

STATEMENT TO THE 20th SESSION OF THE HUMAN RIGHTS COUNCIL
by
the Canadian Federation of University Women
delivered by the **International Federation of University Women**

**Item 3: - Interactive dialogue with WG on discrimination against women or
- ID with SR on violence against women**

**WOMEN MUST HAVE THE NON-DEROGABLE HUMAN RIGHT TO BE FREE FROM TORTURE
PERPETRATED BY NON-STATE ACTORS IN THE DOMESTIC/PRIVATE SPHERE**

Madame President,

Empirical evidence shows that how women are treated impacts on national health and social welfare policies, as well as on the economic growth and the level of corruption that exists in a country. As NGOs working to improve the human rights of women and girls,¹ which benefits men and boys and the functioning of a country, we specifically draw attention to torture victimization perpetrated against women/girls by non-state actors in the domestic/private sphere.

Identification of acts of torture by private actors must be named as an emerging and distinct form of violence, predominately gender-based, perpetrated against women and girls.

Non-state torture is a distinct form of gender/sex-based violence and fundamental discrimination that has been generally invisible, hiding acts of classic torture, commercial-based torture or socio-cultural tortures. However, most recently, at the May 2012 session of the Committee against Torture (CAT), Committee experts challenged this invisibility,² stating that, “torture was not something that happened only to one gender: it happened to women and children.” The Committee obligations to the Convention are to address discriminatory treatment for women that could constitute torture, as clearly listed in the Convention.

Concluding Observations of the CAT that are relevant to States Parties,³ indicate that State Parties have:

1. Obligations to implement the Convention in full at the domestic level; protecting persons to invoke the Convention directly before the courts, and raising awareness of the judiciary and the public.
2. Regarding violence against women the State bears responsibility, its officials are considered responsible for consenting to acts of torture committed by non-State or private actors, exercising due diligence to intervene to stop, sanction acts of torture, and to,
3. Compile statistical data on complaints, investigations, prosecutions and convictions of cases of torture involving domestic and sexual violence, strengthening redress provided to the victims.

Madame President,

As NGOs we ask that hereafter it is recognized:

-That there are acts of discriminatory gender/sex-based violence perpetrated in the private/domestic sphere by non-state actors that amount to torture; and,

-That human rights bodies and mechanisms uphold that it is women’s non-derogable human right not to be subjected to torture perpetrated by non-state actors in the domestic/private sphere.

¹ http://www2.ohchr.org/english/bodies/cat/docs/ngos/CFUW_Canada_CAT48.pdf

² [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/9B973CA427BFA0A8C1257A060033219D?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/9B973CA427BFA0A8C1257A060033219D?OpenDocument)

³ <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CAN.CO.6.doc>