

India: Criminalise torture and end culture of impunity in Jammu and Kashmir

(Kathmandu/Bangkok, 22 May 2019) – The Asian Forum for Human Rights and Development (FORUM-ASIA) condemns the inhumane and degrading use of torture by law enforcement agencies, and urges the Government of India and the Government of Jammu and Kashmir to repeal the laws that fuel the torture and abuse of civilians, political activists, human rights activists, journalists and students in Jammu and Kashmir.

On 20 May 2019, FORUM-ASIA member, the Association of Parents of Disappeared Persons (APDP) and the Jammu Kashmir Coalition of Civil Society (JKCCS) released the first comprehensive report on torture in Jammu and Kashmir, *Torture: Indian State's Instrument of Control in Indian Administered Jammu and Kashmir*. The report provides a contextual understanding of the systemic use of torture in Jammu and Kashmir, and analyses 432 cases to portray trends and patterns, targets, perpetrators, sites, the context and impact of torture on the victims.

The report finds that the systematic use of torture by various inhumane and dishonourable methods, like beating, electrocution, stripping people naked, roller treatment with heavy wooden or iron rod targeting the legs, electrocution of genitals, the hanging upside down of victims, dunking of heads in water with chillies, burning of body parts, water-boarding, and sleep deprivation, are practiced by numerous security agencies at different camps, safe houses, detention centres. This often results in custodial death and extra-judicial killings. Additionally, victims suffer from permanent disabilities, and post-traumatic stress disorder.

The report also gives exact numbers of how often these different practices were reported. '(..) stripping the detainees naked (190 out of 432 cases studied for this report), beating with sticks, iron rods or leather belts (326 cases), roller treatment (169 cases), water-boarding (24 cases), dunking detainees' head in water (101 cases), electrocution including in genitals (231 cases), hanging from the ceiling, mostly upside down (121 cases), burning of the body with hot objects (35 cases), solitary confinement (11 cases), sleep deprivation (21 cases), sexual torture (238 cases) including rape and sodomy, among others.'

There has been complete absence of a single prosecution for human rights violations for torture, which proves the judicial and political impunity, which is enjoyed by law enforcement agencies.

FORUM-ASIA strongly urge the Government of India to criminalise torture and put an end to the impunity provided to the security officials. It also urges the Government to ratify the United Nations Convention against Torture (UNCAT), which was signed in 1997.

The report published can be accessed [here](#).

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 81 member organisations in 21 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas

of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

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