NON-STATE TORTURE VICTIMIZATION IS COMMITTED AGAINST WOMEN IN PROSTITUTION

Definition of non-state torture (NST). It is torture committed by non-State actors in public or private, in relationships, perpetrated within families, in human trafficking, in prostitution, in pornographic exploitation, by violent groups and gangs, and in criminal informal networks for example.

Definition of non-state actors. The United Nations Security Council, in its 2004 Resolution 1540, defined non-State actors as "any individual or entity not acting under the lawful authority of the State". This includes individuals, sellers, buyers, groups, organized gangs, and brothel owners that create and supply the demand for the exploitation of women in prostitution.

What do non-State torturers do? To expose what they do, we developed research Questionnaire 3 Torture Inflicted in Prostitution. It lists the 48 behaviours or actions non-State torturers intentionally commit. This questionnaire has been completed mainly by women and shared with us via our website.

1. food/drink withheld ___
2. chained or handcuffed to a stationary object ___
3. savagely and repeatedly beaten ___
4. savagely and repeatedly kicked ___
5. hung by your limbs ___
6. burnt ___
7. cut ___
8. whipped ___
9. soles of feet beaten (falanga) ___
10. fingers, toes, and limbs twisted ___
11. fingers, toes, and limbs broken ___
12. fingers, toes, and limbs dislocated ___
13. tied down naked for prolonged periods of time ___
14. sat on making breathing difficult ___
15. forced to lie naked on the floor/ground without bedding/warmth ___
16. confined to a dark enclosed space ___
17. placed in crate/box ___
18. caged ___
19. electric shocked ___
20. forcibly impregnated ___
21. forcibly aborted ___
22. forced to eat one's vomitus (throw-up) ___
23. forced to eat one's bowel movements ___
24. raped by one person ___
25. raped by a family/group ___
26. raped with a weapon (gun or knife) or other objects ___
27. raped with animals ___
28. prevented from using toilet ___
29. smeared with urine, feces, or blood ___
30. forced under cold or burning hot water ___
31. placed in a freezer ___
32. near drowned when held under water in the tub, toilet, bucket, stream ___
33. drugged with alcohol ___
34. drugged with pills ___
35. drugged with injections ___
36. drugged with by mask ___
37. choked ___
38. suffocated by object placed over one's face ___
39. pornography pictures taken ___
40. pornography or snuff films made/used ___
41. forced to harm others ___
42. forced to watch others being harmed ___
43. forced to watch pets being harmed or killed ___
44. forced to harm or kill pets or animals ___
45. threatened to be killed ___
46. called derogatory names ___
47. put down ___
48. treated as non-human ___

Non-State torturers' acts of torture

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Why do non-State torturers do what they do? They do so to:

- Exert power, control, and domination
- Profit financially or to achieve other benefits
- Gain pleasure in the objectification and commodification of women and to dehumanize women by treating women as "non-human."

United Nations Universal Declaration of Human Rights. Article 5 says that "No one has the right to torture you." Non-State torture needs to be recognized as a torture crime committed by non-State torturers.

Protection of Communities and Exploited Persons Act (PCEPA). This is Canada's law on prostitution. Its Preamble discourages prostitution which disproportionately impacts on women and children. It focuses on protecting human dignity, that there were risks of being exploited, suffering violence, and causes harms by the objectification of a "person's body" and the commodification of those exploited in prostitution.

Finding of fact. On September 18, 2023, Judge R. F. Goldstein, of the Ontario Superior Court of Justice, stated reasons for his decision included that "Some women and girls report being victims of torture, gang rape, mutilation, whipping, and waterboarding at the hands of both purchasers and exploiters" (p. 65).

Research Findings from Questionnaire 3 Torture Inflicted in Prostitution. Of the 30 respondents to this Questionnaire 29 (97%) were women who came from Canada 11 (38%), USA 8 (26%), Philippines 7 (24%), Australia 2 (7%), Ireland 1 (3%), and the UK 1(3%). Each 'brick' in the 30 respondent's bar code

Jeanne Sarson and Linda MacDonald, Persons Against Non-State Torture
www.nonstatetorture.org | contact@nonstatetorture.org
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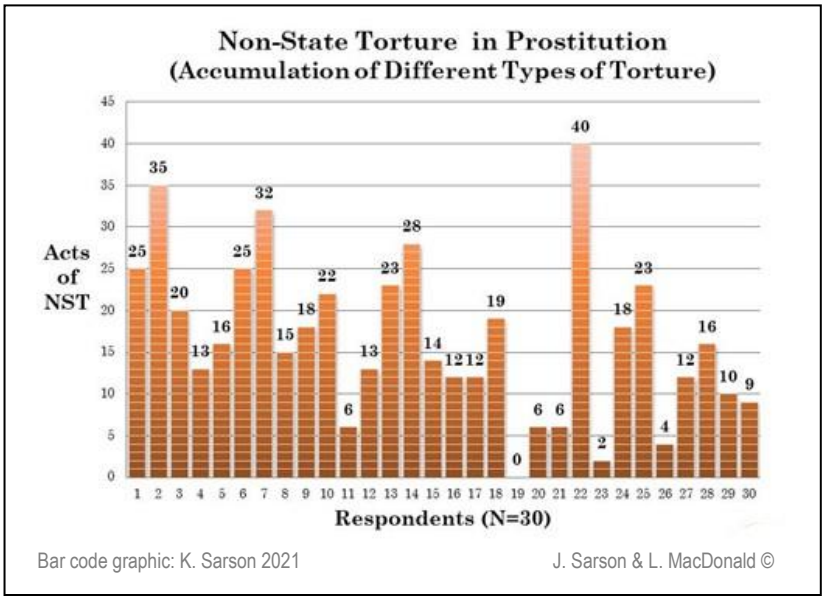
represents a different act out of the 48 shown in the previous Figure of non-State torturers' acts of torture. The most common acts women identified perpetrators intentionally inflicted on them were:

- Raped by one person - 77%
- Raped by gun, knife, or other objects - 77%
- Threatened to be killed - 73%
- Choked - 70%
- Savagely and repeatedly beaten - 63%
- Raped by family or group - 60%
- Pornographic pictures taken - 57%
- Drugged with alcohol - 53%
- Drugged with pills - 50%
- Soles of feet beaten - 50%
- Acts that contributed to women's dehumanisation including being called derogatory names - 93%; put downs - 90%; treated as non-human - 77%.



What you can do!

- Respect, hear, and believe women when they say they were tortured
- Remind others by naming that non-State torture victimization is perpetrated against women prostituted
- Acknowledge women's legal rights to speak their truths about non-State torture victimizations
- End torturers' impunity by advocating that non-State torture become a distinct torture crime
- Provide exiting safety, support, and services and funding supported by seizing perpetrators' assets
- Encourage people to insist that prostitution is not work #TortureIsNotWork

Why we do what we do. Our position is that non-State torture is a human rights violation and a torture crime, discriminatorily committed mainly against women and girls (children) that patriarchy invisibilizes.

Examples of our work relating to non-State torture and sexualized exploitation in prostitution.

2023 - Felling the bastion of patriarchal prostitution: Criminalizing non-state torture to destroy sellers' and buyers' impunity. In A. Heinz & K. King (Eds.). *When men buy sex: Who really pays? Canadian stories of exploitation, survival, and advocacy* (pp. 361-377). FriesenPress.

2022 - *The Act Challenges Sellers' and Buyers' Impunity—Their Pleasures Include Inflicting Sexualized Non-State Torture against Women Prostituted* A Brief Submitted to the Standing Committee on Justice and Human Rights in Their Review of the Protection of Communities and Exploited Persons Act (PCEPA).

2021 - *Non-State Torture and Sexualized Exploitation: Lynn's Story—Challenging Sellers and Buyers' Impunity* [video]. Canadian Sexual Exploitation Summit Defend Dignity.

2019 - *We make no Apologies for Explaining Non-State Torture (NST) Inflicted in Sexualized Exploitation, in Prostitution & in Pornography*. Foundation Scelles Knowing, Understanding, Fighting Sexual Exploitation.