Why Bangladesh should end the death penalty

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Views expressed in this article are the author's own.

ESHA SRABONI

The 23rd World Day Against the Death Penalty was observed globally on October 10. However, Bangladesh is at a crossroads as our government, despite having prominent human rights defenders in its ranks, including some who once campaigned to abolish the death penalty, now seeks to expand crimes punishable by death even as most of the world moves away from executions. More than 140 countries have abolished the death penalty in law or practice. In South Asia, Nepal and Bhutan abolished it decades ago, while Sri Lanka and the Maldives have refrained from executions for over 40 years. India retains the death penalty but reserves it for the "rarest of the rare." A study on 1,486 death sentences issued by trial courts in India between 2000 and 2015 showed that only 4.9 percent remained on death row after appeal.

In Bangladesh, however, successive governments have widened the scope of capital offenses beyond international standards. Of the 33 death penalty offenses in the country, 23 were added after 1971, and 25 are for non-fatal crimes. Bangladesh's intentional homicide rate is typically below the South Asian average, yet a large number of people remain on death row every year. Currently, 18,00 people are awaiting execution. In 2024, 2023 and 2022, Bangladesh imposed over 165, 248, and 169 death sentences, respectively. These statistics force us to reassess what the death penalty achieves and what justice requires.

The defence of capital punishment in Bangladesh often leans on nationalist rhetoric, portraying abolition as a foreign imposition. For example, our Supreme Court has observed that the death penalty is indispensable for Bangladesh, warning against "alien jurisprudence" because "our social conditions, social and cultural values are completely different from those of western countries... [and] we would not incorporate principles foreign to our Constitution."

The irony is that the institutionalisation of the death penalty in Bangladesh is a colonial legacy. The Penal Code of 1860, drafted by British colonial administrators, was designed to discipline colonised subjects in the Indian subcontinent, not to reflect local norms. As Partha Chatterjee, an Indian political scientist and anthropologist, notes, new states reproduce colonial techniques of rule in the name of sovereignty, and Bangladesh is no exception. The stage has moved from the public gallows to concealed prison yards, but the underlying logic endures—to display state power, rather than to ensure justice through fairness.

Even if one accepts the argument that capital punishment suits "our" conditions, does the death penalty make us safer? States legitimise capital punishment by claiming it deters crimes, but no credible evidence supports this view. From a methodological perspective, there is no ethical way to design a rigorous study to test whether capital punishment deters crimes. A truly rigorous study would, for example, require randomly exposing people to the risk of execution, which is ethically indefensible. The US National Research Council's review of three decades of deterrence research concluded that research "is not informative" on whether executions decrease, increase, or have no effect on homicide. In countries such as Bangladesh, with uneven crime data, claims of deterrence are even more speculative.

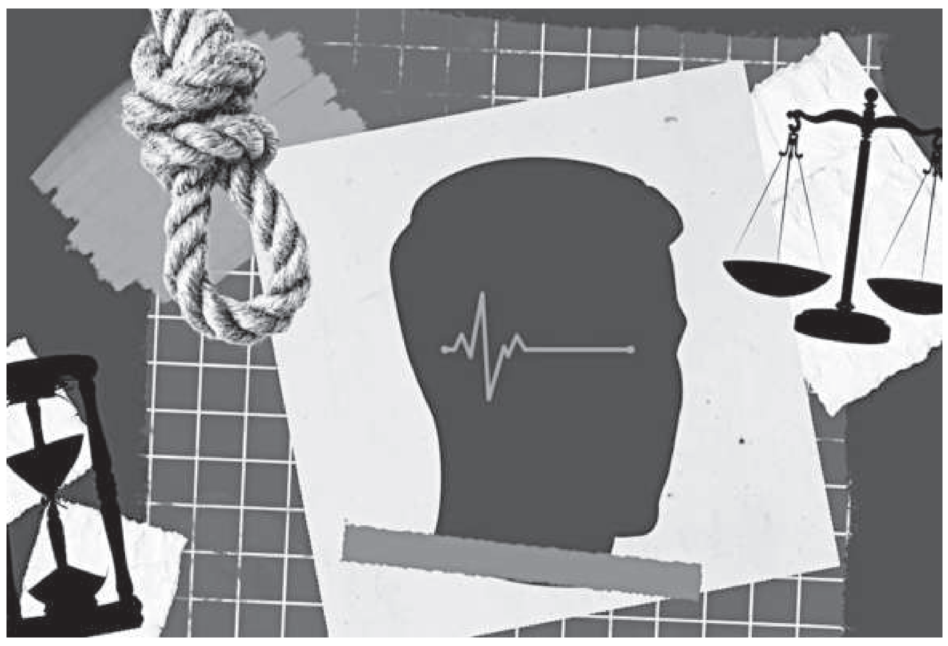
What reliably prevents violence is not Foucault's "spectacle of the scaffold," but the certainty and swiftness of sanctions delivered by competent institutions. Bangladesh's experience with reducing acid violence bears this out. Acid attacks declined when the state restricted access to acid and enforced licensing through strict monitoring, and not by severe penalties alone.

Irreversible errors, fragile justice, and unequal burdens

Errors in regular sentences can be corrected; errors in a capital sentence are final. Research on wrongful convictions shows us how misidentification, unreliable forensics, and coerced confessions produce catastrophic errors that appeals miss. Bangladesh's justice system contains the same risks: allegations of torture, limited forensic capacity, planted evidence, inadequate defence, thinly reasoned judgments, and arbitrary sentencing. Without sentencing guidelines, capital cases often proceed in an ad hoc manner, and identical facts can yield divergent outcomes.

These harms are compounded by time. As Albert Camus wrote in his *Reflections on the Guillotine*, "Two deaths are inflicted on him, the first being worse than the second, whereas he killed but once." Capital appeals often stretch a decade, while prisoners endure the "death-row phenomenon"—prolonged confinement in harsh conditions, isolation, and constant anticipation of execution—a treatment deemed inhuman and degrading by international courts.

Nor are these burdens borne evenly. The French sociologist Loïc Wacquant describes criminal justice institutions as "selective in their blindness," harshest towards those least able to defend themselves. Bangladesh's death-row prisoners are overwhelmingly young, poor, with little schooling, and often with no prior criminal record. This skew is not accidental, but structural. Capital punishment is a form of necropolitics: it reproduces inequality by channelling the state's lethal power toward the most marginalised in society.



VISUAL: **ALIZA RAHMAN**

In fact, the death penalty in Bangladesh is a political instrument that legislators repeatedly resort to in the wake of horrific crimes, in response to public anger. These punitive surges, exemplified by the mass death sentences that rights groups have criticised for failing to follow due process, do not strengthen the rule of law; they only signal courts swayed by populist pressure.

Claims of broad support for the death penalty in Bangladesh often rest on observations from these moments of outrage. However, evidence for public support for capital punishment beyond transient moments is scarce. There is a lack of reliable, nationally representative polling to show durable support for capital punishment. Where data does exist, it complicates the picture. Global values surveys have asked whether the death penalty is ever acceptable, and the data from 2017-2020 indicate an approval of around 15 percent in Bangladesh, far from a majority. Small, non-representative studies with students find some support for the death penalty, which drops when life imprisonment without parole is offered as an alternative. These studies also show that support for the death penalty often reflects frustration with a justice system perceived as corrupt and a desire for safety. Taken together,this is a mandate to repair everyday justice, not a licence to expand an irreversible penalty.

The way forward

More than a decade ago, Bangladesh's higher judiciary marked a milestone in the *Shukur Ali* case by declaring the mandatory death penalty unconstitutional. The next step is abolition. Our justice system must honour victims and discipline the state. Capital punishment does neither. It brutalises the state by normalising violence and replacing institution-building with spectacle and performativity. And it fails victims, who deserve the truth, safety, and support—not a distant promise of execution after years of appeals.

Abolition is, thus, a project of state-building, a break with colonial logics of spectacular violence and fear as authority. When a state repeatedly resorts to the death penalty, it admits its failure to invest in the slow and painstaking labour of justice: truth-finding, reasoned judgment, due process, and punishment that respects rights, even for those undoubtedly guilty of the gravest of crimes. A democracy cannot be sustained on the deprivation of life.

The path to abolition is challenging, but the steps towards it can begin now through a phased approach. First a moratorium can be declared, temporarily pausing executions, independently reviewing all death-row cases, guaranteeing access to competent legal counsel and impartial adjudication, and publishing transparent death-row data. At the same time, investment can be made in a system that prevents harm: for example, prohibiting torture and coerced confessions, expanding survivor-centred services, and ending prolonged death-row confinement. Our constitution promises dignity and the rule of law; upholding that promise leaves no place for the death penalty in our justice system.

Banks must embed climate risk across their operations

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Bangladesh's banking industry stands on the frontline of climate change. The recent circular on Sustainability and Climate-Related Financial Disclosure Guidelines by the Bangladesh Bank (BB), in line with International Financial Reporting Standards (IFRS) S1 and S2, signals a new era in financial supervision. The country is one of the most vulnerable ones to climate change due to extreme weather events and erratic rainfall. Climate change-induced frequent floods, cyclones, droughts, and salinity intrusion are disrupting livelihoods, demolishing assets, and weakening borrowers' ability to repay. Unless the banking sector responds proactively, climate risks will harm the financial system as a whole. Climate change can no longer be overlooked as merely an environmental issue; it is now a firm concern for financial stability.

Climate risks affect banks in two interconnected ways. The first is through physical risks, which arise from direct impacts of climate events on borrowers, collateral, and operations. A cyclone that washes away shrimp farms in Khulna, for example, not only wipes out the borrowers' income but also devalues the mortgaged land, creating a double exposure to trouble for lenders. These are not theoretical risks; they are present realities.

The second pathway is through transition risks, which arise as the world moves towards decarbonisation. Stricter environmental, social, and governance (ESG) regulations, the phasing out of coal and high-emission industries, and changing consumer preferences can all impact the profitability of businesses that banks currently finance. While transition risks can be transformed into opportunities for green lending, the physical risks almost always lead to higher default rates and asset impairment.

International evidence supports this reality. Research shows that climate shocks increase non-performing loans (NPLs) and reduce credit supply. Banks exposed to high-carbon sectors also face reputational risks, regulatory penalties, and stranded assets as policies tighten. In Bangladesh, where a significant portion of formal lending is concentrated in climate-exposed sectors—agriculture, cottage, micro, small, and medium enterprises (CMSMEs), and power—the climate-related risks are higher. Without integrating climate risks into credit appraisal and portfolio management, banks will struggle to sustain asset quality and long-term profitability.

This is where the new disclosure guidelines come into play. By requiring banks to assess and publish information on climate-related risks, BB has taken an important step towards aligning the financial sector with global frameworks, such as the Task Force on Climate-related Financial Disclosures (TCFD) and the International Sustainability Standards Board (ISSB) standards. But disclosure is only the beginning. Banks must not treat it as a box-ticking exercise. Instead, they need to embed climate risk management into their core operations, governance, and strategy.

The first priority is stress testing. Banks must develop models to simulate how different climate scenarios, such as a major cyclone hitting coastal Bangladesh or a sudden increase in carbon tax on export industries, would affect their loan books. These exercises will indicate sectoral vulnerabilities and guide adjustments in lending strategies. For example, excessive exposure to high-risk coastal agriculture without adequate insurance or resilience measures could be flagged and reduced.

Second, banks need to integrate climate considerations into credit decisions. This means going beyond traditional financial ratios, and examining whether clients are vulnerable to flooding, whether they use energy-intensive technologies, or whether they have transition plans. Carbon-intensive projects should carry higher risk premiums, while low-carbon and climate-resilient investments should be incentivised. Already, some global banks are linking loan pricing to borrowers' emission reduction targets, thus, Bangladeshi banks cannot remain far behind.

Third, the industry must significantly expand its green and sustainable finance portfolio. In 2024, banks disbursed around Tk 30,653.78 crore as green finance, up from Tk 19,304.31 crore in 2023. While this growth is encouraging, much of it still appears to be compliance-driven rather than driven by the strategic vision of the banks. Banks need to innovate by issuing green bonds, developing sustainability-linked loans, and mobilising concessional finance in partnership with development agencies. Climate-resilient agriculture, renewable energy, energy-efficient machinery, and waste-to-resource projects—all represent opportunities for profitable and impactful lending. Transitioning into these areas is not just good for society; it is good business.

Fourth, banks must strengthen disclosure and transparency. Under the new guideline, publishing climate risk exposure and climate-related financial disclosure will be mandatory by 2027. But the credibility of these disclosures will depend on data quality and methodology. Boards and senior management must take ownership of climate reporting, rather than relegating it to related departments. Transparent disclosure will not only meet regulatory requirements but also enhance investor confidence, especially as global financiers increasingly demand climate accountability.

Of course, the central bank itself has a critical role. BB has long been recognised as a pioneer in green banking, not only in South Asia but also globally. Yet, the challenge now is enforcement and capacity building. Guidelines alone will not deliver change unless backed by strict monitoring. The central bank should make climate stress testing mandatory for all scheduled banks, supported by globally accepted standardised scenarios and methodologies.

Equally important, the central bank must provide incentives. Low-cost refinance schemes, such as the Green Transformation Fund (GTF), Technology Development Fund (TDF) for green projects, and recognition in sustainability ratings can all encourage banks to scale up their efforts. Just as importantly, BB should promote capacity building—training bank staff, developing tools, and fostering partnerships with international climate finance institutions. Without these enablers, disclosure may remain a compliance burden rather than a catalyst for genuine transformation.

Ultimately, the stakes are clear. If banks ignore climate risks, they risk rising defaults, stranded assets, and declining profitability. But if they embrace climate resilience, they can unlock new growth opportunities and support Bangladesh's national development goals. Financing climate-resilient infrastructure, renewable energy, and adaptation projects will not only safeguard bank balance sheets but also protect millions of people living on the frontlines of climate change.

The time for incremental change is over. Bangladesh's financial industry must now decide whether it will be a passive victim of climate risks or a proactive agent of climate resilience. The central bank has set the direction; it is up to the industry to follow through with conviction.

CROSSWORD
BY THOMAS JOSEPH

ACROSS
1 Plant pest
6 Worn out
11 Color
12 Barcelona buddy
13 Seoul setting
14 Burn a bit
15 Middle-aged physique
17 Take in
19 Nearest star
20 Long time
23 Pens
25 Salsa legend Puente
26 Key count
28 Needing aspirin
29 One of Santa's team
30 Scoundrel
31 Slump
32 Uno plus due
33 Space station of the 1970s
35 Opera's Callas
38 Make happy
41 Deal maker
42 Apartment sign
43 Avoid
44 Hawks

DOWN
1 Inquire
2 Soup of Vietnam
3 Two fours, in dice
4 Inkling
5 Determined
6 Argo captain
7 In the center of
8 Clamor
9 Meringue base
10 Buck's mate
16 When there are many errands to run
17 Take an oath
18 Writer Jong
20 Pool game
21 Different
22 - Dame
24 Quaker's pronoun
25 Frank McCourt book
27 Baby baldies
31 Flat fish
33 Join the choir
34 Lotion additive
35 Seething
36 In the past
37 Primary color
39 - Aviv
40 UFO pilots

9-7

FRIDAY'S ANSWERS

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