



## ADVANCE SOCIAL SCIENCE ARCHIVE JOURNAL

Available Online: <https://assajournal.com>

Vol. 03 No. 01. Jan-March 2025. Page#. 2011-2022

Print ISSN: [3006-2497](#) Online ISSN: [3006-2500](#)Platform & Workflow by: [Open Journal Systems](#)

## GLOBAL PERSPECTIVES ON THE CRIMINALIZATION OF CUSTODIAL TORTURE IN INTERNATIONAL HUMAN RIGHTS LAW

**Muhammad Shan**

LLM Shariah and Law, Department of Shariah and Law at International Islamic University,  
Islamabad Pakistan

[Muhammadshanmdk@gmail.com](mailto:Muhammadshanmdk@gmail.com)

### Abstract

*Custodial torture remains a pervasive violation of human rights globally, despite its unequivocal prohibition under international law and Islamic jurisprudence. This article examines the criminalization of custodial torture through the lens of international human rights frameworks, with a focus on Pakistan's legislative efforts, such as the Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Act, 2022. While international instruments like the United Nations Convention Against Torture (CAT) and the Universal Declaration of Human Rights (UDHR) establish absolute prohibitions against torture, implementation gaps persist, particularly in states where institutional impunity and political resistance undermine accountability. The article highlights the intersection of Islamic principles which condemn torture as a violation of human dignity with global human rights norms, arguing for their harmonization to strengthen legal frameworks. Case studies from Pakistan reveal systemic challenges, including underreporting, marginalization of vulnerable groups, and weak enforcement mechanisms. The role of international bodies, such as the UN Human Rights Council, and civil society in combating impunity is also explored. Recommendations include legal reforms, judicial training, international sanctions, and technological oversight to deter abuses. The study underscores the need for a multifaceted approach, blending domestic legislative action with international cooperation, to eradicate custodial torture and uphold justice.*

**Keywords:** Custodial Torture, International Human Rights Law, Pakistan, Convention Against Torture (CAT), Islamic Jurisprudence, Impunity, Accountability, Legal Reforms.

### Introduction

Custodial torture represents a severe violation of human rights, manifesting in physical, psychological, and sexual abuse inflicted upon individuals under state custody. The United Nations Convention Against Torture (UNCAT) defines torture as any act intentionally causing severe pain or suffering, whether physical or mental, for purposes such as extracting confessions or intimidating individuals (United Nations, 1984). Despite global condemnation, custodial torture persists in many regions, including Pakistan, where law enforcement agencies have been frequently accused of

employing torture to extract confessions or exert control over detainees (Human Rights Watch, 2020). The prevalence of such practices undermines the rule of law and erodes public trust in state institutions, highlighting the urgent need for legal and institutional reforms to align domestic laws with international human rights standards.

Addressing custodial torture within international human rights law is critical to ensuring justice and accountability. International instruments such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) explicitly prohibit torture and cruel, inhuman, or degrading treatment (United Nations, 1948; 1966). Pakistan's ratification of UNCAT in 2010 obligated the state to criminalize torture domestically, yet gaps remain in its legal framework (Ijaz & Khan, 2019). The absence of a comprehensive anti-torture law in Pakistan's Penal Code and Criminal Procedure Code has allowed perpetrators to evade accountability, perpetuating a culture of impunity. The Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Act, 2022, represents a legislative effort to bridge these gaps, though its effectiveness hinges on rigorous enforcement and alignment with Islamic principles of justice and human dignity (Khan, 2022).

The legal and moral dimensions of custodial torture underscore its incompatibility with both international law and Islamic jurisprudence. Islamic teachings unequivocally prohibit torture, emphasizing the sanctity of human life and dignity as derived from the Qur'an and Sunnah (Almahfali & Avery, 2023). For instance, the Qur'an (5:8) mandates justice and compassion, while Hadith literature condemns torture as a transgression against divine principles (Sahih Muslim, n.d.). Internationally, efforts to criminalize torture have been reinforced through mechanisms like the UN Human Rights Council and regional treaties, yet challenges persist in implementation (Fellmeth & McInerney-Lankford, 2022). The moral imperative to eradicate torture aligns with both Islamic ethics and global human rights norms, necessitating a concerted effort to harmonize legal frameworks with these universal principles.

### **Understanding Custodial Torture**

According to the international law, custodial torture refers to any act through which a person under custody is intentionally subjected to severe physical or mental pain or suffering the aim of which is to gain information, punish or intimidate (United Nations, 1984). Pakistan The Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Act, 2022 broadens this definition to cover the perpetrators of the acts of torture, custodial death and custodial rape by being performed by a public official or a person acting in an official capacity (Khan, 2022). Custodial death is a term used to describe the deaths that happen under the custody of the state, most of which follow the use of excessive force, torture, or medical negligence (Human Rights Watch, 2020). Another heinous crime is custodial rape, which is any sexual assault by a police officer or other detention officials, taking

advantage of the vulnerable status of detainees (Garg, 2023). The seriousness of custodial abuse captured in these definitions is that it does not only breach the basic human rights but also wastes confidence in the institutions of the state.

Custodial torture is done through different forms such as physical, psychological and sexual which all leave scar marks on the victims. Some documented physical forms of torture used in Pakistan are beatings, electric shocks, and stress positions that are frequently used to elicit confessions (Ijaz & Khan, 2019). Psychological torture includes sleep deprivation, solitary confinement, and threats to relatives, whose purpose is to break the mental strength of the victim (Guadagnino, 2023). The effect on the victims is immense including chronic pain, post-traumatic stress disorder (PTSD) and social stigmatization, which prevents a successful integration to society (Amnesty International, 2021). As an example, the instance of the mentally deprived man Salahudin Ayubi who was murdered because of police torture in Pakistan exemplifies the deadly repercussions of these actions (Human Rights Commission of Pakistan [HRC], 2019). These abuses are also underreported because of fear of retribution, absence of legal action and institutional complicity and create cycles of violence and impunity.

The interconnection between custodial torture and the issue of human rights at large is inseparable. Custodial torture is often accompanied by rejection of due process, arbitrary arrest, and extrajudicial execution, like in the case of anti-terrorism efforts in Pakistan (Amnesty International, 2021). Systematic failures were revealed in the report of the National Commission for Human Rights (NCHR) that documented 1,200 cases of enforced disappearances and 487 alleged torture cases during the period between 2014 and 2016 (NCHR, 2017). Moreover, the targeted victims of custodial torture are disproportionately the marginalized groups such as religious minorities, political dissidents, and women, which increases inequality in society (Baloch & Ellis-Petersen, 2021). As an illustration, incarcerated women are at a higher risk of sexual assault, and 90 percent of Pakistani women have been found to be victims of domestic violence but aggravated by custodial rape (Ijaz & Khan, 2019). Such infringements are against the constitutional provisions of Pakistan in Article 14 (right to dignity) and against international obligations on Convention Against Torture (United Nations, 1984) which shows a stark contrast between what is in law and what is on the ground.

Any attempt to stop custodial torture should incorporate law reforms, accountability and support systems to victims. In 2022, the Act made torture and custodial rape criminal offenses, which carry a life sentence, yet the implementation of the law has been uneven (Khan, 2022). A reform based on a moral framework, the Islamic jurisprudence that clearly forbids torture, is possible. The Quran (76:8-9) encourages treatment of captives with mercy, and Hadiths declare torture as a sin (Sahih Muslim, n.d.). International organizations, such as the UN Human Rights Council, have called on Pakistan to update its laws with the standards set internationally, such as having

independent oversight of the places of detention (Fellmeth & McNerney-Lankford, 2022). Enhancing judicial control, educating law enforcement on human rights and strengthening the civil society to report on the abuse are all the necessary measures to eliminate custodial torture and the rule of law.

### **The International Legal Framework**

The criminalization of torture is found in various international human rights instruments which provide a sound legal framework to outlaw torture. In 1948, the United Nations adopted the Universal Declaration of Human Rights (UDHR) that was the first international instrument to explicitly outlaw torture in Article 5, as it states that no one would be subjected to torture or cruel, inhuman or degrading treatment or punishment (United Nations, 1948). This principle was also enshrined in the International Covenant on Civil and Political Rights (ICCPR) of 1966 which in Article 7 states, among other things, that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and clearly outlaws medical or scientific experimentation without consent (United Nations, 1966). All these instruments emphasize the absolutism and non derogability of the prohibition against torture, which is that the prohibition against torture cannot be suspended in any case, even in war or in case of a public emergency (Nowak & McArthur, 2008). Even with these explicit requirements, the reality of torture in most countries reveals the disparity between the legal requirements and practice, especially in the states where processes of accountability are weak or absent.

The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), adopted in 1984, represents the most comprehensive international treaty addressing torture. Article 1 of CAT defines torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or with the consent of a public official for purposes such as obtaining information, punishment, or intimidation (United Nations, 1984). CAT obligates state parties to criminalize torture in domestic legislation, investigate allegations, and prosecute perpetrators, while also prohibiting the use of evidence obtained through torture in legal proceedings (Nowak, 2006). Notably, Article 2(2) of CAT explicitly states that "no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture" (United Nations, 1984). Pakistan's ratification of CAT in 2010 obligated it to align its domestic laws with these standards, yet the absence of a specific anti-torture law until 2022 reflects systemic challenges in compliance (Ijaz & Khan, 2019). The Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Act, 2022, represents a belated but critical step toward fulfilling these obligations, though its enforcement remains inconsistent (Khan, 2022).

The United Nations bodies and other global organizations have also contributed in refining the international standards on torture. CAT created the UN Committee Against Torture which provides authoritative interpretations of the treaty by issuing

General Comments and general recommendations on specific countries. As an example, General Comment No. 2 (2008) is keen to point out that torture should not be treated as an offense under other offenses such as assault, but it has to be a separate crime in local jurisdictions (UN Committee Against Torture, 2008). In 1999 the UN came up with the Istanbul Protocol which guides effective investigation and documentation of torture acts as an important guide to medical and legal practitioners (OHCHR, 2004). The other efforts that have led to the creation of such standards are regional human rights systems, e.g., the European Convention of Human Rights (ECHR) and the Inter-American Convention to Prevent and Punish Torture, which have included principles of CAT into their systems (Moeckli et al., 2022). The combination of these tools promotes the universality of the ban on torture, as well as fills in the contextual gaps on how to eliminate torture.

International cases have been very critical in determining and establishing the case law on anti-torture provisions. In landmark cases like *Ireland v.*, the European Court of Human Rights (ECtHR) has ruled on the matters. *United Kingdom* (1978) and *Selcuk and Asker v. Turkey* (1998), has also explained the differences between torture, and the inhuman or degrading treatment, and stated that all forms of such practices are absolutely prohibited (ECtHR, 1978; 1998). Likewise, the Inter-American Court of Human Rights (IACtHR), in such cases as *Velasquez-Rodriguez v. Honduras* (1988), has institutionalized the state liability of torturers who have failed to avert or probe the incident of torture and this has put a point on the responsibility to offer remedies to the victims (IACtHR, 1988). These judgments not only made states liable but have also affected national jurisprudence in the countries where torture is still common. As an illustration, in its judgment on the issue of enforced disappearances of 2021, the Supreme Court of Pakistan referred to the CAT and ECtHR case law to emphasize the need to criminalize torture and prosecute perpetrators of such crimes (Supreme Court of Pakistan, 2021). Nevertheless, the existence of torture in most parts of the world points to the necessity to have more effective enforcement systems, such as the universal jurisdiction over torture and the increased international collaboration in the fight against impunity (Bassiouni, 2011).

### **Global Perspectives on Custodial Torture**

Torture in custody is a consistent human rights abuse across the globe, with wide differences in how custodial torture is dealt with in the legal systems of various states. In the global North, states such as Germany and Sweden have put in place potent legal bans on torture and these laws are closely associated with international laws, including the Convention Against Torture (CAT) (Nowak & McArthur, 2008). They have formed autonomous monitoring institutions, including the Parliamentary Ombudsman in Sweden, to look into the custodial abuse allegation and hold them accountable (European Committee for the Prevention of Torture [CPT], 2021). On the other hand, legal systems in the global South tend to be general or unenforceable. As an illustration, the India Supreme Court has held against custodial torture in landmark

cases such as *D.K. Basu v. West Bengal* (1997), it has enabled abuses to continue, since there is no independent anti-torture law (National Human Rights Commission [NHRC], 2020). Likewise, the Torture Act by Pakistan in 2022 is an improvement, yet enforcement is loose and police officers go unpunished (Khan, 2022). These gaps indicate the fact that legal systems are not enough unless there are robust institutional enforcement mechanisms.

The capacity to harmonize national legislation with the international human rights laws also varies greatly across regions due to the different political wills and the institutional capabilities. In Latin America, some of the countries such as Argentina and Chile have been progressing on criminalizing torture after democratic transitions to military dictatorships, integrating CAT provisions into their penal codes (IACHR, 2019). A good example of such commitment is the National Mechanism for the Prevention of Torture in Argentina, developed in 2017, which creates independent observation of places of detention (UN Subcommittee on Prevention of Torture [SPT], 2018). Conversely, countries in the Middle East like Egypt and Saudi Arabia have legal loopholes that authorize torture over security grounds (counterterrorism or order) even though they have signified CAT (Amnesty International, 2022). As an example, in 2020, Egypt approved amendments to the Emergency Law that enable incommunicado detention over extended periods, which establishes favorable conditions to commit tortures (Human Rights Watch, 2021). These illustrations show that although signing of international treaties is an important initial action, the political situations within the countries oftentimes dictate the levels at which the nations take their responsibilities. Such a discrepancy between the official adherence to the international norms and reality speaks to the necessity of the continued international pressure and the technical support to reinforce the mechanisms of accountability.

The most significant examples of a developed and a developing country depict a sharp contrast in the enforcement and adherence to the anti-torture norms. In the global North, the Investigatory Powers Tribunal of the United Kingdom as well as the Civilian Review and Complaints Commission of Canada are examples of functional oversight mechanisms that investigate and report on custodial abuses (CPT, 2020; OHCHR, 2019). Nevertheless, these countries are not exceptions to the rule, as the UK is still implementing the Optional Protocol to CAT (OPCAT) and Canada has not addressed the issue of Indigenous deaths in custody (Amnesty International UK, 2021; Truth and Reconciliation Commission of Canada, 2015). South Africa was a leader of post-apartheid law reform in the global South, and its 1998 Prevention and Combating of Torture Act formed a regional precedent, but implementation is patchy in practice (South African Human Rights Commission [SAHRC], 2021). In the meantime, the Anti-Torture Act of 2009 in the Philippines has not been able to reduce rampant violations of the law during the war on drugs led by President Duterte, demonstrating how rhetoric can compromise the rule of law (UN Human Rights Council [HRC], 2020). All

of these cases stress that the effective ban on custodial torture presupposes not just thorough legislation, but also the independence of the judiciary, transparency of its institutions, and changes in cultural patterns of law enforcement agencies.

### **Challenges in the Criminalization of Custodial Torture**

Custodial torture is a highly politicized issue that is deeply entrenched in institutional obstacles, especially in those countries where security agencies enjoy a wide latitude of impunity. In Pakistan, the 2022 Torture Act is still not applied well, and the law enforcement agencies resist by institutional barriers, since they consider torture to be an effective method of investigation (Khan, 2022). The same trends are observed in Egypt, where the anti-torture legislation adopted in 2016 has been weakened by the national security exceptions and the unwillingness of the state to prosecute the employees of law enforcement agencies (Amnesty International, 2022). Such issues are further aggravated by poor judicial accountability and state involvement, as witnessed in the Philippines, where the government of Duterte openly promoted extrajudicial violence (UN Human Rights Council [HRC], 2020). The systemic barriers to the reform are posed by institutional cultures that normalize torture, as necessary to the national security or crime control, and therefore this demands more than a legal shift but rather a paradigm shift in the policing, governance (Nowak & McArthur, 2008). The continued existence of these obstacles underscores the difference between the advancement of legislature and the reality on the ground whereby political will generally is a deciding factor in the effectiveness of anti-torture practice.

The conflict between the sovereignty of states and international law poses a basic problem to universalizing the ban on torture. Although states do sign such treaties as the Convention Against Torture (CAT), it is quite common that states use the word sovereignty to avoid international scrutiny or substantive execution (Bassiouni, 2011). In the case of China, it is refusing international oversight of its detention camps in Xinjiang even in the face of CAT requirements and packaging it as an encroachment on its sovereignty (Human Rights Watch, 2021). On the other hand, Latin American countries such as Argentina have utilized international law to enhance local accountability to the extent that it has applied rulings of the Inter-American Court to convict torturers during the dictatorship (IACHR, 2019). This is a dichotomy that indicates the selective use of sovereignty arguments, where weaker states are pushed to obey, and the strong are given a free pass. A counterbalance is provided by the principle of universal jurisdiction used in such cases as the arrest of Pinochet, although it is applied unevenly (Moeckli et al., 2022). It is this constant conflict that provides the rationale why better mechanisms should be put in place in order to bring reconciliation between state sovereignty and the *erga omnes* duty to eliminate torture in international law.

Civil society organizations and human rights defenders play a pivotal yet perilous role in combating impunity for custodial torture. Groups like Pakistan's Human Rights Commission (HRCP) document abuses and lobby for legal reforms, but face

harassment, legal persecution, and even violence (Baloch & Ellis-Petersen, 2021). In Russia, the Committee Against Torture (NGO) has successfully litigated cases at the European Court of Human Rights (ECtHR), despite being labeled "foreign agents" (ECtHR, 2021). Meanwhile, the issue of impunity persists globally: UN data indicates less than 1% of torture complaints result in convictions (OHCHR, 2022). This impunity is institutionalized through doctrines like qualified immunity in the U.S. and "obedience to orders" defenses in military justice systems (Amnesty International USA, 2021). Innovative solutions are emerging, such as the Philippines' use of forensic evidence through the Medical Action Group, but political backlash often neutralizes their impact (UN HRC, 2020). Breaking this cycle requires empowering independent oversight bodies, protecting whistleblowers, and leveraging transnational legal networks to hold perpetrators accountable across jurisdictions.

### **The Role of International Human Rights Bodies**

The major role in criminalizing custodial torture and accountability is performed by international human rights institutions including the United Nations Human Rights Council (UNHRC) and the International Criminal Court (ICC). The UNHRC oversees the adherence to such international conventions as the Convention Against Torture (CAT), which Pakistan signed in 2010 (Ijaz & Khan, 2019). The UNHRC also pressurizes the states through reviews and reporting processes to bring their domestic legislation into compliance with the international norms, such as the recommendation of the UNHRC on Pakistan to explicitly criminalize torture (International Commission of Jurists, 2014). Likewise, systematic torture is prosecuted by ICC under the jurisdiction of the organization, but its efficiency has been affected by the assistance of states and the readiness of the national governments to give references (Denbeaux et al., 2019). These organizations are the international watchdogs pointing to the abuse and leading to changes in laws to safeguard the detainees against abuse.

Human rights treaties and monitoring systems have the potential to become powerful tools of fighting custodial torture only when their implementation is strongly enforced. Legal obligations on a state to prevent and investigate tortures are laid down in treaties such as the CAT and the International Covenant on Civil and Political Rights (ICCPR) (Ijaz & Khan, 2019). Though, there is quite often non-enforcement, with many states such as Pakistan not implementing full incorporation of the standards into national law. State reports and NGO shadow reports are used to monitor their compliance by monitoring mechanisms like the UN Committee Against Torture (International Commission of Jurists, 2014). Although such mechanisms have the benefit of creating awareness, their effectiveness is curtailed by poor accountability systems and impunity of the perpetrators. As an example, the National Commission for Human Rights (NCHR) in Pakistan has reported cases of torture in custody but does not have the mandate to bring the perpetrators of the crime to justice, highlighting the disparity of international standards and local practice (Baloch & Ellis-Petersen, 2021). To reinforce these systems, it is necessary to have binding



resolutions and penalties should be imposed on non-compliance and more state reporting should be made transparent.

State cooperation with international bodies is critical to eliminating custodial torture. Pakistan's enactment of the *Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Act, 2022* reflects partial compliance with CAT obligations, but gaps persist in enforcement and victim protection (Khan, 2022). International bodies can incentivize compliance by linking aid, trade benefits, and diplomatic standing to human rights performance, as seen with the European Union's Generalized Scheme of Preferences (GSP+) (Ijaz & Khan, 2019). However, sustained progress demands domestic political will, judicial independence, and civil society engagement. For example, the NCHR's 2022 report on Adiala Jail abuses highlighted systemic torture, yet prosecutions remain rare (Baloch & Ellis-Petersen, 2021). By fostering partnerships between states, NGOs, and international tribunals, the global community can amplify pressure for reform, ensuring custodial torture is not only criminalized but eradicated.

### **Recommendations for Strengthening the Global Legal Framework**

To enhance the global legal framework against custodial torture, improved international cooperation and enforcement mechanisms are essential. The United Nations Convention Against Torture (CAT) provides a foundational structure, but its enforcement remains inconsistent (Al Moghabat, 2019). Strengthening international bodies like the UN Human Rights Council (UNHRC) to monitor compliance and facilitate cross-border collaboration can ensure accountability. For instance, establishing a centralized database for reporting custodial abuse cases, accessible to all member states, would promote transparency and enable swift action against violators (Ijaz & Khan, 2019). Additionally, regional alliances, such as the Organization of Islamic Cooperation (OIC), should adopt binding resolutions to align member states' practices with CAT principles, leveraging collective diplomatic pressure to deter non-compliance (Almahfali & Avery, 2023).

Reforming domestic legal systems to align with international standards is equally critical. Many countries, including Pakistan, lack comprehensive anti-torture laws or fail to enforce existing provisions (Khan, 2022). Legislative reforms should criminalize torture explicitly, as seen in Pakistan's *Torture and Custodial Death (Prevention and Punishment) Act, 2022*, and ensure penalties are stringent enough to deter violations (Islam et al., 2022). Judicial training on human rights standards, coupled with mandatory forensic audits of custodial facilities, can bridge gaps between local practices and global norms. For example, incorporating *Sharia* principles that prohibit torture such as the Qur'anic injunction against transgression (Surah Al-Baqarah 2:190) into national laws can resonate culturally while upholding universal rights (Afsaruddin, 2023).

Stronger international sanctions and incentives are needed to compel compliance. The current reliance on voluntary reporting under CAT allows states to evade scrutiny

(Denbeaux et al., 2019). Linking economic incentives, such as trade privileges or aid, to verifiable anti-torture measures could motivate reform. Conversely, sanctions like travel bans or asset freezes for officials implicated in custodial abuse modeled after the Magnitsky Act would heighten accountability (Fellmeth & McInerney-Lankford, 2022). The European Union's Generalized Scheme of Preferences Plus (GSP+) status for Pakistan, contingent on human rights progress, exemplifies how incentives can drive legislative action (Baloch & Ellis-Petersen, 2021). Finally, transparency and oversight in custodial settings must be prioritized. Independent monitoring bodies, such as Pakistan's National Commission for Human Rights (NCHR), often lack resources or authority to investigate abuses effectively (International Commission of Jurists, 2014). Mandating unannounced inspections by international observers, alongside whistleblower protections for custodial staff, can curb impunity. Technology, like body cameras for law enforcement and public dashboards for detainee records, can further deter misconduct (Guadagnino, 2023). By integrating these measures, the global community can advance a cohesive, enforceable framework to eradicate custodial torture.

## Conclusion

Custodial torture, custodial death, and custodial rape represent egregious violations of human dignity and fundamental rights, condemned by both international law and moral principles. The enactment of the *Torture and Custodial Death (Prevention and Punishment) Act, 2022* in Pakistan signifies a crucial legislative step toward criminalizing these abuses, with stringent penalties aimed at deterring perpetrators. However, the law's success depends on its consistent enforcement and alignment with broader ethical and legal standards. While the prohibition of torture is universally recognized, systemic challenges—such as institutional resistance, weak accountability mechanisms, and cultural normalization of abuse—hinder progress. The disconnect between legal frameworks and their implementation underscores the need for comprehensive reforms, including judicial independence, law enforcement training, and robust oversight to ensure justice for victims and accountability for offenders.

Custodial violence needs to be treated as a whole with both domestic legislative reforms and international collaboration. Reinforcing institutions such as national human rights commission and making custodies to be transparent is crucial in eliminating impunity. The international organizations can be instrumental since they may oversee conformity, penalize those who fail to comply and offer technical support to enhance the investigatory and legal procedures. Furthermore, to effect a lasting change there should be a cultural transformation of law enforcement agencies so that they focus more on human rights than using coercive strategies. A combination of legal, institutional and societal provisions can help a country to make custodial abuse not just one that is legally forbidden but also ethically and socially wrong. It requires a tireless effort on the part of governments, civil society, and the

international society to respect justice, human dignity, and the need to make sure that no human being is subjected to abuse under the care of the state.

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