

Cumilla rape case exposes deeper failures

A justice system that responds only to outrage is no justice at all

We are shocked and outraged by the heinous treatment of a woman in Muradnagar, Cumilla. The woman—in her twenties and a mother of two—was not only subjected to rape but was further victimised when she was beaten, had her clothes torn off, and filmed by some local men. These individuals, at least four of whom have been subsequently identified and apprehended, uploaded the video online, sparking widespread outrage on social media. To some extent, it is this outrage that may have accelerated the authorities' response in apprehending the rapist, who reportedly had a history of stalking the victim. If visibility or outcry is the deciding factor here, one cannot help but wonder how many incidents of rape and torture go unnoticed and unresolved, with victims ultimately receiving no justice as public attention shifts elsewhere.

In the Muradnagar case, alongside the public outcry, we have also witnessed a most distasteful barrage of mudslinging and slander against the victim—another, sadly familiar, response. Such vilification often silences victims across the country while the perpetrators, who really should be the ones feeling the heat, walk away scot-free. We have also seen various political factions attempt to weaponise the suffering of the woman, who belongs to a minority community, for their own petty gains. Their lack of empathy or even concern for the victim of an egregious crime, trying instead to find justifications for it, is shocking. Trying to find out the details of a crime is one thing, but having no regard for a victim and her right to justice, or worse, trying to justify the crime itself, is another. This was evident in the revealing of the Muradnagar woman's identity and the treatment she was subjected to afterwards. It sheds a troubling light on certain sections of our society, especially their attitude towards women.

We welcome the statements issued by the government, condemning the crimes committed against her and promising swift justice. The High Court's directives for the government to ensure her safety, to remove all videos, audios, and photos related to the incident from digital platforms, and for the relevant authorities to submit a compliance report within 15 days must be enforced strictly. Moreover, the court rightly issued a rule asking relevant departments why their failure to prevent the disclosure of the victim's identity, video, and audio on social media should not be declared illegal.

However, what we must also ask is, why does there have to be an outcry every time before such necessary actions are taken? Why can't victims receive the justice they deserve without being dragged through the mud, their privacy destroyed, and their character questioned in the court of public opinion? Is this how a proper, humane justice system should function? We demand that the Muradnagar victim be provided with the justice, protection, and respect that society and the justice system owed her all along, but have so far failed to deliver.

Logistics sector needs an overhaul

Its high costs are hindering progress

At a time when Bangladesh is preparing for graduation from the group of Least Developed Countries (LDC) and working towards ensuring sustainable economic growth, high logistics costs are hindering its progress. According to the Dhaka Chamber of Commerce and Industry (DCCI), logistics costs in Bangladesh remain excessively high, estimated at 15 to 20 percent of GDP, far above the global average of 8 to 10 percent. The sector has also been grappling with various challenges including high transport costs, poor infrastructure, and policy gaps, which could jeopardise the country's export ambitions and overall development. Securing long-term financing for logistics infrastructure development has also been a major challenge. Bangladesh, therefore, must improve the performance of this sector to sustain growth and remain competitive in the post-LDC era.

Bangladesh's economic growth is facing significant challenges due to its dependence on the ready-made garment industry and narrow range of export destinations. To safeguard the economy, it is crucial to broaden the variety of export goods and tap into new international markets. Competing globally will also require stronger trade partnerships and more efficient logistics systems. Notably, a 25 percent reduction in logistical expenses could increase exports by 20 percent, as experts say, while even a modest one percent cut in transport costs might lead to a 7.4 percent rise in export levels. Experts have proposed some key reforms—such as digital platforms to connect shippers and transporters, warehouse automation, seamless multimodal transport networks, modernised ports, digital customs solutions, and greener logistical practices—to improve the overall performance of the sector.

By 2030, Bangladesh's seaport capacity, including the Matarbari deep seaport, is projected to reach 10 million TEUs (twenty-foot equivalent units). To fully leverage this expanded infrastructure, the private sector must significantly ramp up import and export activities. Achieving this goal requires greater efficiency in the logistics sector as well. Last year, the country introduced its first logistics policy, aimed at reducing costs and delays by streamlining operations across production, storage, transportation, and distribution. The policy also envisioned an integrated cargo transport system connecting all major transport modes. Unfortunately, it remains unimplemented. Revisiting this policy is essential to revitalise the underperforming logistics sector.

Experts have emphasised the need for a 50-year master plan and the establishment of a dedicated logistics ministry or authority. Moreover, constructing a specialised expressway exclusively for trucks and lorries from the Chattogram port to Sitakunda could bring positive outcomes in the transportation of import and export goods. Additionally, securing long-term financing is essential to support the sustainable development of the logistics infrastructure.

EDITORIAL

How long will victims of torture wait for justice?



Barrister Priya Ahsan Chowdhury is advocate at the Supreme Court of Bangladesh, associate at Dr Kamal Hossain and Associates, and consultant at Bangladesh Legal Aid and Services Trust (BLAST).

PRIYA AHSAN CHOWDHURY

On June 26, the world observed the International Day in Support of Victims of Torture, signifying the devastating impacts of torture and the need for justice and accountability for victims. As Bangladesh is on board with transitional justice, this day holds particular significance for all of us in the country to reflect on how to finally take action regarding the many allegations of custodial torture, abuse, and deaths by law enforcement agencies over the decades.

Bangladesh is party to the core international human rights instruments which expressly prohibit torture and degrading treatment, including the United Nations Convention Against Torture (UNCAT), the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Rights of the Child (CRC). As such, Bangladesh has committed to uphold the rights of detainees and protect individuals from suffering torture or any form of cruel, degrading or humiliating treatment. However, the reality on the ground is that justice for victims remains elusive, and perpetrators are rarely held accountable for their actions.

A poignant example of such custodial abuse is the case of Md Limon Hossain. In March 2011, when Limon was a 16-year-old school student, his life was permanently changed. Limon was shot by an officer of Rapid Action Battalion (Rab-8) while returning home after grazing a cow in a field near his home, having apparently been mistaken for a "criminal." The shooting and its aftermath, including the loss of his left leg, was a gross violation of his rights.

After the shooting, Limon was unlawfully detained. No information was given to his family about his whereabouts for over two days, until his mother located him in a town in another district. Shockingly, he had been falsely implicated in two criminal cases (these were—but only after several years—finally withdrawn by the prosecution). Three separate probe committees were established (under the home ministry, Rab Headquarters, and the local Rab unit in Jhalakathi). The High Court also asked the home ministry, inspector general of police, Rab director general, and commander-in-chief of Rab-8 in Barishal to explain why they should not be ordered to investigate Limon's shooting and to hold the responsible persons accountable. None of these reports have been made publicly

available to date.

In contrast to Limon's case and those of others that remain under investigation, there is one example of some progress in seeking justice for torture victims. Ishitaque Hossain Jonny and his brother, Imtiaz Hossain Rocky, were both subjected to brutal torture by police in Dhaka in February 2014 after being arrested from a wedding ceremony in Pallabi, where they were trying to stop harassment of a young woman. Jonny died following the severe torture he suffered in police custody. When police refused to



VISUAL: ANWAR SOHEL

register a case, Rocky initiated legal action directly before a court under the Torture and Custodial Death (Prevention) Act, 2013.

In 2020, the court gave a milestone judgment, and the first convictions under the custodial torture law. Three police officers were sentenced to life imprisonment, while two police informants received seven years each for their role in Jonny's death. The court also ordered the officers to pay compensation to Jonny's family. However, Rocky has to date not received even one taka in compensation as appeals filed by the convicted officers are still pending hearing in the High Court.

Legal safeguards and limitations

Bangladesh's constitution guarantees fundamental rights which expressly prohibit torture or cruel, inhuman or degrading punishment or treatment, although this will not affect any punishment under the existing laws; death penalty remains the maximum sentence provided by various laws. It further guarantees equality before the law, to be treated in accordance with

the law, protection of life and personal liberty, and safeguards against arrest and detention.

As both Limon and Jonny's cases show, our laws still fall short in addressing custodial abuse. Pre-eminent among these is the Torture and Custodial Death (Prevention) Act, 2013, which was enacted to criminalise torture and custodial deaths. Other laws that criminalise acts amounting to torture include the Penal Code, 1860, Police Act, 1861, and the Women and Children Repression Prevention Act, 2000.

The Appellate Division of the Supreme Court also issued landmark guidelines in 2016 for magistrates and police officers to observe certain legal safeguards regarding arrest and detention, including in police remand. Despite these laws and judgments, torture continue to occur behind the closed doors of detention facilities.

National accountability mechanisms are weak, and the implementation of safeguards remains woefully inadequate. Detainees often remain



VISUAL: ANWAR SOHEL

uninformed of charges, are denied access to legal counsel, family or adequate medical examination, and are not promptly produced before a court.

Allegations of torture are frequently ignored, with magistrates failing to document such claims and law enforcement rarely held accountable, while a lack of adequate victim and witness protection leaves many to abandon their pursuit of justice.

Some of these limitations have been acknowledged by the Bangladesh government. For example, when the country ratified UNCAT, it did so subject to a declaration limiting the application of Article 14 (1), which mandates compensation, redress, and rehabilitation for torture victims, to what is provided under national laws. This means compensation is restricted to the amounts set under the 2013 act: Tk 2 lakh for deaths in custody, and Tk 25,000 for injuries from custodial torture. Under the Women and Children Repression Prevention Act, compensation amounts may be Tk 50,000 or more for rape in custody. While victims can seek a higher amount in compensation by proving a

violation of their constitutional rights, Bangladesh's declaration means it is not bound to provide more under international law.

Similarly, Bangladesh's reservation to Article 14(3)(d) of the ICCPR, which guarantees the right to legal assistance and accused's presence during trial, allows trials in absentia, limiting the full application of international fair trial protections. While the constitution guarantees the right to legal representation during detention, this reservation effectively narrows the scope of Bangladesh's international obligations.

The Istanbul Protocol, an international guideline for investigating and documenting torture and conducting medical assessments of victims is not yet widely recognised or implemented in Bangladesh.

In 2019, the UN Committee Against Torture reviewed Bangladesh's compliance with its treaty obligations (to prevent and provide protection against torture), and raised several concerns: widespread torture, inadequate investigations, unacknowledged detentions, and extrajudicial actions by Rab. The committee recommended that Bangladesh strengthen its legal framework and improve the monitoring of detention facilities. To date, the country has not submitted a follow-up report to the committee as required.

Given the aforementioned gaps in the national legal framework, there are two significant steps the government can take.

First, Bangladesh can accept three key provisions of UNCAT (Articles 20, 21, and 22). If these become applicable to Bangladesh, they would allow for international inquiries into systemic torture, facilitate inter-state complaints, and enable individuals to make communications directly to the relevant UN body.

Second, Bangladesh can ratify the Optional Protocol to the Convention Against Torture (OPCAT), which requires establishing a national prevent mechanism for independent inspections of detention facilities.

It has been over 5,000 days since Limon was shot by a Rab officer, losing a limb for life, and over 4,000 days since Jonny died from police custodial torture. Yet, both continue to wait for justice. These cases symbolise the broader failure of Bangladesh's justice system to protect victims of custodial torture. Despite international commitments and national laws, law enforcement continues to operate with impunity, leaving victims and their families without real accountability or meaningful redress. In pursuit of transitional justice, Bangladesh must confront the gap between its obligations and actions reflecting on stakeholder recommendations, adopting all key international treaties without reservations, ensuring that no one has to suffer in silence, waiting for justice indefinitely.

What should be the legal approach to cross-border digital crimes?



Tanvir Hassan Zoha is a cybercrime specialist, legal practitioner at the International Crimes Tribunal, and managing director at Backdoor Private Ltd.

TANVIR HASSAN ZOHA

The digital space in Bangladesh has evolved from a symbol of progress into an unregulated arena increasingly exploited for transnational criminal activity. While the government's push towards digitalisation—across governance, commerce, and infrastructure—is commendable, its rapid implementation, lacking adequate policy oversight, is inadvertently facilitating a darker reality: cross-border cybercrime, digital trafficking of classified materials, child sexual abuse content, and narcotics trading via the dark web.

What is more alarming is the systemic incapacity of our legal and judicial framework to effectively prosecute such offences—particularly when they transcend geographical borders and are concealed behind layers of anonymising technologies such as VPNs, onion routing, and cloud masking. This gap between the legal borders of the state and the borderless

nature of the internet has become a national security concern that warrants immediate judicial and legislative introspection.

The cross-border judicial dilemma

The judiciary in Bangladesh operates under a sovereignty-dependent framework. It has jurisdiction within national boundaries but limited authority once the trail of evidence or perpetrators extends beyond borders. This limitation is further compounded in cases of digital crime, which rarely begin and end within a single jurisdiction. A child sexual abuse video—circulated from a server in Eastern Europe, consumed in Dhaka, and paid for via cryptocurrency through a VPN-obscured wallet—could involve five jurisdictions and still evade prosecution due to legal ambiguity.

International instruments such as the Budapest Convention on Cybercrime, although ratified by many countries, remain outside Bangladesh's

legal framework. The country has yet to sign or domesticate this treaty, leaving it without a cooperative mechanism for mutual legal assistance, joint investigation teams, or timely data exchange with other nations. Consequently, even when Bangladeshi law enforcement identifies an offender using foreign hosting or anonymisation services, the digital forensic trail is often obstructed by procedural red tape and diplomatic inertia.

The emerging crime patron:

Anonymous, scalable, and monetised

Today's digital offender is no longer a lone hacker in isolation. Rather, he is a node within a global "crime-as-a-service" ecosystem. Tools for DDoS attacks, zero-day exploits, ransomware kits, and access to stolen databases are now openly traded in underground forums on the dark web. VPNs, bulletproof hosting, and anonymising browsers render apprehension nearly impossible without sophisticated, internationally coordinated forensic strategies.

In Bangladesh, content related to child sexual abuse material, dark web drug transactions, and leaks of classified national security documents has been identified through open-source intelligence (OSINT) channels. Yet such cases are seldom prosecuted to their logical conclusion, due to a combination of jurisdictional deadlocks, the absence

of legal frameworks for digital evidence admissibility, and insufficient technical expertise within the judiciary.

What must be done

The Budapest Convention on Cybercrime must be ratified and localised. We need to create a national digital justice task force, introduce legislation on digital evidence and admissibility, formulate a forensic data localisation policy. Additionally, we must develop a judicial training academy on digital crimes, establish bilateral cybercrime memoranda of understanding (MoU) with key countries, and strengthen public-private surveillance collaborations.

The scale, sophistication, and international reach of digital crime in Bangladesh is no longer a distant threat; it is a pressing emergency. Our judicial and legislative systems can no longer afford to remain reactive when adversaries operate through real-time encryption, anonymised currencies, and zero-trace infrastructures. Without immediate policy action, our sovereignty in cyberspace risks becoming purely symbolic.

Bangladesh now stands at a digital crossroads. The decision to build a cyber-resilient judiciary, with international reach and forensic agility, must be taken urgently. Otherwise, the next crime will go unpunished, and the next victim unheard.