

Written Evidence - REDRESS (UIA0004)

SUMMARY

1. REDRESS is concerned about the human rights implications of the UK-India Free Trade Agreement ("the Agreement"), particularly in relation to torture. These primarily relate to:
 - 1.1. The lack of strong, enforceable provisions to encourage India's ratification of and adherence to the UN Treaties, particularly the UN Convention Against Torture ("UNCAT"), which has yet to be ratified by India;
 - 1.2. The failure to consider India's violation of the absolute prohibition of torture in the UK's impact assessment and the absence of an Anti-Torture Plan to guide foreign policy, including trade agreements;
 - 1.3. No monitoring and enforcement of human rights benchmarks through working groups or advisory groups;
 - 1.4. The absence of language around shared commitments to uphold human rights.
2. The implications of entering into the Agreement are that the UK risks undermining its June 2025 Trade Strategy, which stated that global advocacy for human rights will be expressed through its trade policy.¹ Instead, the Agreement in its current form prioritises economic interests over human rights.

INTRODUCTION

3. This submission offers evidence in response to the House of Lords Select Committee on International Agreements' call for evidence in relation to their inquiry investigating the impacts and implications of the UK-India Free Trade Agreement for the UK.² In particular, REDRESS' submission addresses the question:

What are the human rights implications of entering into a free trade agreement with India? How are these risks acknowledged and mitigated within the agreement, particularly in relation to supply chains and business operations?

4. REDRESS is an NGO that pursues legal claims on behalf of survivors of torture in the UK and around the world to obtain justice and reparation for the violation of their human rights.³
5. In June 2025, REDRESS launched a comprehensive report on torture in India at the UN Human Rights Council, alongside civil society partners in India.⁴ The report found normalised and systematic patterns of torture by Indian police and military forces, including custodial rape and other forms of violence; that in some cases, torture is intertwined with land confiscation and

¹ UK Government, [UK Trade Strategy](#), June 2025, page 84.

² House of Lords Select Committee on International Agreements, [Call for Evidence](#).

³ [REDRESS](#).

⁴ REDRESS, [Torture Normalised: State Violence In India](#), June 2025.

displacement for natural resource extraction and industrialisation; and that the significant flaws and gaps in India's national legal framework perpetuates a culture of impunity. The report provides specific recommendations to India to prevent, investigate and prosecute torture.

6. In addition to this work, REDRESS, alongside REPRIEVE, represents Jagtar Singh Johal, a British human rights defender from Dumbarton, Scotland, who has been arbitrarily detained in India since 2017.⁵ He faces a possible death sentence following charges based on a confession extracted under torture.
7. The UK and India have a deep and broad relationship, underpinned by at least 1.9 million people with Indian heritage living in the UK. In 2024, India was the UK's 11th largest trading partner, with total trade worth £43 billion.⁶ The Free Trade Agreement with India creates an opportunity for the UK to encourage the Indian government to pursue legal and policy reforms that eradicate torture and connected violations. When grounded in human rights, economic and political partnerships are likely to be more sustainable and long lasting.⁷
8. India is a strategic partner, but also a country where torture is widespread and unchecked. The UK has legal and moral obligations under domestic and international law to uphold the absolute prohibition of torture, including the Human Rights Act, the European Convention on Human Rights, and the UNCAT. UK Courts have found a real risk of torture in India and accordingly, withheld the extradition of individuals facing criminal prosecution, including where diplomatic assurances were provided by the Indian government.⁸ While the UK-India FTA promises economic benefits, it must not come at the cost of human rights.

KEY CONCERNS

9. As stated above, REDRESS has four key concerns with the Agreement:
 - 9.1. **The lack of strong, enforceable provisions promoting adherence to UN human rights treaties.** Torture and ill-treatment in custody and in the context of protests is systemic and persistent in India, as exposed by the REDRESS report.⁹ Even though India signed the UNCAT in 1997 and has repeatedly promised ratification, it remains one of only 21 countries worldwide that has yet to ratify the treaty.¹⁰ Despite the gravity of the issue of torture in India, the UK has not addressed this issue in the language of the Agreement.¹¹ The absolute prohibition of torture is a fundamental and non-negotiable pre-requisite for building democratic, transparent and open societies based on the rule of law, and is essential

⁵ REDRESS, [Jagtar Singh Johal](#).

⁶ Department for Business and Trade, [Draft Explanatory Memorandum on the Comprehensive Economic and Trade Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India](#), paras 3.2.

⁷ European Commission, Development and Sustainability, [Human Rights](#). Also see European Parliament, [Human rights in EU trade agreements: the human rights clause and its application](#), July 2019.

⁸ [Bhandari v Government of India \[2025\] EWHC 449 \(Admin\)](#), paras 102-180.

⁹ REDRESS, [Torture Normalised: State Violence In India](#), June 2025.

¹⁰ REDRESS, [India at the UN General Assembly: Can a State Tolerating Torture Lead on Peace and Security?](#), September 2025.

¹¹ UK Government, [UK-India Free Trade Agreement - The UK's Strategic Approach](#), January 2022, page 73.

to the UK's own interests and values in defending and promoting the international rules-based order.¹²

9.2. The lack of an Anti-Torture Plan and no consideration of the absolute prohibition of torture in the UK's impact assessment.

Until 2015, the UK had a dedicated Anti-Torture Strategy which was designed to ensure that UK policy in different areas reflected the importance of the absolute prohibition of torture with clear priorities and objectives.¹³ The lack of a current Anti-Torture Strategy or mandated human rights impact assessment in this area risks the UK Government failing to consider the prohibition on torture, and human rights concerns more broadly. This can be seen in the failure to mention torture or human rights in the impact assessment conducted in the lead up to the Agreement,¹⁴ despite allegations of torture against UK citizens, and high-profile concerns from UN treaty bodies¹⁵ and civil society.¹⁶

9.3. No monitoring of human rights risks with measures to remedy human rights issues. The Agreement establishes five committees and ten working groups to help oversee the implementation and operation of the treaty, however none of these have a mandate to monitor human rights concerns, including torture.¹⁷ Where human rights issues are brought to the attention of senior officials from either state, there are also no remedies short of outright termination of the agreement. The UK or India may temporarily increase tariffs or suspend tariff concessions in case of unfair trade practices, but such measures cannot be invoked for torture and other human rights violations by either party.¹⁸

9.4. No commitments to human rights. The Agreement provides commitments on Anti-Corruption¹⁹ and Labour standards²⁰ but does not address anti-torture standards or human rights standards.²¹ In contrast, the UK-EU cooperation framework contains 16 references to human rights.²² The 2020 UK-Japan FTA also notes human rights in the preamble.²³

¹² REDRESS, [The Prohibition Of Torture As A UK Priority](#), April 2023, page 2.

¹³ REDRESS, [The Prohibition Of Torture As A UK Priority](#), April 2023, page 1.

¹⁴ Department for Business and Trade, [Impact assessment of the Free Trade Agreement between the UK and India](#), 2025.

¹⁵ Human Rights Committee, [Concluding observations on the fourth periodic report of India \(CCPR/C/IND/CO/R.4\)](#), July 2024.

¹⁶ REDRESS, [Torture Normalised: State Violence In India](#), June 2025, see also Amnesty, [India: NGOs call on the EU to take action on urgent human rights concerns](#), February 2025.

¹⁷ Department for Business and Trade, [Draft Explanatory Memorandum on the Comprehensive Economic and Trade Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India](#), para 4.4-4.6.

¹⁸ Department for Business and Trade, [UK-India CETA Chapter 4: Trade Remedies](#), July 2025, Article 4.7, paras 1-2.

¹⁹ Department for Business and Trade, [UK-India CETA Chapter 26: Anti-Corruption](#), July 2025, Article 26.3.

²⁰ Department for Business and Trade, [UK-India CETA Chapter 20: Labour](#), July 2025, Article 20.2.

²¹ For example, trade agreements can include reference to human rights in the preamble, however this is absent in the [UK-India CETA Preamble](#).

²² Department for Business and Trade, [Trade and Cooperation Agreement between UK and EU](#), December 2020.

²³ Department for Business and Trade, [Agreement between the United Kingdom of Great Britain and Northern Ireland and Japan for a Comprehensive Economic Partnership](#), October 2020, page 9.

RECOMMENDATIONS

10. While the UK-India Free Trade Agreement has been signed, the UK should:
 - 10.1. Advocate for India to ratify the UNCAT as part of avenues for dialogue created by the Agreement.
 - 10.2. Re-prioritise the absolute prohibition of torture in UK foreign policy as a central component of the UK's human rights strategy under its Rule of Law pillar, to be implemented through a dedicated Anti Torture Plan developed in consultation with survivors of torture and civil society.
 - 10.3. Use all available avenues to call for the immediate release of Jagtar Singh Johal, a British citizen arbitrarily detained in India since 2017.²⁴ The UK must also urge the Indian authorities to conduct an independent investigation into the allegations of his torture.
11. Further, the UK should look to amend the agreement at the earliest opportunity to include:
 - 11.1. Strong, enforceable provisions to encourage India's ratification of and adherence to the UN Treaties, particularly the UNCAT;
 - 11.2. Monitoring and enforcement of Human Rights benchmarks through a dedicated working group on human rights;
 - 11.3. Commitments to core UN treaties supporting human rights.

Annex

REDRESS, [Torture Normalised: State Violence in India](#), June 2025

13 October 2025

²⁴ REDRESS