

The Daily Star

FOUNDER EDITOR: LATE S. M. ALI

An ominous warning for the February polls

Violence against candidates threatens public safety

We are shocked and strongly condemn the brutal attack on Sharif Osman Hadi, spokesperson of Inqilab Moncho and an aspiring candidate for the Dhaka-8 constituency. He remains in critical condition. Hadi, also a prominent leader of the July-August uprising, was shot in broad daylight on Friday afternoon while travelling by rickshaw in Dhaka's Paltan area. He was heading towards Bijoy Nagar when two helmet-wearing men on a motorcycle opened fire on him in front of the Baitus Salam Jame Mosque before fleeing the scene. The attack on Hadi appears to be targeted and there are reports that the two assailants could be individuals who had joined his campaign a few days ago. This horrific attack on an election candidate, less than 24 hours after the election schedule had been announced, is an ominous sign for the upcoming February polls. It exposes the precarious state of law and order and could be a precursor to further violence as the election day draws near. On the same day, there was also an arson attack on a bus in the capital.

Both these incidents have created a sense of insecurity among the public and especially for the nominated candidates. Political violence, however, has been creating an atmosphere of unease long before these recent incidents. According to the Human Rights Support Society (HRSS), political violence between September 2024 and 2025 left at least 160 people dead and over 8,000 others injured in 1,047 incidents. We urge the government to rigorously investigate the attack on Hadi and the arson attack on a bus. Hadi's assailants must be found and brought to book. It is unacceptable that candidates participating in the elections should have to face such insecurity. Unless the government investigates all political killings and punishes the perpetrators, the possibility of more such attacks and violence will increase. This may discourage voters from participating in the elections.

The general state of law and order, with assailants attacking victims in broad daylight in public places, demands that the government adopt effective strategies to ramp up security, especially in certain crime-prone areas all over the country, well ahead of the election day.

As we have reiterated many times, the leaders of political parties must also disassociate themselves from criminal elements who have been patronised for their "influence" in particular areas. The government must bring all such criminals under the purview of the law regardless of their political affiliations. Political parties must shun the age-old practice of confrontation and the use of violence and the legal system to harass, intimidate and remove political opponents. As the police have launched an investigation, identifying one suspect and seeking public assistance, we must refrain from making assumptions and jumping to conclusions. Engaging in a blame game only aggravates political tensions.

At the time of writing this editorial, Hadi is still fighting for his life; we hope and pray for his recovery and that his assailants are quickly caught.

Protect our migrants from trafficking networks

Dismantle the gangs, ensure legal labour migration

It is deeply disturbing that our aspiring migrant workers are being subjected to brutal exploitation along illegal migration routes to Europe. According to a report in this daily, traffickers lure young men with promises of well-paid jobs in Greece, only to trap them in a vicious cycle of torture, extortion, and near-death experiences in transit countries such as Libya.

The ordeal of Akbar Samrat, a 25-year-old electrician from Chandpur, exposes the unimaginable cruelty faced by many of our migrants. After selling his property and borrowing heavily, Akbar paid Tk 15 lakh to traffickers who promised him work in Greece. Instead, he was smuggled through Dubai and Egypt to Libya, where armed gangs detained him, subjected him to horrific torture, and demanded ransom from his family. Even after his family paid Tk 11 lakh under duress, his suffering did not end. Akbar spent weeks in captivity before finally being rescued with the help of the International Organization for Migration and returned home.

Investigations by the CID's Trafficking in Human Being unit reveal that at least 18 others were deceived by the same network within a year, with traffickers extracting an estimated Tk 3.5 crore from hopeful migrants. The syndicate operated with chilling efficiency, maintaining contacts in Libya and Greece, extorting families through multiple bank accounts, and sending victims on perilous Mediterranean boat journeys after ransom payments. While some reached Europe, many perished at sea. It was also reported earlier how our migrants who legally travelled to Russia with work visas were coerced into joining the ongoing Russia-Ukraine war. These disturbing trends reflect the deep flaws in our migration system and the pervasive networks of traffickers who prey on vulnerable workers. The fact that Bangladeshis now rank highest among nationalities attempting to enter Europe illegally via the Mediterranean, with numbers rising sharply this year, underscores the gravity of the crisis.

We urge the government to treat illegal migration and human trafficking as a national emergency. Law enforcement agencies must dismantle trafficking networks in their entirety, trace financial flows, and pursue collaborators both at home and abroad. Meanwhile, targeted awareness campaigns are essential in high-risk regions such as Madaripur, Shariatpur, Sylhet, Sunamganj, and Narsingdi. Bhairab, where traffickers are most active. It is equally vital for the government to expand legal pathways for migration, so that desperate individuals are not forced into the hands of traffickers. Stronger coordination with international partners, including transit and destination countries, is also crucial to protect our migrants, bring those trapped in foreign countries home, and prosecute the traffickers.

The Police Commission Ordinance is an eyewash at best



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IFTEKHARUZZAMAN

The longstanding public demand and decades of relentless advocacy by stakeholders, particularly articulated as a key aspiration of the July movement, for an independent police commission, have been ruthlessly and shamelessly shattered by the Police Commission Ordinance 2025, gazetted on December 09, 2025. The ordinance is conceptually and strategically flawed. It sabotages the whole purpose of an independent police commission.

An outfit created based on this ordinance will not only fail to fit the purpose but also further entrench the government's control, especially the home ministry, through the vested forces of administrative and police bureaucracy, over any possibility of police professionalism and accountability. It will at best become a post-retirement resort for deputed and in-service bureaucrats who will deliver the job of protection, promotion and impunity of police wrongdoings that police of Bangladesh are known for. It will serve no public interest while public money will be unnecessarily wasted under the façade of a police commission.

The framers of this ordinance have failed to realise that the indispensable precondition of a police commission, people expect, is that it must first and foremost be independent and free from any influence of the government and police itself to ensure police accountability, transparency, and professionalism by investigating abuse of power, including all forms of disproportionate use of force and corruption without fear or favour. What we have under the ordinance is an opening to legitimise just the opposite. An outfit created through this ordinance cannot operate independently from political, governmental and police influence—especially that of the home ministry, the clutches of civil and uniformed bureaucratic power. It will not be public interest-oriented where the rule of law prevails; police and citizens' grievances and complaints are effectively addressed; police governance meets the standards of transparency and accountability; and public trust in the police is regained.

Independence of the proposed police commission is crucial, not only because our police force has become infamous for being involved unaccountably in all forms and categories of abuses of power, brutality, and crime, but also due to the deep politicisation of the police. Over the years, it has transformed into a weapon for the "winner-takes-all" game, becoming a pillar of

authoritarianism for 15 years, enabled by both the home ministry and the police rank and file, who were both victims and beneficiaries. This business model of police force's professional bankruptcy cannot be dismantled overnight, though an unprecedented opportunity for comprehensive police reforms was created at high cost in the wake of the July uprising, at the core of which lies the aspiration for an independent police commission.

The Police Commission Ordinance, 2025, issued by the interim government, is regrettably an outrageous affront to this aspiration. It ridiculed the basic

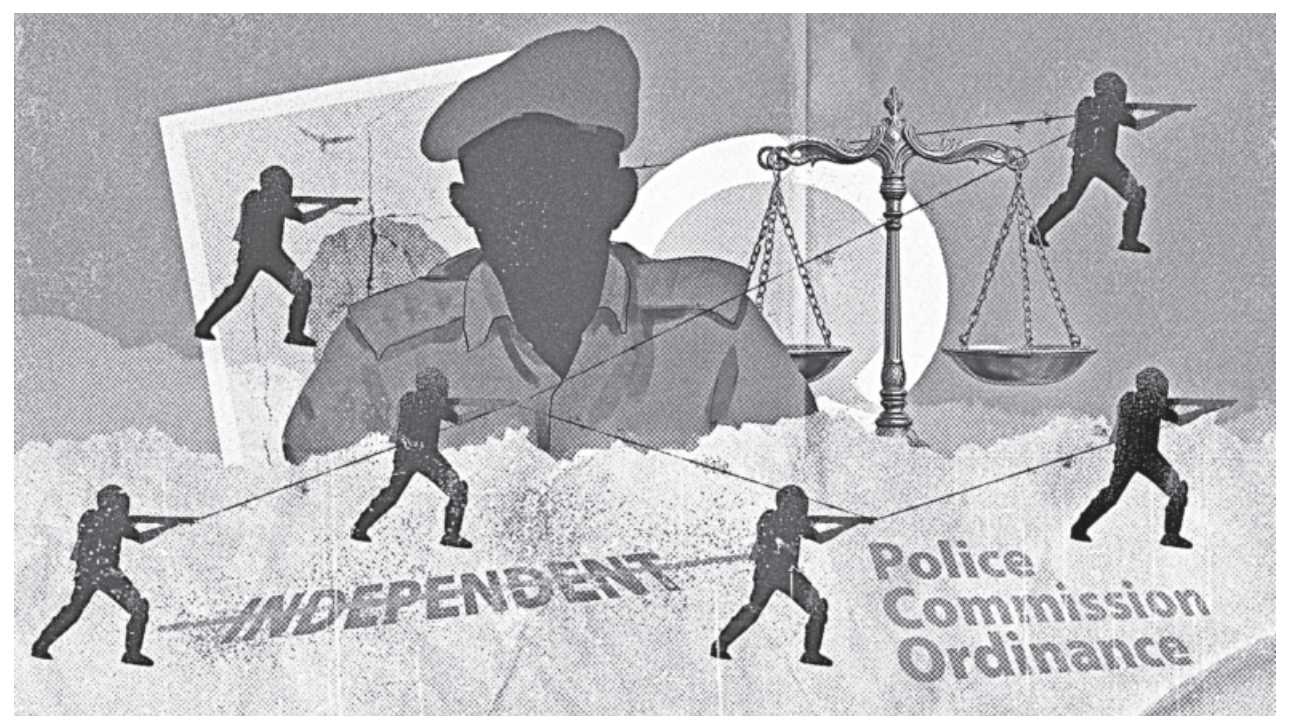
expertise, experience and professional composition of individuals to be represented, there is no example of a priori determination of the specific categories and numbers of individuals to be appointed, and that too with clear conflict of interest. Not only that, while most such commissions typically have a secretary to the commission who works under its supervision, reporting to it and attending meetings ex officio, subject to procedures determined by the commission, nowhere is there a provision for a member-secretary. And that too a representative of the police, who, in all likelihood, will be hand-picked by the government—it will be the determining factor making the commission compliant to government dictates.

Furthermore, the ordinance also renders the selection committee a mere rubber-stamp. Para 9 of the ordinance proposed that the selection committee be composed of six members, including the cabinet secretary and home secretary, who will, quite

Ordinance? The latter provision limits presidential discretion, usually blessed by the ruling party. Also, why should it not be mandatory to disclose the shortlisted names for public information?

The range of items listed under para 13 is also conceptually flawed, lacking a proper understanding of human rights and the role of police. It provides for striking a balance between "public security and human rights," thus failing to ensure precedence of human rights, which by itself is an essential prerequisite of public security. Nevertheless, the term, public security, remains undefined in the ordinance, leaving scope for arbitrary interpretation and abuse. The para also provides the proposed commission with the authority to only recommend measures, with practically no provision for enforcement.

Para 13 also mentions two separate committees—Citizen Complaint Management Committee and Police Grievance Redress Committee—both to



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requirement of giving the proposed entity—the police commission—the status of independence. The ordinance described the commission as a so-called statutory body, while there is no mention of the term or concept of independence, nor any provision for it to function outside the control of the law ministry and selected police officials and bureaucrats. It will be formed under the full authority of the government and operated as such, which doesn't make any sense for a commission worth its name.

In para 6, the ordinance dictates that it will be headed by five individuals, of whom one must be a retired bureaucrat and another a retired police officer, who will also be the commission's member-secretary, an unusual provision for any such commission. While both national and international good practices do provide the prerequisites, such as

understandably, play the determining role in the proceedings and selection. Additionally, the main opposition party in the parliament does not get to nominate its representative for the selection committee. The ordinance authorises the parliamentary committee on home to carry out that task. Anyone aware of the track record of parliamentary committees would not doubt that this choice would at best be controversial, if not imposed by the ruling party.

Besides, it is not clear why the home ministry has to provide secretarial support to the selection committee and not a separate office so that the scope of conflict of interest can be minimised. Moreover, why should the selection committee recommend two names for appointment against each commission position, instead of one, as in the case of the new National Human Rights Commission (NHRC)

be composed of the three commission members. Clearly, their work will be hindered by conflicts of interest due to the influence of bureaucratic and police dominance within the commission, as mentioned earlier. Para 19 (2) authorises the commission to "settle through coordination" any complaint that could be in the jurisdiction of the NHRC, which is another example of a conceptual flaw, because in such instances, NHRC's authority should have precedence.

Finally, the proposed commission under this ordinance will be practically governed, managed and operated by deputed officials from the bureaucracy and police at practically all levels with no financial independence as provided under para 23, 24, and 25.

The key message of the Police Commission Ordinance, 2025, is: forget about police reform in Bangladesh, treat it as an eyewash at best.

From Jihad to Sajid: Why Bangladesh needs tort law



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MST ASMA MAHMUD

Two-year-old Sajid from Rajshahi was found dead on December 11, after more than 30 agonising hours trapped inside a narrow shaft, approximately 30 feet deep. Rescuers worked day and night tirelessly, while the country watched helplessly. When Sajid was finally pulled out, the doctor declared him dead. This incident once again exposed the shortcomings of our rescue institutions and the legal system. A similar tragic incident occurred back in December 2014 in Shahjahanpur, Dhaka, where a four-year-old boy named Jihad fell into an unsealed deep well shaft. His death shocked the nation. The High Court intervened and, after two years of legal battle, ordered compensation for his family in 2016. Bangladesh Railway and the Department of Fire Service & Civil Defence were each ordered to pay Tk 10 lakh, an acknowledgment that negligence has consequences.

The appeal, however, took two more years to reach its final decision. Unfortunately, that judgment did not lead to any meaningful reform.

These incidents are not accidents. An open tube well shaft is a visible, deadly trap. Leaving such structures uncapped is pure negligence. And when negligence repeatedly causes the death of children, the problem is not individual oversight—it is a systemic failure of legal accountability, most specifically the application of tort law. Bangladesh lacks a strong system of tort law—the set of civil rules that make wrongdoers pay victims and push institutions to prioritise safety. Without the fear of civil liability, negligence becomes normal, hidden, and unquestioned.

In most cases of negligence-related deaths and damages, victims and their families primarily seek justice through criminal cases. However, in instances of

institutional and individual negligence, it is very difficult to establish criminal liability for a specific person, and punishing an individual is often unlikely, but this does not address the broken systems. In such cases, the appropriate remedy is the effective application of tort law: by turning harm into financial accountability, compelling institutions to adopt safer practices because the cost of negligence becomes too high to ignore.

Families like Sajid's face difficulty in filing a writ petition before the High Court Division without a suo-moto ruling from the High Court or NGO-led public interest litigation, as it involves financial expenses, travel to Dhaka, and hiring a lawyer. Besides this, civil courts, although having the jurisdiction to award compensation, lack laws regarding civil negligence and the measurement of damages. Therefore, filing a tort claim in Bangladesh is uncertain, prolonged, and practically inaccessible for ordinary citizens.

This lack of civil accountability also influences how buildings are constructed, roads are maintained, medical services are delivered, and public infrastructure is managed. When hospitals know they will never face serious malpractice lawsuits, safety protocols remain weak. When

transport companies understand wrongful death suits are unlikely, reckless driving continues. When municipalities realise they will not be sued for leaving hazards in public spaces, those hazards stay until someone is harmed or dies. It is not about money; it is about creating a system where safety costs less than carelessness. An effective tort system would compel authorities to seal abandoned wells, conduct regular inspections of public spaces, enforce safety standards, and maintain infrastructure properly. It would provide parents with legal acknowledgment for the wrongful loss of their children. It would push institutions to act proactively before tragedy happens, not after.

The emotional impact of Sajid's tragic death should not fade into another news cycle. His death—and Jihad's before him—should force a national reckoning. Bangladesh urgently needs a modern tort law that clearly defines negligence, imposes strict liability for public hazards, allows quick compensation, and establishes a civil justice pathway that victims can actually access. Without it, we will keep seeing lives lost to hazards that everyone knew existed, everyone knew were dangerous, and yet no one bothered to fix.