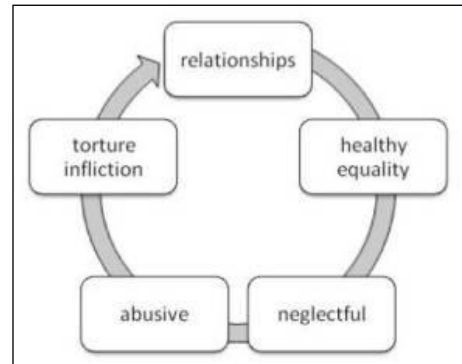


Fact Sheet: Torture in the Home

Jeanne Sarson, MEd, BScN, RN & Linda MacDonald, MEd, BN, RN©2012

Relationships

Relationships in the home can and are acted out in a variety of ways such as briefly stated here in this diagram. This fact sheet specifically addresses relationships where torture is perpetrated by parent(s), other family members, guardians and like-minded others against children, frequently beginning at their earliest of ages, including infancy. The torture victimization may extend into the victimized persons adulthood, if the adult has not been able to safely exit or escape such family/group relationships.



A human rights perspective of non-state torture (NST)

Torture is identified as a distinct and specific crime and human rights offence which must not be misnamed as being another form of crime such as an assault causing bodily harm or abuse for example.

When a person is a victim of torture they are enduring life-threatening inhuman, cruel and degrading severe pain and suffering, physically and mentally that is being intentionally inflicted. Perpetrators of torture in the home are referred to as non-state actors (private individuals).

Human rights instruments that specifically state that “no one shall be subjected to torture” include:

- The UN Universal Declaration of Human Rights (UDHR), article 5
- The International Covenant on Civil and Political Rights (ICCPR), article 7
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation 19, 7(b)
- The Declaration on the Elimination of Violence against Women, article 3(h)
- And the specific Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

If a nation or State realizes that torture is happening in the home the *United Nations Committee against Torture* states that:

Where State authorities or others acting in official capacity...have reasonable grounds to believe that acts of torture...are being committed by...private actors and...fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors consistently with the Convention, the State bears responsibility and its officials should be considered as authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in such impermissible acts. Since the failure of the State to exercise due diligence to intervene to stop, sanction and provide remedies to victims of torture facilitates...non-State actors to commit acts impermissible under the Convention with impunity, the State’s indifference or inaction provides a form of encouragement and/or de facto permission (2008, para. 18).

When a country signs and then ratifies UN human rights conventions this means they are taking responsibility to enact human rights in their country and in their national laws, policies, and practices.

Classic Torture

The word 'classic' is a term borrowed from the literature that refers to the acts of torture perpetrated by State actors (police, military or other government employees). The torture tactics of non-state torturers frequently mimic/adapt the torture tactics of State torturers. For example water torture or water boarding is adapted in the home by using a bath tub or a barrel filled with water which is then used to submerge the victimized person until they are unconscious. UN reports are

now identifying FGM (female genital mutilation), acid burning and widow burning as forms of torture by non-state actors. To illustrate the forms of NST that we have been entrusted with we designed the above diagram to name and identify that NST happens in the home. **Examples of classic torture** include:

- a. Electric shocking
- b. Beatings, burning, cutting, whipping
- c. Immobilization tortures, tied, hung, caged
- d. Suffocation/choking tortures
- e. Sexualized tortures: Rapes, group rapes, repetitive raping, hand/object/animal rapes
- f. Reproductive tortures including forced impregnation and abortions and/or live deliveries which women report were murdered or "disappeared"
- g. Forced drugging
- h. Nutritional deprivation
- i. Psychological tortures: Humiliation, degradation, dehumanization, animalization, terrorization, horrification
- j. Forced nakedness
- k. Sleep deprivation
- l. Witnessing the torture of others
- m. Forced powerlessness
- n. Home-based organized human trafficking to like-minded is generally present and can be within house, inter-group, national and international.
- o. Home-based organized exploitation into the criminal adult-child-infant pornographic business including supplying a demand for torture/snuff recordings is also reported.

It is a person's human right not to be subjected to torture. A person who has been tortured has the right to speak their truth, to be believed, and to seek justice for the torture they suffered. This fact sheet is written for this purpose.

Contact: Web Email: contact@nonstatetorture.org Web Site: www.nonstatetorture.org;

