

15 October 2025

India's Membership at the Human Rights Council Should Reflect Commitment, Not Contempt, for Human Rights

In light of the elections on 14 October 2025 of Member States to the United Nations Human Rights Council for the 2026-2028 term, we urge that India's membership be evaluated in light of the standard established by General Assembly Resolution 60/251. That [resolution](#) makes clear that Council members must uphold "*the highest standards in the promotion and protection of human rights*" and "*fully cooperate with the Council.*"

India was elected, facing an [uncompetitive, or "closed", slate](#) presented by the Asia group.

India's record reveals serious and persistent shortcomings in both cooperation with UN human rights mechanisms and compliance with its international obligations. Across multiple UN mechanisms – including Special Procedures, Treaty Bodies, and the Office of the High Commissioner for Human Rights (OHCHR) – India has consistently demonstrated a pattern of non-cooperation, rejection of findings, and reprisals against human rights defenders, activists, and civil society organizations engaging with UN human rights mechanisms.

India maintains a standing invitation to UN Special Procedures. Still, it has accepted only two country visits in the past decade – that of the Special Rapporteur on adequate housing [in 2016](#) and the Special Rapporteur on safe drinking water and sanitation in [2017](#). As of October 2025, at least [19 visit requests](#) remain pending, including one from the Special Rapporteur on torture, first requested in 1999 and reiterated multiple times, most recently in 2021. Since 2011, India has replied to roughly one-third of over 200 communications sent by Special Procedures. This pattern reflects a broader unwillingness to cooperate and contravenes the principle of good-faith engagement required under the [UN Charter](#) and the HRC's Institution-Building package ([A/HRC/RES/5/1](#)).

India has also rejected or ignored findings and reports by UN mandates concerning serious violations. The Government [dismissed](#) the [2018](#) and [2019](#) OHCHR reports on Jammu and Kashmir as "[false, with a motivated narrative.](#)" It has likewise [not](#) substantively responded to calls from the UN High Commissioner and the Special Procedures to address grave abuses in [Manipur](#) and against [religious and ethnic](#) minorities. Moreover, implementation of Universal Periodic Review recommendations remains [limited](#): key commitments to protect the right to freedom of religion or belief, repeal or amend the Armed Forces (Special Powers) Act, and ensure accountability for security-force abuses remain largely unimplemented.

On 23 April 2025, the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) [recommended](#) downgrading the National Human Rights Commission of India (NHRCI) from "A" to "B" status, citing persistent concerns over

independence, political interference, and transparency of appointments. The SCA also recorded attempts by authorities to influence the accreditation process. This historic recommendation follows two unprecedented consecutive deferrals in 2023 and 2024, reflecting the NHRCI's persistent non-compliance with the Paris Principles. Since the SCA's announcement, the NHRCI has formally [challenged](#) the recommendation, which will be reviewed by the GANHRI Bureau at the end of the year. The Commission's failure to respond constructively to SCA's recommendations, coupled with the decision to contest the recommendation for a downgrade, underscores its unwillingness to address longstanding concerns about its independence and effectiveness. It also reflects a wider institutional regression India is facing, whereby the [judiciary](#), [electoral bodies](#), and other oversight institutions have been increasingly compromised, narrowing the space for accountability, checks and balances, and peaceful dissent.

India continues to fall short of its international human rights commitments. It has [signed](#) but [not](#) ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the [International Convention for the Protection of All Persons from Enforced Disappearance](#) (CED). India has also not [ratified](#) the Optional Protocol of the Convention against Torture (OP-CAT), the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2) aiming at the abolition of the death penalty, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW).

Periodic reports under the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child are fourteen and five years overdue, respectively. During India's long-overdue ICCPR review, held 27 years after its previous review in 1997, the Human Rights Committee [expressed](#) deep concern over the use of arbitrary detention, excessive force, and broad immunity provisions under AFSPA and urged legislative and institutional reforms. Yet no discernible progress has been made toward the meaningful implementation of these recommendations.

Equally serious are patterns of intimidation and reprisals. India has been repeatedly cited in the UN Secretary-General's [annual reports](#) on reprisals for targeting individuals who cooperate with UN mechanisms. The [Working Group on Arbitrary Detention](#) found the detention of Kashmiri human rights defender Khurram Parvez to be arbitrary and called for his immediate release; he continues to be [incarcerated](#). The continued use of the [Unlawful Activities \(Prevention\) Act \(UAPA\)](#)—as well as the [Jammu and Kashmir Public Safety Act](#)— and the [Foreign Contribution \(Regulation\) Act \(FCRA\)](#) to criminalize peaceful dissent and restrict the work of human rights defenders, activists and civil society organizations further contravenes India's international human rights obligations and constitutes retaliation against those who engage with UN human rights mechanisms.

During the previous membership period, between 2019 and 2024, India's record at the UN Human Rights Council was marked by repeated abstentions on key resolutions establishing investigations or accountability mechanisms for serious gross and systematic human rights

violations and alleged war crimes - including on Sri Lanka, Myanmar, Xinjiang, and the Occupied Palestinian Territories.

Taken together, these developments indicate a systemic erosion of transparency and accountability. Council membership is not symbolic but carries substantive obligations. UN General Assembly resolution [60/251](#) provides that States elected to the Council shall both uphold human rights domestically and cooperate fully with UN human rights mechanisms. On both counts, India's record falls short.

We therefore urge Member States to evaluate India's candidacy in accordance with these criteria and to seek explicit, time-bound commitments from the Government of India to:

- Accept, with no further delay, all pending country-visit requests by the UN Special Procedures, including to Indian-administered Kashmir, during the membership period 2026-2028;
- Ratify, without delay, the CAT and CED; accede to the OP-CAT, ICCPR-OP2, and the ICMW.
- Guarantee the independence of the NHRCI in line with the Paris Principles, and implement the recommendations of the GANHRI SCA.
- End all reprisals against human rights defenders, journalists, and others engaging with the UN mechanism, and comply with the opinion of the UNWGAD concerning the detention of Khurram Parvez.
- End discriminatory policies and practices, and ensure prompt, impartial, and effective investigations into unlawful violence, including gender-based violence, against minorities and persons from marginalized groups, including Dalits and Adivasis.
- Amend or reform restrictive legislation, including the Unlawful Activities (Prevention) Act (UAPA) and the Foreign Contributions (Regulations) Act (FCRA), to comply with international human rights standards.
- Repeal the Jammu and Kashmir Public Safety Act (PSA), the National Security Act (NSA), and the Armed Forces (Special Powers) Act. In parallel, ensure that military personnel suspected of having committed serious human rights violations are brought to justice in fair trials before civilian courts.

Campaigns for membership in the Human Rights Council, and membership itself, should serve as a spotlight - not a shield. We encourage you to engage with India in this context and to urge clear, demonstrable commitments to cooperate fully with UN human rights mechanisms.

Amnesty International
Asian Forum for Human Rights and Development (FORUM-ASIA)
CIVICUS: World Alliance for Citizen Participation
International Service for Human Rights (ISHR)
REDRESS
World Organisation Against Torture (OMCT)