



PRESS RELEASE

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NGO: Canadian Federation of University Women (CFUW)
Fédération canadienne des femmes diplômées des universités

Gaining Equality Human Rights for Women/Girls who Endure Non-State Torture Victimization Perpetrated by Private Actors

CFUW submitted, *A Shadow Report: Canada Fails to Establish Non-State Actor Torture as a Specific and Distinct Criminal Human Rights Violation* (http://www2.ohchr.org/english/bodies/cat/docs/ngos/CFUW_Canada_CAT48.pdf), to the Committee against Torture (CAT), Geneva, Switzerland April 2012. The report presented the position that the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment applies to acts of torture perpetrated against women and girls by non-state actors in the private or domestic sphere. Built on the Committee's General Comment No. 2 Implementation of Article 2 by States Parties, particularly paragraph 18 as it applies a gender/sex framework to the Convention (<http://www2.ohchr.org/english/bodies/cat/comments.htm>). CFUW called for the promotion of human dignity and legal empowerment for women and girls so victimized and for Canada to uphold its due diligence obligations by criminalizing non-state torture. The Government of Canada reported during the May-June Committee session of 2012.

The Committee against Torture released its Concluding Observations June 1, 2012 (<http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CAN.CO.6.doc>). Of importance to the CFUW goal in attaining legal equality and human right of women and girls not to be subjected to non-state torture, the Committee made the following positive points, including that:

1. Canada has an obligation to implement the CAT in full, incorporating it into the domestic legal order. Incorporation of the CAT into Canadian law would strengthen the protection of persons so tortured by allowing them to invoke the provisions of the CAT directly before the courts, giving prominence to the Convention, and raising awareness of all the provisions of the CAT among members of the judiciary and the public at large.
2. Regarding violence against women, Canada bears responsibility and its officials should be considered as authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in acts of torture or ill-treatment committed by non-State officials or private actors. And that Canada should strengthen its efforts to exercise due diligence to intervene to stop, sanction acts of torture or ill-treatment committed by non-State officials or private actors and provide remedies to victims, and
3. Canada should compile statistical data relevant to the monitoring of the implementation of the CAT including addressing complaints, investigations, prosecutions and convictions of cases of torture and ill treatment involving domestic and sexual violence.

CFUW advocacy plans for the future involve monitoring the Government of Canada's action towards the implementation of the Committee's Concluding Observations beginning with the criminalization of non-state torture. The Universal Periodic Review and a NGO statement at the Commission on the Status of Women will be among the interventions considered by CFUW.