GLOBAL TORTURE INDEX: OVERVIEW OF THE SEVEN THEMATIC PILLARS AND TABLE OF CONTENTS

Introduction

This document aims to provide a brief overview of the seven key thematic pillars (sub-themes) measured and analysed in the OMCT's Global Torture Index. Each thematic pillar delves into various specific thematic focuses to thoroughly assess the risk of torture and other forms of ill-treatment in a given country, in line with international human rights standards.

The conceptual framework of the Global Torture Index is comprised of 7 thematic pillars:

1. Political Commitment Against Torture
2. Ending Police Brutality and Institutional Violence
3. Freedom From Torture While Deprived of Liberty
4. Ending Impunity
5. Victims' Rights
6. Protection For All
7. Right To Defend and Civic Space

For more information on the main references, Index content and data analysed, please refer to our *Index Anti-Torture Articles* and the accompanying *Methodology Note*. Should you have any questions, feel free to contact us at tortureindex@omct.org.

Political Commitment Against Torture

What do we measure in this section?

- This section aims to assess the State's political and legal commitments against established international and regional standards for the prevention of, and protection from, torture and other cruel, inhuman, or degrading treatment or punishment (CIDTP). States' political will to end torture manifests itself in: the **ratification** of anti-torture treaties and remedies, a constructive engagement with their monitoring mechanisms, as well as a demonstrable commitment to the universal struggle against torture, reflected in support for international human rights bodies (e.g., contributions to the UN Voluntary Fund for Victims of Torture).

  Equally crucial are the **effective and adequate incorporation** of universal and regional anti-torture standards in domestic law, the existence of public policies against torture, and the establishment of dedicated institutions able to prevent and protect from torture and other ill-treatment.

Table of contents: Political Commitments against Torture and CIDTP

1. INTERNATIONAL COMMITMENTS
   - 1.1. International Commitments against Torture and other Cruel Inhuman or Degrading Treatment or Punishment (CIDTP)
   - 1.2. Engagement international monitoring mechanisms
     - 1.2.1. Engagement with the UN Committee Against Torture (CAT)
     - 1.2.2. Engagement with other United Nations mechanisms
       - 1.2.2.1. UN Subcommittee on Prevention of Torture (SPT)
       - 1.2.2.2. UN Special Rapporteur on Torture
       - 1.2.2.3. Universal Periodic Review (UPR)
       - 1.2.2.4. United Nations Voluntary Fund for Victims of Torture
   - 1.3. Regional Commitments against Torture and other CIDTP, if applicable

2. DOMESTIC COMMITMENTS
   - 2.1. Anti-torture framework at the domestic level
   - 2.2. National Institutions for the protection of human rights and the prevention of torture

Ending Police Brutality and Institutional Violence

What do we measure in this section?

Law enforcement officials provide a vital public service within societies, by serving the community and by protecting all persons against illegal acts. While performing their duty, they must respect and protect human dignity, maintaining and upholding the human rights of all persons in every context. However, this is not always the case. Given that the risk of torture and other ill-treatment is higher during the initial period of police custody, arrest and interrogation, strict legislation and protocols with adequate safeguards are required, as well as mechanisms to identify instances where these safeguards are not implemented.

This section intends to measure these safeguards on the use of force by law enforcement officials, from the beginning of the State custody, during the transfer to law enforcement premises until the release or formalisation to a detention facility, which will be analysed in the next section (e.g., prison, immigration centres, military prison, among others). Moreover, we also analyse those specific situations where the presence of actors with law enforcement functions and their use of force, both custodial and extra-custodial, can result in human rights abuses, particularly affecting specific groups. Thus, we also measure if the State has strong, independent, and efficient monitoring, oversight and accountability mechanisms, at the highest levels of compliance with domestic legislation in line with human rights standards. To finalise, a commitment against torture and CIDTP also requires guarantees against a broad range of institutional violence, such as the prohibition of enforced disappearances, arbitrary deprivation of life by public officials and the abolition of the death penalty.

Table of contents: Police Brutality and Institutional Violence

1. LAW ENFORCEMENT ACTIVITIES
   - 1.1. Overview of use of force practices
   - 1.2. Guarantees in the context of arrests

2. SAFEGUARDS DURING THE FIRST HOURS OF STATE CUSTODY

3. PREVENTION OF TORTURE DURING INTERROGATION AND INVESTIGATION

4. CONTEXTS OF PARTICULAR RISK OF EXCESSIVE USE OF FORCE
   - 4.1. Assemblies
   - 4.2. Extra custodial use of force in border control

5. INSTITUTIONAL VIOLENCE
   - 5.1. Death Penalty (if applicable)
   - 5.2. Life sentence (if applicable)
   - 5.3. Enforced disappearances (if applicable)
   - 5.4. International obligations

6. POLICE OVERSIGHT MECHANISMS
   - 6.1. Internal control mechanism (police internal affairs)
   - 6.2. 6.2. External and civilian oversight

Freedom From Torture While Deprived of Liberty

What do we measure in this section?

This section intends to measure the risk of being subjected to torture and other ill-treatment during a period in State custody once the individual is formalised to any detention facility, including the penitentiary system, immigration centres, military prisons, among others. We take the definition of deprivation of liberty as set forth in OPCAT article 4, which "*...means any form of detention or imprisonment or the placement of a person in a public or private custodial setting which that person is not permitted to leave at will by order of any judicial, administrative or other authority*".[1]

We analyse the extent to which detention facilities uphold the responsibilities of the State in ensuring humane, safe, and rehabilitative conditions for persons deprived of their liberty, as well as avoiding overcrowding. This includes evaluating the provision of decent detention conditions, the implementation of legal safeguards, the prevention of torture and ill-treatment, and assurance of accountability where violations occur. Key indicators include the existence and effectiveness of complaints mechanisms, the mandate and operation of National Preventive Mechanisms, and the level of access granted to civil society to monitor these facilities. Additionally, we assess the use of pre-trial detention—ensuring it remains an exceptional measure—as well as the application of tailored safeguards for specific groups, including women, children, and LGBTQIA+ individuals.

Table of contents: Freedom from Torture whilst Deprived of Liberty

1. UPHOLDING AND PROTECTING THE PHYSICAL AND PSYCHOLOGICAL INTEGRITY OF PEOPLE DEPRIVED OF THEIR LIBERTY
   - 1.1. Regulations, safeguards and cases of violence
     - 1.1.1. Overall Framework in Detention Facilities
     - 1.1.2. Solitary confinement
     - 1.1.3. Injuries and incidents
   - 1.2. Files and record management
2. CONDITIONS OF DETENTION
   - 2.1. General Conditions and Population Management
     - 2.1.1. Health services
     - 2.1.2. Searches
     - 2.1.3. Transfers
     - 2.1.4. Accommodation
     - 2.1.5. Effective mechanisms for complaints
3. ATTENTION TO SPECIFIC GROUPS
   - 3.1. Women
   - 3.2. Children/juveniles
   - 3.3. LGBTQIA+ individuals
   - 3.4. Indigenous peoples (if applicable)
   - 3.5. Other groups (if applicable)
4. SPECIFIC SITUATIONS (Optional section)
   - 4.1. Immigration centres
   - 4.2. Psychiatric establishments under state custody
5. MONITORING
   - 5.1. National Preventive Mechanism (if applicable)
   - 5.2. Other independent mechanisms
6. INSTITUTIONAL STRUCTURE
   - 6.1. Penitentiary management and general figures
   - 6.2. Staff
   - 6.3. Use of pre-trial detention

1. See Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR

Ending Impunity

What do we measure in this section?

Despite the absolute prohibition of torture and other ill-treatment, in many countries, public officials commonly abuse their positions and commit torture and other ill-treatment. Victims of torture, and/or their relatives, may wish to seek truth and justice for what has happened. There are different ways to achieve justice, and it depends on the survivor which form may be more appropriate for them. Seeking accountability, reparations and justice for human rights violations is not an easy path. At times, no legal mechanisms are available; and even where procedures aimed at achieving justice do exist, they are often lengthy, or victims lack trust in State institutions. Access to justice should include an investigation, a criminal proceeding, fair and impartial judicial proceeding within a reasonable time and the effective enforcement of the decisions taken. Apart from the justice system, there are also other mechanisms available to achieve truth and redress such as recurring to National Human Rights Institutions, Truth Commissions and Commission of Inquiry, but they are complementary and do not substitute for judicial proceedings.

This section analyses the role of courts, judges, and prosecution offices in the investigation and sentencing of cases of torture and other ill-treatment. It examines the accessibility of justice for victims, including the availability of multiple channels to lodge complaints—such as courts and quasi-judicial bodies—and access to adequate legal aid. It further assesses the role of trained forensic services and the quality of medical examinations, in line with the Istanbul Protocol, as well as the use of such evidence in judicial proceedings. The section considers specific contexts in which impunity is more likely to persist, including countries affected by armed conflict, former authoritarian regimes, and transitional periods towards democratic governance.

Table of contents: Ending Impunity

1. OBLIGATION TO INVESTIGATE
   - 1.1. General legal framework and reporting obligations
   - 1.2. Immunities, amnesties, and military courts
   - 1.3. Transitional justice and serious crimes in the past

2. FIGURES ON INVESTIGATION
   - 2.1. Complaints and investigations in official mechanisms
   - 2.2. Complaints documented by Civil Society Organisations
   - 2.3. Convictions

3. ACCESS TO JUSTICE
   - 3.1. Accessibility to complaint mechanisms
   - 3.2. Rights of the victim during the investigation and trial
   - 3.3. Protection from reprisals following victims' complaints

4. THE JUSTICE SYSTEM: INVESTIGATING BODY AND THE JUDICIARY
   - 4.1. Investigative and prosecutorial authority (or analogous institution)
   - 4.2. Judiciary, judicial safeguards, and trial phase
   - 4.3. National Human Rights Institutions

5. MEDICO-LEGAL INVESTIGATION
   - 5.1. Framework of the recourse to forensic expertise
   - 5.2. Weight given to forensic expertise by judges

Victims' Rights

What do we measure in this section?

This section analyses the State's responsibility in responding to acts of torture and other ill-treatment, highlighting the need for a comprehensive and victim-centred support system. Once such violations occur, the effectiveness of State mechanisms in providing justice and redress becomes a key indicator of accountability. A robust response should integrate legal, medical, psychological, and social dimensions, reflecting an interdisciplinary and holistic approach aligned with international standards, including the UN Convention Against Torture.

The section focuses on:

- The presence of strong legal frameworks and policies that broadly recognise victims of torture and ensure safeguards for redress and rehabilitation.
- Availability of medical, psychological, and social assistance tailored to victims' needs.
- The level of individual and collective protection for victims, relatives, witnesses, and affected communities.
- Adequate funding and institutional resources to support redress and rehabilitation.
- The accessibility of information and communication channels ensuring victims and affected groups are aware of available rights and specialised services.

In the Global Torture Index, we refer to victims of torture and other ill-treatment following the definition of the UN CAT General Comment No3, but also recognise that many victims are also survivors: '*Victims are persons who have individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute violations of the Convention. A person should be considered a victim regardless of whether the perpetrator of the violation is identified, apprehended, prosecuted or convicted, and regardless of any familial or other relationship between the perpetrator and the victim. The term 'victim' also includes affected immediate family or dependants of the victim as well as persons who have suffered harm in intervening to assist victims or to prevent victimisation. The term 'survivors' may, in some cases, be preferred by persons who have suffered harm.*'[2]

Table of contents: Victims' rights

1. REGULATORY FRAMEWORK AND FUNDAMENTAL SAFEGUARDS
2. PROTECTION FOR VICTIMS OF TORTURE AND OTHER CIDTP
3. ENSURING REDRESS
   - 3.1. Legal framework for reparations
   - 3.2. Compensation
   - 3.3. Rehabilitation
   - 3.4. Satisfaction
   - 3.5. Other specific contexts
4. STATISTICAL DATA

2. UN CAT GC 3, art. 3 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Protection For All

What do we measure in this section?

International human rights law establishes that states must do more than simply refrain from violating rights—they have a positive obligation to actively ensure the enjoyment of human rights within their jurisdiction. This includes not only enacting appropriate laws and regulations but also effectively implementing them. For example, the Inter-American Court of Human Rights For example, the Inter-American Court of Human Rights, in the case of *Velásquez Rodríguez*, emphasised the state's duty to exercise 'due diligence' in protecting individuals from abuses, including those by non-state actors. This includes the adoption of legislation affording effective protection and ensuring the criminal and civil accountability of non-state actors responsible for torture, as well as providing effective remedies for victims of torture by these actors.

Although anyone can be subjected to torture and other ill-treatment, depending on the context, culture and time, UN bodies have recognised that certain people or groups are especially vulnerable and require additional attention and protection. Hence, and for practical reasons, in this Index section, we include a limited number of groups in situations of the highest vulnerability, acknowledging that other groups may also face risks of ill-treatment. The selection is based on two main criteria: the existence of international and regional standards holding states accountable, and the widespread patterns of abuse these groups face. Some include children, women, LGBTQIA+ individuals, ethnic and racial minorities, and people on the move. Situations that require special attention are those related to national security, such as counterterrorism or fighting extremism, and armed conflict, in which the exceptionalities introduced into the system often contribute to reducing safeguards to an extent that creates a void in which the risk of torture is heightened.

Table of contents: Protection for All

1. GENERAL PROVISIONS

2. GENDER-BASED VIOLENCE AGAINST WOMEN AND GIRLS
   - 2.1. Domestic violence
     - 2.1.1. Intimate partner violence
     - 2.1.2. Femicides
     - 2.1.3. Domestic violence against children and other members of the family
   - 2.2. Violence against women's reproductive and sexual health

3. VIOLENCE AGAINST CHILDREN
   - 3.1.2. Prevention measures
   - 3.1.3. Forms of torture and other ill-treatment

4. VIOLENCE AGAINST LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX AND QUEER (LGBTQIA+)
   - 4.1. Regulatory framework and implementation
   - 4.2. Forms of torture and ill-treatment
   - 4.3. International protection

5. HUMAN TRAFFICKING

6. INDIGENOUS PEOPLES

7. EXCEPTIONAL CONTEXTS
   - 7.1. National Security: Counterterrorism and Extremism
     - 7.1.2. Prevalence of torture in the context of national security
     - 7.1.3. Regulatory framework and implementation
     - 7.1.4. Fundamental safeguards
   - 7.2. Armed Conflict (optional section)
     - 7.2.2. International commitment
     - 7.2.3. Accountability

Right To Defend and Civic Space

What do we measure in this section?

The right to defend human rights is a prerequisite for the eradication of torture. Human Rights Defenders (HRDs) play a crucial role in independently monitoring human rights violations, supporting victims, and holding states accountable—making civil society a key actor in the implementation of anti-torture commitments.

This section assesses the extent to which civil society organisations and individual HRDs are able, both in law and in practice, to operate freely and safely in a given country. This includes the ability to document human rights abuses, being free from legal or budget restrictions, having a meaningful and pluralistic participation in decision making, as well as engaging with national institutions and international mechanisms.

In the Global Torture Index, we take the HRD definition of the 1998 UN Declaration of Human Rights Defenders, which sets forth in Art. 12 (3) that: '*Everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms*.'

Table of contents: Right to Defend and Civic Space

1. ENABLING ENVIRONMENT
   - 1.1. General context
   - 1.2. Freedom of association and assembly
   - 1.3. Freedom of expression
   - 1.4. Right of access to information

2. HUMAN RIGHTS MONITORING
   - 2.1. During public assemblies
   - 2.2. Engagement with international independent mechanisms

3. SERIOUS ATTACKS AGAINST HRDS AND PROTECTION MECHANISMS
   - 3.1. Serious attacks against HRDs
   - 3.2. Protection mechanisms

FURTHER RESOURCES

For further information, the complete 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.

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