>39</sup> People under sentence of death thus regularly spend 10 plus years in 10- by 6-foot cells without fresh air, sunshine, or opportunities to socialize with other people.<sup>40</sup>
25. A trial court sentenced one such person, Maulana Akbar Hossain, to death in 2014 for the 2001 Ramna Batamul bombings. As of June 25, 2021, the High Court—required to confirm the death sentence—still had not ruled on the case. At this point, Hossain had spent nearly 20 years in a condemned cell.<sup>41</sup>
26. In 2018, Obaid Ali died on the day he was scheduled to be released after the Supreme Court declared him innocent, after he had spent 13 years in a condemned cell.<sup>42</sup>
27. In 2022, the Supreme Court acquitted Ismail Hossain Babu and Sonadi, who had spent 14 years in condemned cells following a 2008 trial court conviction for murder, which the High Court upheld in 2014.<sup>43</sup> A third person convicted of the murder, Tariqul Islam Bhuta, who had made a confessional statement, had his death sentence reduced to life imprisonment in consideration of his long stay in a condemned cell.<sup>44</sup>
28. In 2022, the High Court ordered a judicial inquiry into the matter of Abul Kashem—a prisoner sentenced to death in absentia in 2007, acquitted in 2013, but nonetheless placed in a condemned cell in 2015 where he remained for seven years.<sup>45</sup>
29. In 2021, Maqbool Hossain of Kishoreganj was acquitted by the Appellate Division of the Supreme Court and released from prison. He had been arrested in 2003, convicted and sentenced to death in 2006, and imprisoned in a condemned cell for 15 years.<sup>46</sup>
30. On April 5, 2022, in response to a writ petition, the High Court Division of the Supreme Court of Bangladesh questioned the legality of keeping people under sentence of death in condemned cells before the confirmation of the sentence and issued a rule asking why Regulation 980 of the Bangladesh Jail Code—permitting condemned cells—should not be declared unconstitutional in violation of article 35 of the Constitution.<sup>47</sup>
31. Many people involved in the legal process in Bangladesh—not only prisoners, but also judges and lawyers—have expressed frustration with the prevailing criminal justice system.<sup>48</sup>

### **D51 Administration of justice and fair trial**

#### **Status of Implementation: Accepted, Partially Implemented**

32. In the third-cycle UPR, Bangladesh accepted six recommendations related to administration of justice and fair trial rights.<sup>49</sup> These recommendations included a recommendation to “ensure procedures of the International Crimes Tribunal meet fair trial

standards in accordance with article 14 of the International Covenant on Civil and Political Rights,” and recommendations to otherwise strengthen and improve the judicial system, legal aid to enable effective representation, and accelerate/speed up the trial process.<sup>50</sup> To date, Bangladesh has partially implemented these recommendations.

33. Courts have sentenced persons to death *in absentia*, in violation of Article 14 of the ICCPR.<sup>51</sup>
34. Delay in the trial process is responsible for prolonged pre-trial detention, in conflict with the prohibition against undue delay in Article 14 of the ICCPR.<sup>52</sup>
35. The death penalty in Bangladesh is disproportionately used against vulnerable and marginalized sections of society based on economic status, social identity, and levels of educational attainment.<sup>53</sup> According to the above-referenced study by the University of Dhaka, people under sentence of death have low levels of educational attainment; the majority (87%) had no qualifications beyond secondary school level and 15% had no formal education at all. (By comparison, 36.8% of the total population age 25 and older has completed upper secondary education,<sup>54</sup> and approximately 98% of children of primary school age are enrolled in school.<sup>55</sup>) More than half of people under sentence of death (53%) were either in low-paid work or unemployed, with almost three-quarters of them being economically vulnerable (72%).<sup>56</sup> (By comparison, the overall unemployment rate is 6.91%,<sup>57</sup> the minimum wage is the equivalent of 75.94 USD per month, the average wage is 141.58 USD per month,<sup>58</sup> the poverty rate is 20.5%, and the extreme poverty rate is 10.5%.<sup>59</sup>)
36. The University of Dhaka study revealed that individuals under sentence of death expressed significant dissatisfaction with the quality of the legal investigation in their cases. Most felt that the trial courts failed to properly appreciate the evidence and wrongly relied on false evidence adduced by the prosecution. Another worrying finding was the enormous delay in proceedings, which was largely responsible for prolonged detention of pretrial detainees and their protracted isolation on death row. In almost half of the cases studied, the process from the filing of the cases to their disposal by the High Court Division of the Supreme Court took more than 10 years.<sup>60</sup>
37. Judicial proceedings in criminal cases generally fail to meet Article 14 of ICCPR’s fair trial standards.

## **H1 Human rights defenders**

### **Status of Implementation: Accepted, Not Implemented**

38. In the third-cycle UPR, Bangladesh accepted recommendations to repeal restrictive legislative provisions that limit the rights of human rights defenders and civil society organizations to freedom of expression and free speech, end all assaults on human rights defenders, and publicly commit to ensuring that human rights defenders and civil society organizations are able to carry out their activities without fear of surveillance, intimidation, harassment, arrest, prosecution, or retribution.<sup>61</sup>
39. On March 21, 2023, State Minister for Foreign Affairs Shahriar Alam criticized a report published by another UN Member State which referred to findings by one of the co-authors of this report, Odhikar.<sup>62</sup> He said that Odhikar “has a political history and identity, [and

therefore] has no scope to be considered neutral.”<sup>63</sup> He also pointed out that Odhikar “has no valid registration [in Bangladesh] for operation.”<sup>64</sup>

40. Odhikar was established in 1994, and its application to renew its status with Bangladesh’s Non-Governmental Organization Affairs Bureau had been pending since 2014 until the Bureau denied the application in 2022.<sup>65</sup> In its letter denying the application, the Bureau asserted that Odhikar had published “misleading information,” “seriously [tarnishing] the image of the state to the world,” and “[creating] various issues against Bangladesh.”<sup>66</sup> According to Robert F. Kennedy Human Rights, this denial “appears to be part of a pattern of reprisals by the Bangladesh government against human rights groups and defenders following the United States Global Magnitsky sanctions against Bangladesh’s Rapid Action Battalion on December 10, 2021.”<sup>67</sup> In response to the Minister for Foreign Affairs’ statement in March 2023, Odhikar recalled that “[t]he government of Bangladesh has a documented history of harassing, intimidating, and otherwise targeting those who expose human rights violations.”<sup>68</sup>
41. Regardless of registration status, Odhikar retains the rights to freedom of association and expression under Articles 19 and 22 of the ICCPR and Article 38 of the Constitution of the Peoples’ Republic of Bangladesh. For nearly three decades, Odhikar has documented human rights violations in Bangladesh and has sought to defend human rights and democracy in the country.<sup>69</sup>

## **II. RECOMMENDATIONS**

42. The authors of this joint stakeholder report suggest the following recommendations for the Government of Bangladesh:
  - Abolish the death penalty and replace it with a fair and proportionate sentence aligned with international human rights standards.
  - Ratify the Second Optional Protocol to the ICCPR.

In the meantime:

- Institute an official moratorium on executions.
- Amend the Penal Code of 1860 to limit the death penalty to the most serious crimes, limited to crimes in which the defendant had the intent to kill, and did in fact kill, to comply with Article 6 of the ICCPR.
- Prohibit the automatic use of solitary confinement for persons under sentence of death, in compliance with Rules 43-45 of the Nelson Mandela Rules.
- Add more qualified judges to oversee capital cases.
- Ensure that all persons at risk of being sentenced to death, including people from disadvantaged or marginalized socio-economic backgrounds, receive competent legal assistance and representation, starting from the moment of arrest or charging, all the way



through to appeals and other recourse procedures, including any potential clemency or mercy processes.

- Reduce death sentences to life imprisonment for all people who have been held in condemned cells.

Additionally:

- Abolish Regulation 980 of the Bangladesh Jail Code—permitting condemned cells—as unconstitutional in violation of Article 35 of the Constitution.
- Intensify efforts to ensure that national prison rules and policies are in line with the Nelson Mandela Rules.
- In line with rules 83-85 of the Nelson Mandela Rules, create an external, independent inspection body that has access to all categories of prisoners in all places of detention that are under the purview of the Ministry of Justice.
- Ratify the Optional Protocol to the Convention against Torture.
- Collaborate with civil society organizations to conduct a comprehensive public awareness-raising campaign to educate the public about international human rights standards as they pertain to the death penalty and about alternatives to the death penalty, with the aim of shifting public perceptions about the death penalty.
- Provide sufficient resources and funding for the appointment of competent lawyers with experience and training in capital cases, for gathering evidence for the defense, and for retaining expert testimony for the defense, regardless of the region in which the case is tried.
- Direct law enforcement to provide indigent persons accused of a crime with timely access to counsel, prior to any interrogation, prioritizing any person suspected of having committed a capital crime.
- Expand training for law enforcement and people working in detention facilities on the rights of people in detention to challenge the legal basis of their detention and institute procedures to ensure that they do not hinder individuals' efforts to exercise these rights.
- Provide training to staff at correctional facilities about psycho-social disabilities and ensure people with such disabilities receive appropriate services and accommodations while they are detained.
- Undertake a study of the method of execution with a view to ascertaining whether it amounts to torture or inhuman or degrading treatment.
- Prohibit judges from considering as evidence any statements obtained through coercion, torture, or ill-treatment, except when offered to prove the crime of torture, and require

judges to order the prompt and effective investigation of any such allegations raised by the defense.

- Conduct credible, independent, and impartial investigations into all allegations of torture, prioritizing allegations raised by persons who are charged with crimes that are eligible for the death penalty.
- Establish an independent review process for persons alleged to have been by tortured by police.
- Commute the death sentence of any person sentenced to death for a crime that was not eligible for the death penalty at the time of the alleged offense.
- Commute the death sentence of any person sentenced to death for a crime that did not entail an intentional killing carried out by the person under sentence of death.
- On at least an annual basis, publish data about death sentences, executions, and people under sentence of death, disaggregated by nationality, sex, crime of conviction, date of arrest, date of sentencing, sentencing authority, relationship to any victim, relationship to any codefendant, current location, and status of any appeals or mercy proceedings.
- Collaborate with civil society organizations to address the root causes of gender-based violence and ensure that authorities hold perpetrators accountable without resorting to the death penalty, which decreases the possibility of convictions.
- Ensure that all foreign nationals charged with capital offenses are informed of their right to consular notification.
- Restore the registration status of Odhikar and ensure that all registration decisions of the Non-Governmental Organization Affairs Bureau are free from political influence and are consistent with Articles 19 and 22 of the ICCPR and Article 38 of the Constitution of Bangladesh.

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<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh*, (July 11, 2018), U.N. Doc. A/HRC/39/12, ¶ 149.3 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay); ¶ 149.4 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro) (Iceland) (Togo) (Spain).

<sup>2</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh*, (July 11, 2018), U.N. Doc. A/HRC/39/12, ¶ 149.7 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Bosnia and Herzegovina) (Ukraine); ¶ 149.8 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark); ¶ 149.9 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Poland); ¶ 149.10 Consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment at the earliest

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convenience (Ghana); ¶ 149.11 Take steps to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sri Lanka).

<sup>3</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh, Addendum*, (Aug. 31, 2018), U.N. Doc. A/HRC/39/12/Add.1, ¶ 4.

<sup>4</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh*, (July 11, 2018), U.N. Doc. A/HRC/39/12, ¶ 149.36 Abolition of the death penalty (Benin) (Portugal) (Czechia); ¶ 149.37 Adopt the legislation abolishing the death penalty and establish a moratorium on all pending executions (Slovakia); ¶ 149.38 Reduce the number of crimes to which the death penalty applies, as a step towards eventual abolition of the death penalty (Australia); ¶ 149.39 Enact a moratorium on the use of the death penalty, with a view to abolishing it (Holy See); ¶ 149.40 Introduce a moratorium as a first step towards final abolition of the death penalty (Austria); ¶ 149.41 Establish a moratorium on executions as a first step towards the abolition of the death penalty (Belgium); ¶ 149.42 Establish a moratorium on the death penalty, as a first step towards complete abolition of this practice (Italy); / Take steps towards the full abolition of the death penalty (New Zealand); / Consider the imposition of a moratorium on the death penalty (Poland); ¶ 149.43 Establish a moratorium on the death penalty with a view to its abolition (Chile); ¶ 149.44 Continue the process of edging out the death penalty with a view to totally abolishing it (Namibia).

<sup>5</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh, Addendum*, (Aug. 31, 2018), U.N. Doc. A/HRC/39/12/Add.1, ¶ 4.

<sup>6</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh, Addendum*, (Aug. 31, 2018), U.N. Doc. A/HRC/39/12/Add.1, ¶ 4.

<sup>7</sup> Department of Law, University of Dhaka, *Living Under Sentence of Death: A study on the profiles, experiences and perspectives of death row prisoners in Bangladesh*, by Muhammad Mahbubur Rahman (Dhaka: University of Dhaka, December 2020), 20-21. Available online at <https://www.deathpenaltyproject.org/wp-content/uploads/2021/06/DPP-Bangladesh-Report-Web-single.pdf>.

<sup>8</sup> *Id.* at 20-21, 45.

<sup>9</sup> *Id.* at 22.

<sup>10</sup> See Human Rights Council, *Civil and Political Rights, Including the Questions of Disappearances and Summary Executions: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston*, (Jan. 29, 2007), U.N. Doc. A/HRC/4/20, ¶ 39-53 and 65.

<sup>11</sup> Megan Specia, *Bangladesh to Allow Death Penalty for Rape Convictions*, N.Y. Times, May 3, 2021, <https://www.nytimes.com/2020/10/12/world/asia/bangladesh-death-penalty-rape.html>.

<sup>12</sup> Star Digital Report, *Death-row inmate hanged in Kashimpur jail*, The Daily Star, Jan. 9, 2023, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/death-row-inmate-hanged-kashimpur-jail-3216226>.

<sup>13</sup> Compiled data from Amnesty International for years 2018-2021, Odhikar for year 2022, and The Daily Star for 2023.

<sup>14</sup> Odhikar, *Statistics of Death Penalty: 2010-2021*. Available online at [https://odhikar.org/wp-content/uploads/2022/02/Death-Penalty\\_2010-2021.pdf](https://odhikar.org/wp-content/uploads/2022/02/Death-Penalty_2010-2021.pdf).

<sup>15</sup> Amnesty International, *Death Sentences and Executions 2018*, (London: Amnesty International, April 2019), 9 and 11. Available online at <https://www.amnesty.org/en/documents/act50/9870/2019/en/>.

<sup>16</sup> Amnesty International, *Death Sentences and Executions 2019*, (London: Amnesty International, April 2020), 9 and 11. Available online at <https://www.amnesty.org/en/documents/act50/1847/2020/en/>.

<sup>17</sup> Amnesty International, *Death Sentences and Executions 2020*, (London: Amnesty International, April 2021), 10 and 12. Available online at <https://www.amnesty.org/en/documents/act50/3760/2021/en/>.

<sup>18</sup> Amnesty International, *Death Sentences and Executions 2020*, (London: Amnesty International, May 2022), 12. Available online at <https://www.amnesty.org/en/documents/act50/5418/2022/en/>.

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- <sup>19</sup> Odhikar, *Annual Human Rights Report 2022: Bangladesh*, Jan. 30, 2023, ¶ 53. Available online at <https://odhikar.org/bangladesh-annual-human-rights-report-2022-2/>.
- <sup>20</sup> Star Digital Report, *Death-row inmate hanged in Kashimpur jail*, The Daily Star, Jan. 9, 2023, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/death-row-inmate-hanged-kashimpur-jail-3216226>; email correspondence, Apr. 2, 2023, on file with The Advocates for Human Rights.
- <sup>21</sup> Amnesty International, *Killed in “Crossfire”: Allegations of Extrajudicial Executions in Bangladesh in the Guise of a War on Drugs*, (London: Amnesty International, November 2019), 4. Available online at <https://www.amnesty.org/en/documents/asa13/1265/2019/en/>; Odhikar, *Total Extra-judicial killings (allegedly by few members of different agencies) from 2001-2021*, <https://odhikar.org/wp-content/uploads/2022/02/Total-KLEA-2001-2021.pdf>.
- <sup>22</sup> Odhikar, *Total Extra-judicial killings (allegedly by few members of different agencies) from 2001 – 2021*, <https://odhikar.org/wp-content/uploads/2022/02/Total-KLEA-2001-2021.pdf>; Odhikar, *Annual Human Rights Report 2022 Bangladesh*, (Jan. 30, 2022), ¶ 29. Available online at <https://odhikar.org/bangladesh-annual-human-rights-report-2022-2>.
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- <sup>50</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh*, (July 11, 2018), U.N. Doc. A/HRC/39/12, ¶ 147.82 Continue taking further steps for the strengthening of the judicial system

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(Tajikistan); ¶ 147.83 Ensure procedures of the International Crimes Tribunal meet fair trial standards in accordance with article 14 of the International Covenant on Civil and Political Rights (Greece); ¶ 147.84 Consider measures to accelerate trial process with a view to reducing pending cases and the number of pretrial detainees as well as safeguarding their basic rights (Malaysia); ¶ 147.85 Continue efforts to improve and speed up the processing of cases in the courts (Benin); ¶ 147.87 Strengthen the National Legal Aid Services with the necessary financial, human and technical resources to enable effective representation of those in need (Guyana); ¶ 147.88 Continue its policy to improve the judicial system, the law enforcement bodies and to reduce levels of corruption and poverty (Russian Federation).

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<sup>61</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bangladesh*, (July 11, 2018), U.N. Doc. A/HRC/39/12, ¶ 147.7 Bring legislation into conformity with the obligations under the International Covenant on Civil and Political Rights by repealing restrictive provisions that limit the rights of journalists, human rights defenders and civil society organizations to freedom of expression and free speech (Latvia); ¶ 147.69 Take effective measures to ensure freedom of expression and end all assaults on journalists and human rights defenders, as well as ensure that the proposed Digital Security Act is in line with international standards (Estonia); ¶ 147.75 Publicly commit to ensuring that journalists, bloggers, human rights defenders and civil society organizations are able to carry out their activities without fear of surveillance, intimidation, harassment, arrest, prosecution or retribution (Austria); ¶ 147.76 Guarantee the security of human rights defenders (France); ¶ 147.77 Protect human rights defenders and journalists from harassment by combating impunity and ensuring the prompt and impartial investigation of all violations against human rights defenders (Netherlands); ¶ 147.78 Ensure

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that human rights defenders, journalists and civil society have a safe and enabling environment and can operate freely without fear of reprisals (Norway).

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