

GLOBAL TORTURE INDEX 2025: INDIA FACTSHEET

OVERALL GLOBAL TORTURE INDEX SCORE:

HIGH RISK

The Global Torture Index 2025 is the first analysis designed to assess the risk of torture and ill-treatment across 26 countries worldwide. This 2025 factsheet for India includes an analysis of the country's overall performance, a breakdown by thematic pillars and key recommendations for driving meaningful change in the fight against torture and the promotion of human rights.

COLLABORATING ORGANISATIONS IN INDIA:

People's Watch

AT A GLANCE

Torture, especially that perpetrated by police and security forces during law enforcement operations and interrogations, remains widespread and systemic in India. For 2025, the Global Torture Index classifies the country as facing a high risk of torture and ill-treatment, based on data collected in 2023 and 2024. **Incidents involving severe beatings, forced confessions and custodial deaths frequently occur, particularly targeting marginalised communities such as Dalits, Adivasis, Muslims, LGBTQIA+ individuals and migrant labourers.** Residents of West Bengal, especially near the Indo-Bangladesh border, face routine violence, torture, and extrajudicial killings by state forces. Legal impunity granted to the Border Security Force (BSF) severely hinders accountability and justice for victims.

Common practices include unlawful detention in unofficial locations and extrajudicial killings, often rewarded with promotions for police personnel. Human rights defenders are routinely subject to arbitrary arrest, preventive detention and torture and ill-treatment, underscoring a culture of institutional violence and impunity.

India's political and institutional framework significantly contributes to this crisis. Despite constitutional prohibitions on torture, there is no specific national legislation criminalising torture or CIDTP, and key international treaties, **including the UN Convention Against Torture (UNCAT) and its Optional Protocol, remain unratified**. The 2019 amendment to the Unlawful Activities (Prevention) Act (UAPA) has enabled the arbitrary labelling of activists as terrorists, intensifying the suppression of dissent. Although formally inviting international oversight, India effectively blocks visits by mechanisms like the UN Special Rapporteur on Torture, reflecting insufficient political commitment to addressing torture comprehensively.

In 2024, **the National Human Rights Commission reported 2,739 custodial deaths, following approximately 2,400 cases in 2023. Additionally, 1,995 prisoners died in judicial custody in 2022, including 159 unnatural deaths. At least 61 human rights defenders have faced detention under the UAPA since 2018.** High-profile cases include the extended incarceration and subsequent death of activist Professor G.N. Saibaba, detained despite having a severe disability, and journalist Siddique Kappan's two-year imprisonment for investigating caste violence.

The rights of victims of torture and ill-treatment remain severely limited, with no comprehensive law defining victims of torture, leaving most survivors without adequate redress or rehabilitation. **Complaints mechanisms are ineffective and often lead to reprisals against complainants.** Although the National Human Rights Commission exists, it faces criticism for insufficient independence and inadequate responses to victims' needs.

GENERAL INFORMATION



Type of government:
Federal Republic



United Nations Convention Against Torture:
Not Ratified



OPCAT ratification:
Not Ratified



Population:
1.460.736.310



People deprived of liberty:
573,220



Prison population (per 100,000 of national population):
41



Pre-trial detainees / remand prisoners (percentage of prison population):
75.8%



Documented Detained Human Rights Defenders:
No data



Alerts Issued by the Observatory for Human Rights Defenders in 2024:
11



Prison Occupancy level:
131.4%



Homicide rate (per 100.000 people):
3

THEMATIC PILLAR OVERVIEW



I. POLITICAL COMMITMENT

INDEX SCORE: CONSIDERABLE RISK

India demonstrates insufficient political commitment to effectively preventing torture and other cruel, inhuman or degrading treatment or punishment (CIDTP). Despite constitutional prohibitions, the country lacks dedicated national legislation specifically criminalising torture or CIDTP. India has not ratified key international instruments such as the UN Convention Against Torture (UNCAT), despite repeated UPR recommendations to do so, its Optional Protocol (OPCAT), the Second Optional Protocol to the ICCPR aimed at abolishing the death penalty or the International Convention for the Protection of All Persons from Enforced Disappearance.

A regressive anti-terrorism law, the Unlawful Activities (Prevention) Act (UAPA), amended in July 2019, significantly worsened conditions by enabling authorities to designate individuals, including activists and human rights defenders, as terrorists. **Since 2018, at least 61 HRDs have been jailed under the UAPA and/or terror/security laws.**

India recently overhauled its criminal legal framework by introducing three new laws: the *Bharatiya Nyaya Sanhita, 2023 (BNS)*, that replaces the Indian Penal Code (e.g. Section 120 on extorting confessions); the *Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)*, that replaces the Code of Criminal Procedure; and the *Bharatiya Sakshya Bill, 2023 (BSB)*, that replaces the Indian Evidence Act.

India has minimum engagement with international oversight mechanisms. Although the government formally invited the UN Special Rapporteur on Torture to visit the country, it has effectively prevented such visits from occurring. It has responded to fewer than 50% of communications from the Rapporteur over the last five years and provided minimal substantive information.



II. ENDING POLICE BRUTALITY AND INSTITUTIONAL VIOLENCE

INDEX SCORE: HIGH RISK

Police brutality and institutional violence remain prevalent and systemic in India, characterised by frequent incidents of torture, ill-treatment and extrajudicial killings by law enforcement officials. In the *Parimvir Singh v. Baljit Singh* case of December 2020, the Supreme Court of India issued guidelines mandating the installation of CCTV cameras in police stations and central investigative agency offices, covering aspects such as camera features, placement and the storage of and access to footage. However, compliance remains poor, with 2,701 police stations lacking any cameras. Where cameras are installed, most fail to meet the Court's standards regarding coverage, technical features and storage capacity.

Custodial violence resulting in death frequently happens during detainee transfers or within police stations and hospitals. Law enforcement officers regularly use illegal practices such as beatings and threats to extract information before and during arrests. **Improper use of firearms has resulted in severe injuries and fatalities, particularly affecting marginalised groups such as Dalits, Adivasis, Muslims, LGBTQIA+ individuals, migrant labourers and homeless persons.** These groups regularly endure severe physical abuse, intrusive body searches and discriminatory policing practices. Unofficial places of detention, including abandoned buildings, government offices and even hotel rooms, have become common sites of police brutality, with detainees subjected to beatings, threats and other forms of ill-treatment to extract forced confessions.

Under the new procedural laws, the longstanding requirement for executive sanction to prosecute public officials remains, but a new provision aims to address this barrier in cases of custodial violence. This is to say, if the sanctioning authority fails to respond within 120 days, approval will be deemed granted. However, the laws also significantly extend the permissible duration of police custody during investigations.

Despite judicial interventions, accountability remains low, **with the National Human Rights Commission reporting approximately 2,739 custodial deaths in 2024 and about 2,400 cases in 2023.** Police officials labelled as 'encounter specialists' receive promotions for conducting extrajudicial killings, demonstrating institutional complicity. Human rights defenders, particularly those addressing land and environmental issues, frequently face preventive detention, torture and illegal arrests.



III. FREEDOM FROM TORTURE WHILE DEPRIVED OF LIBERTY

INDEX SCORE: HIGH RISK

Persons deprived of liberty in India face severe and systematic human rights violations. **A total of 1,995 prisoners died in judicial custody in 2022 alone, including 159 unnatural deaths, highlighting dangerous conditions in detention facilities.** Chronic overcrowding significantly exacerbates this situation, with prisons operating at a national **average occupancy rate of 131.4%, according to the National Crime Records Bureau (NCRB) prison statistics for 2022.** This overcrowding disproportionately impacts poorer inmates, who suffer severely from inadequate food, clothing and bedding, further deteriorating their living conditions.

Discrimination against marginalised communities is alarmingly prevalent in Indian prisons, primarily influenced by caste, religion, economic status, disabilities and sexual orientation. A notable case illustrating institutional neglect involves **Professor B.N. Saibaba, who, despite being 90% disabled and wheelchair-bound, spent over 10 years incarcerated without adequate facilities, severely deteriorating his health.** He had been arbitrarily arrested in Delhi on May 9, 2014, and sentenced to life imprisonment on March 7, 2017, on charges of conspiracy and membership of a terrorist organisation under the Unlawful Activities (Prevention) Act (UAPA). In 2018, his left arm was paralysed due to nerve damage and a lack of adequate medical attention. Complaints mechanisms for detainees facing torture or ill-treatment are largely ineffective. Independent medical evaluations rarely occur without interference, and staff accused of torture are seldom suspended during investigations. Prisoners reporting abuses frequently face reprisals such as heightened searches, unjustified punishments, solitary confinement, intimidation and even death.

In addition, data from the Ministry of Home Affairs and the National Human Rights Commission [show a 300% rise in deaths in police custody in West Bengal between 2022 and 2023](#). **India's minimum age of criminal responsibility is alarmingly low, at just 8 years.** While there are theoretical provisions allowing non-official prison visits by civil society members, in practice, access is restricted, with HRDs frequently facing retaliation for publicly documenting conditions within detention facilities.



IV. ENDING IMPUNITY

INDEX SCORE: HIGH RISK

Impunity for torture remains pervasive in India due to significant legal and institutional shortfalls. The country lacks comprehensive domestic legislation explicitly criminalising torture, with cases generally categorised as deaths in police or judicial custody. The absence of victim and witness protection laws severely discourages reporting, a situation only partly addressed by the Supreme Court's 2018 judgment (*Mahender Chawla & Ors. vs Union of India*). Even then, victims rarely access legal aid due to protracted judicial processes, often extending over several years without resolution.

Institutional mechanisms, including the National and State Human Rights Commissions, lack jurisdiction over violations by armed forces, creating further shortcomings in accountability. During its 45th session held in March 2025, the Global Alliance of National Human Rights Institutions (GANHRI) [has recommended downgrading India's National Human Rights Commission \(NHRC\) from 'A' to 'B' status](#) citing concerns, including the involvement of police officers in investigations that may impact its impartiality. Furthermore, GANHRI highlighted that the NHRC has not addressed the 'shrinking civic space and increased instances of targeting of human rights defenders, journalists and perceived critics'.

The limited forensic investigation capacity complicates the issue, as *there is no national legislation governing forensic institutes or mandating adherence to international standards*. This creates further challenges to accurate and impartial evidence gathering in torture investigations.

Cases against alleged perpetrators infrequently result in convictions, reinforcing impunity. Reprisals such as intimidation and stigmatisation of victims, witnesses and lawyers are common, and police and prosecutors often actively discourage lodging complaints.



V. VICTIM'S RIGHTS

INDEX SCORE: HIGH RISK

There are significant legislative gaps and inadequate implementation of existing protections for victims of torture and ill-treatment in India. Currently, there is no comprehensive national law defining victims of torture, although scattered legal provisions provide some safeguards for specific groups. This severely limits victims' access to justice and effective remedies. The few examples are high-profile incidents such as the custodial death [of Vignesh in Chennai](#) and the brutal killing of a juvenile at a special juvenile home in [Chengalpattu, Tamil Nadu](#), highlighting the ineffective application of protective laws designed for vulnerable groups. Victims and their families consistently struggle to achieve meaningful redress, reflecting systemic weaknesses in both accountability mechanisms and judicial processes. Moreover, compensation for survivors of torture remains rare and inadequate; estimates indicate that only 0-25% of torture survivors receive any financial reparations. The broader issue of institutional neglect and the lack of comprehensive victim support mechanisms leave most torture survivors without adequate psychological support, medical care or justice.



VI. PROTECTION FOR ALL

INDEX SCORE: HIGH RISK

In India, there are significant shortfalls in protection for several vulnerable groups. Honour killings against women and girls have increased over the last five years; however, the cases are underreported, and no exact statistics are available. Despite the persistence of this social blight, India lacks specific legislation to address it, although a draft was proposed in Law Commission Report No. 242. Reports indicate endemic violence against women and girls, which is manifested by practices including marital and gang rape, domestic violence, acid attacks and public humiliation involving naked women being paraded through the streets. Rape cases are often mishandled, with judges frequently engaging in victim-blaming and placing an unreasonably heavy burden of proof on survivors, making justice difficult to obtain. Forced and child marriages remain prevalent, with the government rarely taking effective measures to eradicate them. Additionally, female genital mutilation persists without sufficient state intervention or preventive policies. The definition of rape under the Bharatiya Nyaya Sanhita, 2023, does not include marital rape.

Children also face alarming exploitation. Bonded labour remains widespread, with **children commonly forced into begging, prostitution, organ trafficking and hazardous employment**, such as manufacturing firecrackers and engaging in other dangerous seasonal occupations.

A study published in 2024 revealed that there were over 9,600 children 'wrongly' jailed in adult prison in India in 6 years.

India's Indigenous communities, legally termed 'Scheduled Tribes' or commonly known as Adivasi, frequently suffer marginalisation, lack meaningful participation and experience conflicts over land and resources involving extractive industries, energy projects and illegal activities. **In India's northeastern state of Manipur, the communities have been plagued by ethnic violence for nearly two years, and state security forces have killed more than 260 people and displaced over 60,000.**

In the context of national security, individuals face frequent ill-treatment, torture and death during interrogations under anti-terrorism charges. For instance, **activist G.N. Saibaba, 90% wheelchair-bound, endured seven years of cruel treatment in Nagpur prison without proper medical care**. Journalist **Siddique Kappan faced detention under terrorism charges** for exposing caste-based discrimination. **Despite the presence of over 169 human rights institutions, effective oversight of detention centres remains severely limited**, facilitating unreported violations.



VII. RIGHT TO DEFEND AND CIVIC SPACE

INDEX SCORE: HIGH RISK

In India, despite constitutional protections of freedom of speech, expression, assembly and association, human rights defenders (HRDs) and civil society organisations frequently face severe restrictions and intimidation. **Over 30,000 NGOs have lost operational capabilities due to misuse of the Foreign Contribution (Regulation) Act, 2010**, particularly its stringent 2020 amendment. Additional misuse of laws such as the Unlawful Activities (Prevention) Act (UAPA), Prevention of Money Laundering Act and various preventive detention laws by agencies like the National Investigation Agency (NIA) and Central Bureau of Investigation (CBI) has severely curtailed civic freedoms. HRDs seeking accountability for past violations and justice for victims including the 2002 Gujarat riots have been targeted with legal cases and jailed in reprisal for their work.

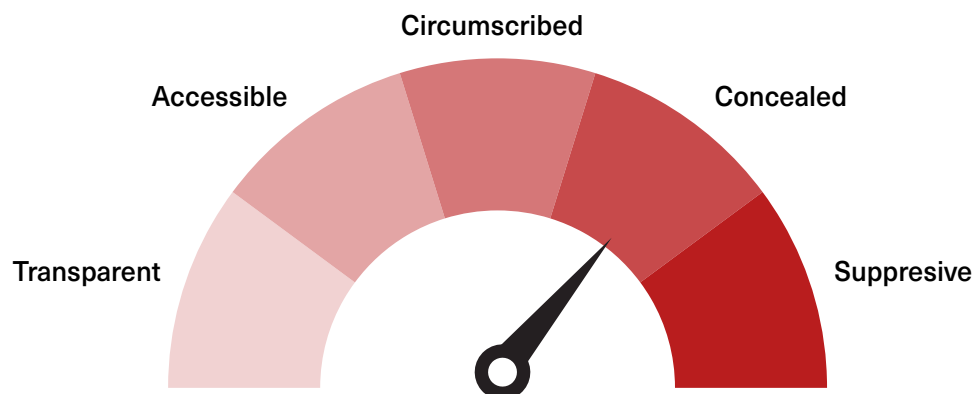
Prominent examples include the Bhima Koregaon case, where activists, lawyers and researchers have remained incarcerated for over five years. Similarly, Kashmiri activist Khurram Parvez has been imprisoned for over three years, **while 90% physically challenged professor G.N. Saibaba was acquitted after 8.5 years in jail, and died six months later**. Journalist Siddique Kappan faced two years of incarceration for attempting to investigate caste-based violence in Hathras. Activists like Teesta Setalvad and retired IPS officer Srikumar faced judicial custody exceeding 10 weeks after Supreme Court references.

Reprisals against HRDs for monitoring public assemblies, such as farmers' protests, [anti-Sterlite movements](#), [Odisha's anti-Jindal protests](#) and [Melma farmers' agitation](#), are common, and include arbitrary arrests and restricted medical access. HRDs frequently face judicial harassment, arbitrary detention and trumped-up charges. The National Human Rights Commission, tasked with addressing these violations, has received significant criticism from the GANHRI for inadequate handling of HRD-related complaints, highlighting ongoing systemic challenges to human rights advocacy in India.

TRANSPARENCY AND ACCESS TO INFORMATION

The Global Torture Index rates the access to information and transparency available in each country when measuring and assessing the risks of torture and ill-treatment. It considers the availability of information, as well as the obstacles faced by civil society organisations in collecting data and their ability to access it. Data access must be guaranteed in every society, both in law and in practice, to ensure state transparency and accountability. It enables organisations, journalists and individuals to request information on public bodies, protocols and statistics on human rights violations. This indicator reflects the challenges in accessing information within a country, with each country and territory assigned a rating as Suppressive, Concealed, Circumscribed, Accessible or Transparent.

India's score is **concealed** based on our evaluation of its current level of transparency and access to information.



ADVOCATING FOR CHANGE IN INDIA: KEY RECOMMENDATIONS

The Index includes 5 recommendations for India, taken from the [Index webpage](#), which will serve as references in upcoming editions to monitor achievements within the anti-torture movement.

1. Ratify the United Nations Convention Against Torture, its Optional Protocol, and the Convention for the Protection of All Persons from Enforced Disappearance.
2. Apply the Méndez Principles on Effective Interviewing and provide law enforcement and security forces with the necessary training to manage mass assemblies—ensuring adherence to the United Nations Basic Principles on the Use of Force and Firearms and other international standards.
3. Cease the misuse of anti-terrorism, national security and preventive detention laws against Human Rights Defenders, and guarantee that they are not deterred from engaging in legitimate and peaceful human rights activities.
4. Conduct thorough investigations into all custodial deaths occurring in police or judicial custody, in accordance with Section 196 (2) of BNSS, under the supervision of a Judicial Magistrate, in line with the Istanbul and Minnesota Protocols. Ensure that internal protocols uphold the rights of family members to view the body before the autopsy begins, and guarantee that the family receives both the post-mortem report and a video recording on the same day.
5. Amend the Protection of Human Rights Act (2019) to integrate the recommendations of The Global Alliance of National Human Rights Institutions-Sub Committee on Accreditation, ensuring the National Human Rights Commission of India maintains its independence, autonomy and effective investigative powers.



FURTHER RESOURCES

For further information, the complete 2025 Torture Index—including detailed data visualisations, FAQs, the methodology, and more—can be accessed on our website: <https://www.omct.org/en/global-torture-index>. Should you have any questions, feel free to reach out to us at tortureindex@omct.org.

ACKNOWLEDGMENT OF SUPPORT

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