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5.1. Corporal punishment and the death penalty

Corporal punishment of children is permitted with the Penal Code stating that it is lawful in the home, alternative care and day care settings, and in penal institutions. Corporal punishment in schools is however not permitted following a Supreme Court ruling[352] of 13 January 2011, in which the court stated that it 'violated the Constitutional prohibition of torture and cruel, inhuman or degrading punishment or treatment.'[353] It also declared that all laws authorising whipping or caning of children should be repealed, but this ruling has not been confirmed by legislation, for example corporal punishment was not prohibited by the 2013 Children Act.[354] According to UNICEF, '9 out of 10 children aged 1-14 years face violent discipline each month by caregivers.'[355] There were moreover reports of corporal punishment being handed down as a punishment against women by informal justice mechanism.[356]

Bangladesh retains the death penalty in national law[357] and continued to sentence individuals to death in 2024[358] for 'ordinary crimes'.[359] Capital punishment applies to 33 offences,[360] including several non-lethal crimes such as rape and certain drug-related offences.[361] In October 2024, the Business Standard reported that 30 executions had been enforced in 2013–2023, mostly for murder, terrorism, and war crimes related the 1971 war of independence.[362] In 2024, no executions were recorded for the first year since 2018. According to Amnesty International, 'at least 165' death sentences were however issued, including for three drug-related offences, twelve rape cases and the remainder for intentional killings.[363] This constituted a decrease from 2023 when 248 death sentences were issued, and 5 executions were enforced.[364] Odhikar recorded 307 death sentences in lower courts in 2024.[365] In March 2025, the High Court upheld a death sentence for 20 Chhatra League members who had lynched a fellow student over his alleged political affiliation in 2019.[366] As reported by Amnesty International, in 2024, more than 2 400 people were known to be on death row,[367] and according to data from the Department of Prisons, as reported by Benar News, 2 554 inmates were on death row as of May 2024, with the great majority (2 468) being men.[368] On 13 May 2024, the High Court of Dhaka ruled it unconstitutional to keep inmates in solitary confinement on death row before they had exhausted their appeals.[369] According to Amnesty International, in 2024, death sentences were imposed in proceedings not meeting international fair trial standards and in absentia.[370]

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