

**Mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on minority issues; the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism**

Ref.: UA IND 6/2026  
(Please use this reference in your reply)

9 April 2026

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on minority issues; Special Rapporteur on freedom of religion or belief and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, pursuant to Human Rights Council resolutions 52/7, 60/8, 54/14, 52/9, 52/4, 52/5, 58/5 and 58/14.

In this connection, we would like to bring to the attention of your Excellency's Government new information we have received since we last communicated to your Government concerning the case of Mr. **Jagtar Singh Johal**, a national of the United Kingdom of Great Britain and Northern Ireland, and human rights defender, who has been detained in India since November 2017.

**Mr. Johal's case presents a picture of major derelictions of investigative, prosecutorial and judicial standards of conduct and practice, including infliction of physical and psychological torture and/or other cruel, inhuman or degrading treatment or punishment at various stages of his detention, unlawful and violent interrogations which gave rise to coerced confessions, enforced disappearance over 10 days, and prolonged, arbitrary deprivation of liberty. Prolonged arbitrary detention can be a form of psychological torture or other cruel, inhuman or degrading treatment or punishment. We are concerned about the impact of this long uncertainty on his health and well-being, and the miscarriages of justice this case presents. We urge your Excellency's Government to drop the pending charges against Mr. Johal in light of the lack of evidence, the lengthy time he has spent in pre-trial detention and the serious allegations of torture and other ill-treatment impacting on his right to a fair trial.**

We refer your Excellency to two prior communications regarding allegations of torture and other ill-treatment and arbitrary deprivation of liberty in this case. On 29 January 2018, Special Procedures mandate-holders addressed a joint urgent appeal to the Government of India, expressing concern at Mr. Johal's reported torture or ill-treatment and his alleged arbitrary deprivation of liberty ([UA IND 3/2018](#)).

Subsequently, on 7 November 2019, Special Procedures addressed a joint allegation letter to the Government of India, reiterating concerns at the alleged torture or ill-treatment suffered by Mr. Johal and the absence of any investigation in respect of those allegations. They recommended, *inter alia*, that Mr. Johal receive urgent access to an independent medical examination and any necessary treatment ([AL IND 19/2019](#)).

Regrettably, no response was received to either communication.

On 19 November 2021, the case of Mr. Johal was examined by the Working Group on Arbitrary Detention (WGAD). In its Opinion No. [80/2021](#), the WGAD concluded that Mr. Johal had been targeted on account of his activities as a Sikh practitioner and supporter, and found that his deprivation of liberty was arbitrary. The WGAD found that Mr. Johal was deprived of his liberty on discriminatory grounds, owing to his status as a human rights defender and based on his political activism, religious faith and opinions.

The WGAD requested the Government of India remedy the situation of Mr. Johal without delay. Taking into account all the circumstances of the case, it considered that the appropriate remedy was his immediate release, together with an enforceable right to compensation and other reparations. The WGAD further urged the national authorities to conduct a full and independent investigation of the circumstances surrounding Mr. Johal's arbitrary detention and to take appropriate measures against those responsible for the violation of his rights.

As at the date of writing this letter, Mr. Johal remains detained.

According to the information received:

Mr. Jagtar Singh Johal is a national of the United Kingdom, born on 9 February 1987. He is a follower of the Sikh faith and is known as a human rights defender, engaged in online awareness-raising activities advocating for the equal rights of Sikhs in India, primarily through the translation into English of individual accounts of persons allegedly subjected to persecution by Indian authorities on religious grounds.

On 4 November 2017, after his wedding in Jalandhar, Punjab, Mr. Johal was abducted by unidentified men in Rama Mandi. He was hooded, forced into an unmarked vehicle and taken to a police station of Bagha Purana. The individuals did not identify themselves as police officers or present a warrant of arrest. Mr. Johal was held incommunicado in an undisclosed location for 10 days, without access to a lawyer, his family, or consular representative of the British High Commission.

Between 4 and 7 November 2017, Mr. Johal was interrogated by the police and allegedly subjected to torture and/or other ill-treatment which took the form of, *inter alia*, electric shocks to his ears, nipples and genitals during interrogation, forcing his limbs into painful stress positions, being deprived of sleep, and being threatened to shot and burnt alive by the police whom, at one point brought petrol into his cell.

He was further allegedly videorecorded and made to recite scripts prepared by the police and pressured into signing blank documents, which were subsequently used as evidence of a confession.

Thereafter, Mr. Johal became the subject of nine criminal proceedings instituted by India's National Investigation Agency (NIA), all related to the same alleged crimes of conspiracy involving the funding and recruitment of individuals for terrorist activities, including attacks on religious and political leaders and organisations in Punjab between 2016 and 2017.

All proceedings reportedly included charges carrying the death penalty. They were all allegedly based on the aforementioned forced confession extracted at the time of his arrest in 2017 as well as on a testimony provided by a co-accused who reportedly died in police custody in 2018.

On 4 March 2025 – more than seven years since his initial arrest – in the first of the nine legal proceedings to reach conclusion, Mr. Johal was acquitted of all charges. The Court found that the prosecutor had failed to adduce any reliable evidence against him, despite having had over seven years to prepare the case.

Notwithstanding this acquittal, Mr. Johal continues to be deprived of his liberty due to the eight remaining pending proceedings. It is further reported that his conditions of detention have deteriorated since his acquittal.

On 20 March 2025, Mr. Johal informed his family that he had been placed in solitary confinement, subjected to continuous surveillance, and exposed to frequent and aggressive searches. It appears that this measure was subsequently discontinued.

On 18 July 2025, during a consular visit, Mr. Johal reported that he had no access to water for bathing, and that his weekly telephone contact with his family had been reduced to one call every two weeks.

Mr. Johal's family has expressed increasing concern for his health and well-being. The circumstances described above have reportedly caused them significant frustration and stress, exacerbated by the uncertainty surrounding his overall situation.

While we do not wish to prejudge the accuracy of these allegations, and having regard to the findings of the WGAD and the repeated concerns expressed by the Special Procedures over the past years, we express concerns about the violation of multiple human rights obligations.

First, we reiterate that the arrest and subsequent prolonged detention of Mr. Johal have already been determined to be arbitrary and unlawful, in violation of his right to liberty and security of the person, as enshrined in articles 3 and 9 of the Universal Declaration of Human Rights (UDHR), and article 9 of the International Covenant on Civil and Political Rights (ICCPR), ratified by India in 1979.

Second, such excessively delayed legal proceedings, now beyond 8 years, including uncertainty surrounding the potential imposition of the death penalty, have given rise to severe distress and anxiety to Mr. Johal – and also to members of his family. Such circumstances may give rise to forms of psychological suffering amounting to torture and/or cruel, inhuman or degrading treatment or punishment and possibly torture in violation of the jus cogens and absolute prohibition of torture, and the prohibition on other ill-treatment, set forth in article 5 of the UDHR, articles 7 and 10 of the ICCPR, and, at least, articles 1, 2 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), signed by India in 1987. No exceptional circumstances whatsoever – including alleged threats of terrorist activities – may be invoked as a justification for torture or ill-treatment. Psychological torture and ill-treatment are recognised as prohibited under international customary law on an equal basis as those of a physical nature.

Third, we raise serious concerns about the veracity of the evidence collection and excessive delays in resolving the criminal proceedings, which point to a serious case of miscarriage of justice. We remind your Excellency's Government of the general principle of double jeopardy meaning that Mr. Johal's acquittal on one of the charges should prevent him being re-tried for the same conduct across the eight cases.

Fourth, we express our concern that the allegations of physical and psychological torture and ill-treatment have not yet been addressed. In this regard, we emphasize that the inadmissibility of evidence obtained through torture or other ill-treatment constitute an essential component of the general and absolute prohibition of torture and other ill-treatment ([A/HRC/25/60](#)), as implied in article 7 of the ICCPR. It is both a fundamental safeguard against torture or ill-treatment, and a cornerstone of the right to a fair trial (article 10 of the UDHR and 14 of the ICCPR).

Fifth, we raise to your attention reports that, at times his material conditions and treatment during his detention in prison, appear to have fallen below international standards. In addition to this rights to freedom from torture and/or other cruel, inhuman or degrading treatment or punishment (outlined further below), these may also constitute violations of Mr. Johal's right to the enjoyment of the highest attainable standard of physical and mental health, recognised in article 12 of the International Covenant on Economic, Social and Cultural Rights, ratified by India in 1979.

We recall that, by depriving individuals of their liberty, the State assumes responsibility to care for their lives and physical integrity and must therefore take all necessary measures to ensure their protection. Persons deprived of liberty have the right to be informed at the time of arrest of the reasons for their arrest, and subsequently of any charges against them. If not promptly charged or convicted, they must be released. In all circumstances, they must be treated humanely and with respect for their inherent dignity. They must have access, *inter alia*, to effective legal representation, adequate medical care, prompt judicial review of their detention, and effective remedies for violations of their rights. They must also be able to communicate with their families and receive visits from independent monitoring bodies. Foreign nationals must be promptly – and continuously – informed of their right to communicate with their consular authorities.

With regard to Mr. Johal's most recent reported placement in solitary confinement, and in the absence of available information as to its duration, we wish to recall that indefinite and prolonged solitary confinement are prohibited under international human rights law (UN Standard Minimum Rules for the Treatment of Prisoners, the "[Nelson Mandela Rules](#)", rule 43). Prolonged solitary confinement is defined as confinement of prisoners for more than 22 hours per day without meaningful human contact (rule 44), and for a period exceeding 15 consecutive days (rule 44). Such treatment may amount to torture and can cause severe and irreparable harm. It may be used only in exceptional circumstances, as a measure of last resort, for the shortest possible duration, and subject to competent authority authorization and independent review. It must never be imposed as part of a prisoner's sentence (rule 45).

The prohibition on torture and other cruel, inhuman or degrading treatment or punishment entails corresponding obligations to criminalize and investigate all acts of torture or other ill-treatment, to prosecute suspects, to punish those responsible and to provide remedies to victims. Victims are to be protected from reprisals or intimidation during investigations; they must be afforded an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible ([A/77/502](#); and [A/HRC/52/30](#)).

Sixth, we express concerns about the veracity of the terrorism-related proceedings brought against Mr. Johal given shortcomings repeatedly brought to the attention of your Excellency's Government regarding the compatibility of India's counter-terrorism legal framework and practices with international law (IND 7/2020; IND 10/2023; IND 3/2026). We remind your Excellency's Government of its obligation to ensure that measures to combat terrorism do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights (A/HRC/RES/22/6, para. 10(a)).

Seventh, in reference to his alleged enforced disappearance, we recall India's obligations under articles 6, 7, 9 and 16 of the ICCPR, read alone and in conjunction with article 2(3). Article 6 protects the "inherent right to life" and prohibits arbitrary deprivation of life; article 7 prohibits "torture or cruel, inhuman or degrading treatment or punishment"; article 9 guarantees the "right to liberty and security of person", including protection against arbitrary arrest or detention, the right to be informed of the reasons for arrest, and the right to challenge the lawfulness of detention; and article 16 ensures "recognition everywhere as a person before the law." Together with article 2(3), these provisions oblige the State to provide "access to an effective remedy" for any such violations.

We reiterate that an enforced disappearance occurs where "a deprivation of liberty is followed by a refusal to acknowledge such deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, thereby placing the individual outside the protection of the law, regardless of the duration of the deprivation or concealment." This is consistent with the definition contained in article 2 of the 1992 Declaration on the Protection of All Persons from Enforced Disappearance, which further affirms in article 7 that "no circumstances whatsoever, including states of war or internal political instability, may be invoked to justify enforced disappearance." Articles 9-12 require that no one be detained secretly, that accurate registers of all persons deprived of liberty be maintained, that information on detainees' whereabouts

be provided promptly to relatives and counsel, and that authorities initiate a prompt, thorough and impartial investigation into every alleged case of disappearance.

Eighth, we raise concerns that this deprivation of liberty and the large number and the nature of repetitive legal proceedings brought against him appear to have been fabricated as retaliation against his legitimate activities as a human rights defender and an advocate for the equal rights of Sikhs in India, in possible violation of his right to freedom of religion and belief (article 18 of the UDHR and ICCPR) and his right to freedom of opinion and expression (article 19 of the UDHR and ICCPR).

In that regard, we recall that States have a duty to put in place effective measures to protect individuals against attacks aimed at silencing those exercising these rights, and that any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR, i.e. to be provided by law; pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and be necessary and proportionate for those objectives. Article 19(3) may never be invoked to justify the muzzling of any advocacy of democratic tenets and human rights (CCPR/C/GC/34, paras. 23, 34). Additionally, we recall that the articles 1 and 2 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as UN Declaration on Human Rights Defenders, establish that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. Moreover, article 6(b) provides for everyone's right to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.

Accordingly, the totality of the circumstances to which Mr. Johal has been subjected for years, constitute an increasingly serious threat to Mr. Johan's life and well-being and may give rise to irreparable harm to his physical and mental health. We recall that the obligation to respect and ensure the right to life, protected under article 3 of the UDHR and article 6 of the ICCPR, extends to reasonably foreseeable threats and life-threatening situations even where such threats have not yet resulted in loss of life ([CCPR/C/GC/36](#)).

In light of the foregoing, we respectfully request that all necessary measures are taken to prevent any irreparable damage to the life and personal integrity of Mr. Johal. In particular, Mr. Johal should be provided, as a matter of urgency, with adequate and comprehensive medical care, including appropriate treatment and monitoring of his health situation in a civil hospital. We stress that time is of the essence.

We further respectfully call upon your Excellency's Government to release Mr. Johal unconditionally and without delay. The circumstances of his arrest and continued deprivation of liberty must be effectively investigated, pursuant to international standards, and those responsible for any violation must be held accountable.

We recall that, by depriving individuals of their liberty, the State assumes responsibility to care for their lives and physical integrity and must therefore take all necessary measures to ensure their protection.

Persons deprived of liberty have the right to be informed at the time of arrest of the reasons for their arrest, and subsequently of any charges against them. If not promptly charged or convicted, they must be released. In all circumstances, they must be treated humanely and with respect for their inherent dignity. They must have access, *inter alia*, to effective legal representation, adequate medical care, prompt judicial review of their detention, and effective remedies for violations of their rights. They must also be able to communicate with their families and receive visits from independent monitoring bodies. Foreign nationals must be promptly informed of their right to communicate with their consular authorities.

With regard to Mr. Johal's most recent reported placement in solitary confinement, and in the absence of available information as to its duration, we wish to recall that indefinite and prolonged solitary confinement are prohibited under international human rights law (UN Standard Minimum Rules for the Treatment of Prisoners, the "[Nelson Mandela Rules](#)", rule 43). Prolonged solitary confinement is defined as confinement of prisoners for more than 22 hours per day without meaningful human contact (rule 44), and for a period exceeding 15 consecutive days (rule 44). Such treatment may amount to torture and can cause severe and irreparable harm. It may be used only in exceptional circumstances, as a measure of last resort, for the shortest possible duration, and subject to competent authority authorization and independent review. It must never be imposed as part of a prisoner's sentence (rule 45).

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response as soon as possible on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would also be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide updated and detailed information concerning the pending eight cases against Mr. Johal, including a detail of the charges pending against him. Please explain whether and when these cases will be dismissed. Alternatively, please justify how proceeding to trial with the remaining cases complies with the prohibition on double jeopardy taking into consideration the acquittal of Mr. Johal in March 2025 on identical charges.
3. Please provide updated and detailed information on Mr. Johal's physical and mental health, including any measures taken or envisaged to protect

his life, preserve his health and well-being, and ensure access to timely and adequate medical care, including, where appropriate, in a civil hospital.

4. Please provide detailed and updated information on the conditions of Mr. Johal's detention, assessed against applicable international human rights law and standards, including the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and the requirement of humane and dignified treatment in detention, and the Nelson Mandela Rules.
5. Please provide information on measures taken, or envisaged, to implement opinion No. 80/2021 of the Working Group on Arbitrary Detention, including any investigations conducted and their outcomes, particularly with respect to accountability for any violation. If no investigation has been undertaken, please explain the reasons why.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government to clarify the issues in question.

Please be informed that a copy of this letter will also be sent to the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations in Geneva.

Please accept, Excellency, the assurances of our highest consideration.

Alice Jill Edwards  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Ganna Yudkivska  
Vice-Chair of the Working Group on Arbitrary Detention

Gabriella Citroni  
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Irene Khan  
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freedoms while countering terrorism