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## PARTICIPANTS' PAPERS

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### CRIMINAL JUSTICE ISSUES REGARDING YOUTH INVOLVED IN TERRORISM IN BANGLADESH

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#### I. INTRODUCTION

The involvement of youth in terrorism poses significant challenges to societal stability and national security in Bangladesh. As globalization and digital communication become increasingly prevalent, young individuals are more vulnerable to extremism, driven by a variety of social, economic and ideological factors. The alarming trend of youth participation in terrorist activities necessitates a thorough examination of the criminal justice issues related to this phenomenon. This paper explores the current situation of youth involvement in terrorism in Bangladesh, identifies the root causes of this issue, discusses the challenges faced by the criminal justice system, highlights effective practices and proposes potential countermeasures. The analysis is further enriched by a case study of the 2016 “Holey Artisan Bakery Attack”, focusing on the investigation, prosecution and prison management aspects of the case.

#### II. CURRENT SITUATION

In this century, Bangladesh has witnessed a rise in incidents of terrorism, with young people increasingly implicated in these acts. The country saw a surge in terrorism with groups like “Jamatu Mujahidin Bangladesh” conducting bombings and assassinations. The most notable case involved synchronized bombings by JMB in 2005, where over 400 bombs exploded across 63 districts out of 64 districts of Bangladesh in a single day. A tragic event occurred in the Jhalkati district when two subordinate court judges were travelling in an office microbus to the district court, a suicidal bomber affiliated with the JMB detonated an explosive device near the vehicle carrying the judges. Both judges were killed instantly. The attack was a part of the JMB campaign against the judicial system of Bangladesh. Since then the Bangladesh government has actively combated these groups, significantly reducing these activities in recent years.

Bangladesh has enacted several Laws and Acts to combat terrorism and extremism. These laws provide legal frameworks for prosecuting terrorist activities and national security.

1. **The Anti-Terrorism Act, 2009 (Amended in 2012 and 2013):** Defines terrorism, terrorist organizations and activities related to terrorism, and allows for the freezing of assets of individuals and organizations linked to terrorism.
2. **The Information and Communication Technology (ICT) Act 2006 (amended in 2013):** designed to regulate cyberspace and combat cybercrimes including online extremism and terrorism.
3. **The Money Laundering Prevention Act, 2012:** Aims to prevent and combat money-laundering and terrorist financing.
4. **The Digital Security Act, 2018.**

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### III. CASE STUDY: “THE HOLEY ARTISAN BAKERY ATTACK-2016”

The Holey Artisan Bakery was a popular café located in the diplomatic area of Gulshan, Dhaka, frequented by diplomats and local elites. The Holey Artisan Bakery attack, which took place on 1-2 July 2016, remains one of the deadliest terrorist attacks in Bangladesh’s history. A total of 22 people were killed, including 17 foreigners from Italy, Japan, India, and the United States. The attackers targeted this café to instil fear by targeting foreigners and to gain global attention. The assault, carried out by five armed militants, resulted in the deaths of 22 hostages, mostly young people, and drew international condemnation. Two Bangladeshi police officers were killed during the initial rescue attempt. After a 12-hour standoff, Bangladeshi security forces launched Operation Thunderbolt, a coordinated assault involving the Paracommando, Army, Police, and Rapid Action Battalion. The operation resulted in the deaths of all five attackers and the rescue of 13 hostages. The attack highlighted the urgent need for strengthened counter-terrorism measures, including improved intelligence sharing and addressing the issue of radicalization.

According to reports from various agencies, youth radicalization is exacerbated by socioeconomic disparities, lack of access to education and a perceived lack of opportunities. Furthermore, the proliferation of extremist ideologies, facilitated by social media and online platforms, has made it easier for radical groups to target and recruit young individuals.

**Profile of the attackers:** The militants were young, educated individuals from affluent families, breaking the stereotype of poverty-driven radicalization. They had attended prestigious schools and universities.

**Judicial actions:** In 2019, seven Neo-JMB operatives were sentenced to death for their roles in planning and supporting the attack. This marked a significant step in holding extremists accountable.

**Investigation:** Following the attack, the Bangladesh government launched a large-scale investigation involving multiple agencies. The investigation revealed that the attackers were part of a larger network of extremists, many of whom were young individuals radicalized through social media. The authorities faced challenges in gathering intelligence and conducting effective investigations, partly due to the lack of collaboration between agencies.

**Prosecution:** The prosecution of the attackers was marked by significant challenges. Many of the accused were linked to extremist groups. This case underscored the need for reforms in the judicial process to expedite the prosecution of terrorism-related offences while upholding due process rights.

### IV. ANTI-TERRORISM COURTS IN BANGLADESH

In Bangladesh, Anti-Terrorism courts were established under the Anti-Terrorism Act of 2009. These courts dealt only with the cases relating to terrorism. These courts aim to address terrorism-related cases efficiently and ensure justice against acts threatening national and international security. The Bangladesh government established seven anti-terrorism tribunals in seven divisional headquarters for speedy disposal of cases.

#### A. Disposal of Anti-terrorism Cases

The backlog of cases in the judiciary of Bangladesh is a significant issue, severely impacting the efficiency of the judicial system. The ratio of judges to the population is critically low. Each judge handles an average of 1000-1500 cases annually. According to the Anti-Terrorism Act there is a provision to dispose of a case within six months. The below table shows the reality of the disposal of cases under the tribunals.

**Table: Anti-terrorism cases:**  
(1 January 2024 to 30 September 2024)

Serial no.	Tribunal/ District Name	Number of Cases			Total Case	Total Disposal	Transferred to other Courts	Pending (under trial) cases	Pending over 5 (five) years	Held by higher court order
		Previous Balance	New Filling	Forwarded from other courts						
01	Dhaka	450	75	-	525	97	01	427	-	46
02	Chittagong	117	08	-	125	-	-	125	65	05
03	Rajshahi	45	04	-	49	08	-	41	01	04
04	Khulna	13	03	-	16	03	01	12	03	-
05	Barishal	10	-	1	11	04	-	07	03	-
06	Rangpur	11	-	1	12	-	-	12	-	01
07	Sylhet	33	-	2	35	-	14	21	-	-
	<b>Total</b>	<b>679</b>	<b>90</b>	<b>4</b>	<b>773</b>	<b>112</b>	<b>16</b>	<b>645</b>	<b>72</b>	<b>56</b>

### B. Trial Procedure for Juvenile Offenders in Bangladesh

The trial procedure for juvenile offenders in Bangladesh is governed primarily by the Children Act 2013, which emphasizes a rehabilitative and child-friendly approach. A person under the age of 18 is treated as a minor under the Children Act 2013. According to this law, children cannot be detained in regular jails with adults. Juveniles are entitled to bail in most cases, as detention is considered a measure of last resort. Juveniles cannot be sentenced to death or life imprisonment.

## V. ROOT CAUSES, CHALLENGES, GOOD PRACTICES AND POSSIBLE COUNTERMEASURES

### A. Root Causes

Several factors contribute to youth involvement in terrorism in Bangladesh:

- ✓ High poverty and unemployment, especially among youth, create fertile ground for radicalization, as many young people feel disconnected from the mainstream economy and more open to extremist ideologies.
- ✓ Inconsistent education quality in Bangladesh leaves many youths without critical thinking skills, making them vulnerable to extremist beliefs due to a lack of awareness.
- ✓ Family and community influences are crucial; some families may unintentionally support extremist ideologies or fail to provide proper guidance, making youths more susceptible to radicalization.
- ✓ The internet plays a key role in spreading extremist propaganda, exposing young people to radical ideologies through social media and online platforms.

### B. Challenges

The criminal justice system in Bangladesh faces numerous challenges in addressing youth involvement in terrorism:

- ✓ Police and security forces lack proper training and resources, hindering their ability to prevent attacks and catch perpetrators promptly.
- ✓ Prisons are overcrowded and lack proper facilities or rehabilitation programmes, which can contribute to the radicalization of incarcerated youth.
- ✓ Youth involved in terrorism face social stigma, making reintegration into society difficult and potentially

fueling further violence and radicalization.

- ✓ Bangladesh requires a comprehensive counter-terrorism strategy that includes prevention, intervention and rehabilitation. Currently, the approach is more reactive, focusing on punishment rather than addressing the root causes of radicalization.

### **C. Good Practices**

Despite the challenges, several good practices have emerged in Bangladesh that can be leveraged to address youth involvement in terrorism:

- ✓ The government is implementing community-based initiatives that promote dialogue, education and social cohesion to effectively prevent radicalization by engaging local communities in countering extremist ideologies.
- ✓ Efforts to provide young people with opportunities for education, employment and personal development, including skill-building and entrepreneurship programmes, are being prioritized to reduce their vulnerability to radicalization.
- ✓ Public awareness campaigns focused on promoting tolerance, inclusivity, and countering extremist narratives, especially through social media, are being launched by the government to prevent radicalization among youth.

### **D. Possible Countermeasures**

Addressing the issue of youth involvement in terrorism in Bangladesh requires a multifaceted approach that encompasses prevention, intervention and rehabilitation. Possible countermeasures include:

- ✓ Improving law enforcement: Providing training, resources, and fostering collaboration among agencies can help prevent and respond to terrorism. Intelligence-sharing can also enable early intervention and disrupt extremist networks.
- ✓ Educational reforms: Investing in education that promotes critical thinking, tolerance and inclusivity can help youth resist extremist ideologies. Changes to the curriculum, including peace education and civic engagement, can strengthen a sense of community.
- ✓ Supporting community-based initiatives: Encouraging local programmes that empower youth and focus on counter-radicalization can effectively prevent young people from engaging in terrorism by using local knowledge and resources.
- ✓ Improving rehabilitation programmes: Effective rehabilitation programmes should address the psychological and social needs of young offenders, offer vocational training, and encourage positive relationships with mentors and peers to aid successful reintegration into society.

## **VI. CONCLUSION**

The issue of youth involvement in terrorism in Bangladesh presents a complex challenge for the criminal justice system. Addressing this issue requires a comprehensive understanding of the root causes, challenges and potential solutions. The 2016 Holey Artisan Bakery attack serves as a poignant reminder of the urgent need for effective countermeasures to prevent youth radicalization and ensure national security. By investing in community engagement, educational reforms and rehabilitation programmes, Bangladesh can create a more resilient society that empowers its youth and fosters a culture of peace and tolerance.