

## ~~The Unfolding Horror: Torture, Repression, and the Silenced Voices of Kashmir~~

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Today, on the International Day against Torture, it is imperative to turn our gaze towards a region where this heinous crime isn't a relic of the past, but a disturbingly present reality: Indian-occupied Jammu Kashmir. While the world commemorates the victims and reaffirms its commitment to eradication, Kashmir remains a chilling testament to the continued, systematic use of torture as a tool of state control.

The International Day against Torture, observed annually on June 26th, marks the date the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) came into effect in 1987. Its purpose is multifaceted: to raise awareness about the global prevalence of torture, to honor the victims, and to advocate for the complete elimination of this barbaric practice.

But what is torture? The CAT defines it as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining or extracting information, punishing him for an act he or she has committed or is suspected of having committed, or intimidating or coercing him or her or a third person.” Crucially, the definition extends beyond physical violence to encompass psychological torment, recognizing the devastating and long-lasting impact of mental abuse. It is a violation of fundamental human rights, enshrined in the Universal Declaration of Human Rights, and considered a crime against humanity under international law.

Despite a robust international framework – the CAT, the International Criminal Court, and various regional human rights mechanisms – torture persists. The failure lies not in the lack of legal instruments, but in the lack of political will to enforce them and hold perpetrators accountable. State actors often shield themselves behind claims of national security, invoking the “ticking bomb” scenario to justify abusive practices. However, these justifications are consistently refuted by human rights organizations and international bodies. The mechanisms for accountability, including the CAT's reporting system and investigations by Special Rapporteurs, are often hampered by limited access, lack of cooperation from states, and the sheer power imbalance between the investigator and the accused.

The insidious nature of torture lies in its adaptability. State apparatuses – police, military, intelligence agencies – employ a horrifying range of methods. Beyond the well-known physical abuses like beatings, electric shocks, and sexual assault, torture manifests in sleep deprivation, prolonged stress positions, mock executions, and the systematic humiliation and degradation of victims. Crucially, torture isn't just about extracting information; it's about breaking the spirit, instilling fear, and silencing dissent. It's a tool of control, designed to maintain power through terror.

This is precisely the role torture has played in Indian-occupied Kashmir for over three decades. Since the outbreak of armed conflict in 1989, the region has been under a heavy military presence, with military, paramilitary and police enjoying blanket impunity under draconian laws. The Jammu Kashmir Coalition of Civil

Society (JKCCS), in its extensive reports like “Torture: India’s instrument of control in Jammu and Kashmir” and the joint report with four Special Rapporteurs detailing secret torture chambers, meticulously details a pattern of systematic torture perpetrated by security forces. These reports document a horrifying array of methods employed.

The individual stories behind these reports are not abstract statistics; they are lives shattered, families destroyed. Consider the case of Klander Khatana, subjected to brutal interrogation techniques including chomping of limbs and forced eat his own flesh— leaving him with permanent physical and psychological scars. Or Ghulam Nabi Khan, whose ordeal involved electric shocks administered to sensitive parts of his body, leaving him unable to walk without assistance. Shabir Ahmed Bhat, a school teacher from Panpore, tortured to death. And the tragic story of Makhan Din, driven to suicide after being repeatedly tortured for allegedly providing information to militants – a desperate act born of unbearable pain and hopelessness. These are just a few names, fragments of a much larger, agonizing tapestry of suffering. To attempt to name them all in this short space would be to diminish the scale of the tragedy.

Former UN Special Rapporteur on Torture, Manfred Nowak, in his prologue to the JKCCS report on torture described the situation as “among the worst he had ever seen.” He highlighted the impunity enjoyed by security forces and the lack of independent investigations into allegations of torture. His assessment underscored the systemic nature of the abuse, noting that torture wasn’t the work of a few rogue elements, but a deliberate policy employed to suppress the Kashmiri population.

This systemic nature is further evidenced by the deeply disturbing phenomenon of enforced disappearances. From 1989 to June 2025, estimates suggest that over 8,000 – 10,000 people have been forcibly disappeared in Kashmir. These disappearances are often linked to custodial killings, with bodies often found in unmarked graves, further obscuring the truth and denying families closure. The lack of accountability for these crimes fuels a cycle of impunity and perpetuates the climate of fear. Families are left in a perpetual state of agonizing uncertainty, unable to mourn or seek justice.

The situation has only worsened in recent years, particularly after the revocation of Article 370 in 2019 and the subsequent lockdown. Reports indicate an increase in arbitrary arrests, detention without trial, and the use of torture against political activists, journalists, and ordinary citizens. .

The international community has a moral and legal obligation to address the situation in Kashmir. This requires more than just issuing statements of concern. It demands independent investigations into allegations of torture and enforced disappearances, the prosecution of perpetrators, and the implementation of effective mechanisms to prevent future abuses. The UN Human Rights Council must prioritize Kashmir and ensure continued monitoring of the human rights situation. A Commission of Inquiry, with full investigative powers, is urgently needed to document the abuses and identify those responsible.

More importantly, India must acknowledge the extent of the problem, repeal repressive laws ratify CAT, and allow unfettered access to international human rights groups. The silence surrounding the atrocities in Kashmir is deafening, and it is time for the world to break that silence and stand in solidarity with the victims. India must ratify the Rome Statute, granting the International Criminal Court jurisdiction over crimes committed in Kashmir.

The International Day against Torture should not be a mere symbolic gesture. It must serve as a catalyst for action, a reminder that the fight against torture is a fight for justice, dignity, and the fundamental rights of all human beings. For the people of Kashmir, it is a plea for an end to the decades-long nightmare and a hope for a future free from fear and oppression. One this day one cannot forget the political leaders and human rights activist of Kashmir enduring continuous physical and psychological torture in Indian prisons.

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