Presentation

Sexualized Torture in the Domestic/Private Sphere and 'Body Talk':

A Human Rights and Relational Feminist Paradigm

By

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ABSTRACT

The praxis of 18 years working mainly with women from industrialized countries who report prolonged non-state actor torture (NSAT) victimization inflicted in their earliest of childhood years which commonly extended into their adulthood will be presented. The paradigm of this work fundamentally acknowledges that NSAT victimization is a violation of universal human rights and that the infliction of torture is gravely destructive to the victimized woman's relationship with/to/for Self. The praxis of assisting a woman so victimized to reclaim her Self-relationship is facilitated from a relational feminist perspective. Included in this work is the evidence–based consistency of women's voices and what we have witnessed that shows that unexpressed stored torture memories are expressed through 'body talk'. Meaning, that as experiential torture memory is expressed women's bodies re-express the sensory harms they endured when being so tortured but had distanced through spontaneous survival dissociative coping responses. Examples of women's body talk will be shared as well as sharing the composition of formulating one component of a care plan using a trigger table format. Visual images of women's drawings as well as a trigger table will be shared if this is possible (At the time of the abstract submission we were unaware if PowerPoint presentations were possible).

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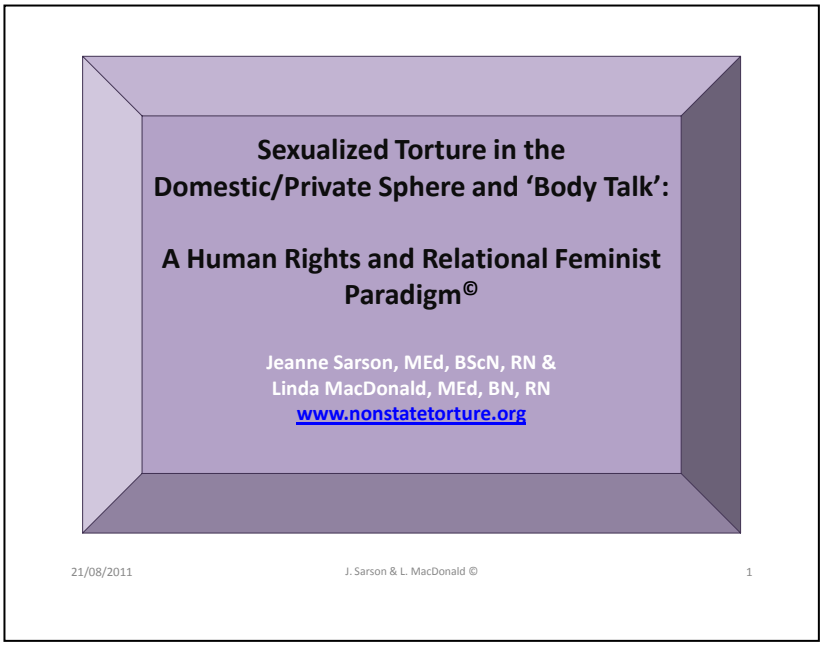
Jeanne Sarson & Linda MacDonald ©2011



Slide 1: Sexualized Torture in the Domestic/Private Sphere and 'Body Talk': A Human Rights and Relational Feminist Paradigm

Our professional focus, since 1993, has been with individuals, women mostly but also a few men, who report having survived acts of non-state torture (NST) inflicted by non-state actors within the context of family/groups in the so-called domestic/private sphere. The non-state actors have been identified as including a parent or both parents, other intergenerational kin, guardians, spouses, and like-minded others who were known to the victimized person—neighbours for example; others were unknown. Women report they were not only tortured, but were also victims of human trafficking and exploited into the organized adult-child pornographic criminal business. The principle perpetrators are identified as coming from all layers of society and from the industrialized countries of New Zealand, Australia, the UK and other Western European countries, the United States and Canada. Victimized persons also speak of the various inter-connections that occurred between like-minded families/groups; some being local, others national and even international.

Why do non-state torturers do what they do? They do for the following reasons, for the:

a) Pleasures derived from exerting pain and suffering onto those they torture including sexualized torture pleasures ;
b) Power and domination satisfaction derived from exerting totalitarian control over another human being when, for example, they see the torture pain and suffering and terror in the eyes of those they torture;

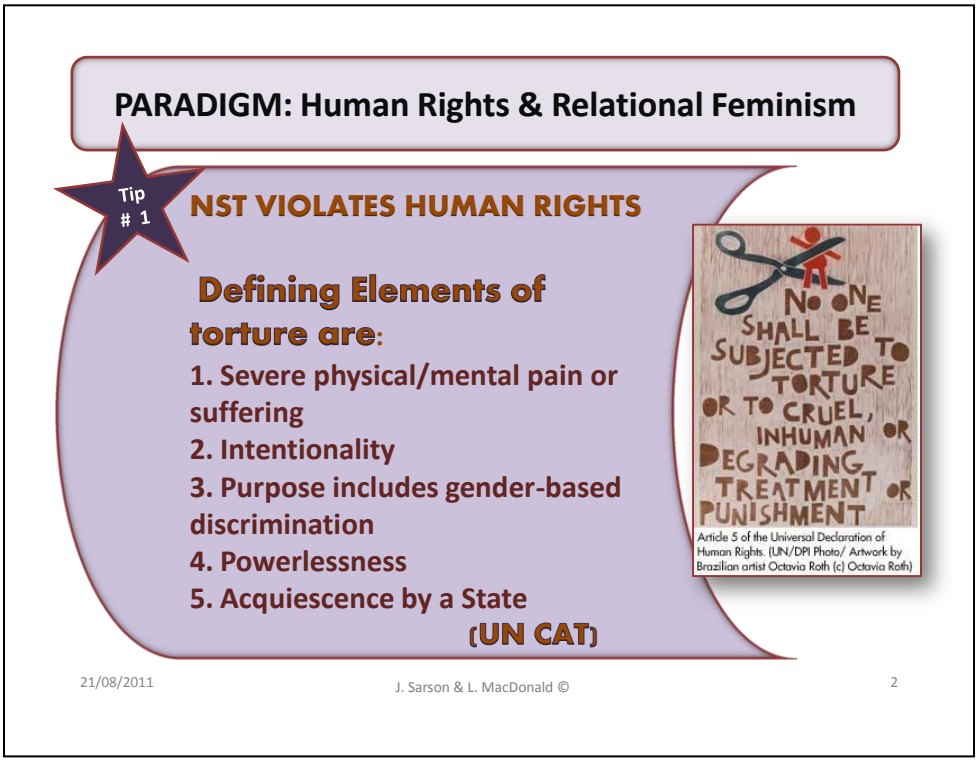
c) Profits gained from being involved in other organized crimes such as human/drug trafficking and adult-child pornography; and,
d) Prestige gained among their like-minded peers.

Places where NST is reported to happen includes in the home of the torturers and in other private or rented buildings from cottages by-the-lake to professional offices, to warehouses, or on farms for example. Recreational vehicles such as boats or camper vans, even transport trucks have been identified as being used by the perpetrators. NST is reported to happen indoors as well as outdoors, wherever the torturers are secure.

Since 1993 we have been contacted by approximately 3000 individuals who report various forms of NST. Some contacts are brief, thanking us for our work; other interactions are more prolonged including lasting for years. Connections are made via email, snail mail, SKYPE, telephone, and in person. We are also contacted by other professionals, such as anti-violence workers, counsellors and lawyers, from various countries seeking our consultative support.

The following slides, except for four, are represented here as presented. Three slides are altered to protect victimized women's privacy; one slide has been removed for publication reasons. Each slide, beginning with Slide 2, is also labelled with a "Tips" star. These tips identify the formulation of a human rights and relational feminism paradigm practice.

Slide 2: PARADIGM: Human Rights and Relational Feminism



Victimized persons who contact us they tell us it is difficult to obtain NST informed services. Our perspective is that the torture survival responses developed by a person so tortured do not translate automatically into mental illness. NST survival responses are normal responses that a victimized person developed to maintain their survival when subjected to on-going life-threatening terror, torture and horrification. Some responses occur spontaneously such as out-of-body and dissociative experiences when the

victimized person is totally overwhelmed with pain and suffering, physically, mentally and spiritually; others develop more consciously when the victimized child/adult struggles to find ways to protect her-Self, such as becoming hypervigilant as a means of trying to gain Self-protection. Recovering is very complex and painful work but with informed attention the outcomes can be very positive.

Societies must not only focus on healing. NST victimization must be recognized in order to act to prevent its on-goingness. Prevention requires a socio-legal framework that must hold non-state torturers responsible for the severity of the pain and suffering caused by their intentional and purposeful infliction of acts of non-state torture.

A human rights perspective is non-pathologizing. It does not involve blaming-the-victim, rather it means that the person victimized has had their national and/or international human rights violated and as a consequence suffers normal NST victimization and traumatisation responses. Some of which are common to all persons, some responses are unique for each individual. This presentation is focussed on the common responses we have seen in our practice, mainly women who report various forms of NST victimization when they were children and/or as adults.

A relational feminist paradigm is our practice perspective which means (a) taking a global perspective that the forms of oppression and violence inflicted against women and girls occurs 'simply' because of gendered/sex discrimination, (b) having a global framework helps give personal cognitive and emotional healing space to a girl or woman so tortured to begin to understand and accept that the NST suffered was not her fault but that relational violence against women and girls is a universal gendered socio-relational constructed reality, (c) placing responsibility on the torturers for their intentional destruction of the victimized child or woman`s relationship with/to/for Self, and (d) healing and rehabilitation focuses on relationally reconnecting or reconstructing her relationship with/to/for Self.[1]

The definition of torture by non-state actors is based on elements listed in the UN *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*;[2] powerlessness was added as an element by Manfred Nowak, past UN Special Rapporteur on CAT.[3]Torture victimization is a fundamental violation of human rights as stated the UN *Universal Declaration of Human Rights,* article 5 which says that "no one shall be subjected to torture...". [4] No one includes women and girls; it includes all citizens, at all times, in all places. General Recommendation 19, 7(b) in the UN *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW) also states that no one should be subjected to torture.[5]

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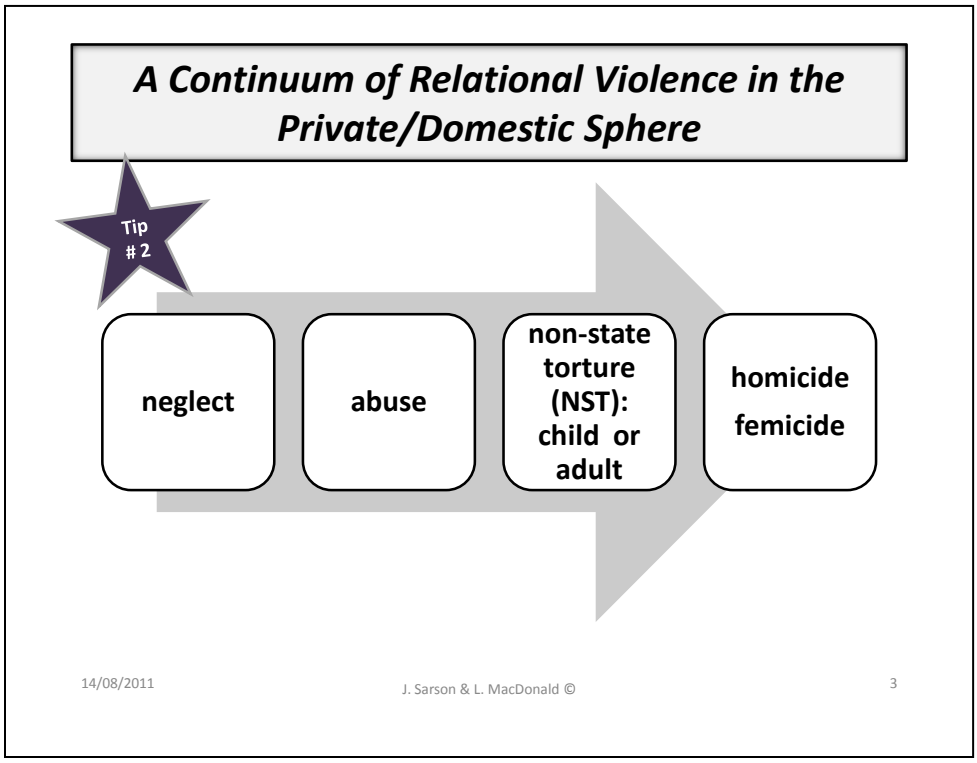
[1] Sarson, J. & MacDonald, L. (2010, Spring). Torture in the domestic sphere from a relational feminist perspective. *Rain and Thunder*, 46, pp. 27-28.
[2] UN. (1984). *Convention against torture and other cruel, inhuman or degrading treatment or punishment.* Article 1. Available http://www2.ohchr.org/english/law/cat.htm
[3] Nowak, M. (2008, January 15). *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment* (A/HRC/7/3). Available http://www2.ohchr.org/english/bodies/chr/special/sp_reportshrc_7th.htm
[4] United Nations (UN). (1948). *Universal declaration on human rights* (Article 5). Available http://www.un.org/en/documents/udhr/index.shtml
[5] UN. (1992). *Convention on the elimination of all forms of discrimination against women* (CEDAW). General Recommendation 19, (11th session), 7(b). Available http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom19

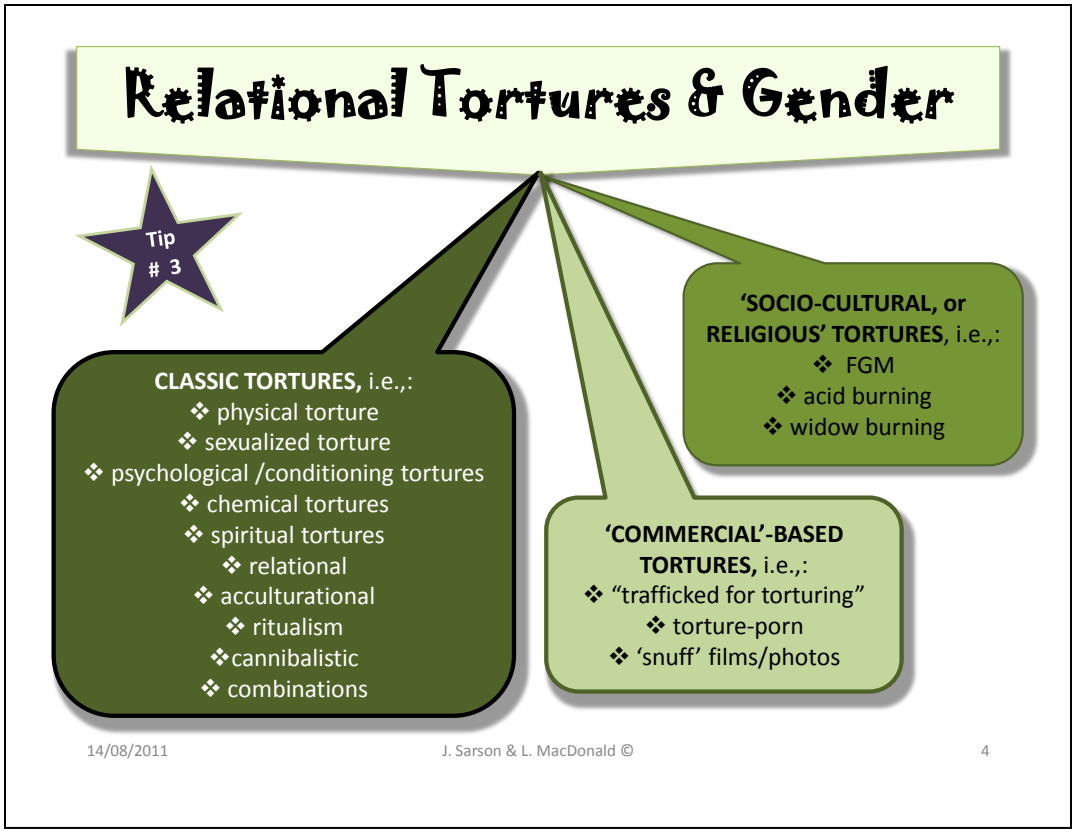


Slide 3: A Continuum of Relational Violence in the Private or Domestic Sphere

This image is presented to show that a continuum of relational violence must include NST victimization.[6] It is necessary for societies generally to have NST awareness, but also specifically for social structures such as the legal and professional systems so as to develop NST informed services designed to provide effective interventions to appropriately assist victimized women reconstruct her relationship with/to/for Self—to restore her humanness, her dignity, her human rights, and to assist her integrate into mainstream society.

Prevention interventions can only develop if societies break the disreality that has fostered an on-going perspective that women and girls, or boys and men, so harmed are falsifying their discourses of NST victimization. There is ample social and international police evidence that proves that NST occurs and that it is inflicted against children, for some beginning in infancy, which will be discussed in Slide 13.

[6] Sarson, J. & MacDonald, L. (2011, June). *Spillover torture from the military/warring sphere: Making visible a silenced human rights violation and victimized persons' 'body talk'*. Paper presented at the Canadian Peace Research Association (CPRA) 2011 Conference. St. Thomas University, Fredericton, New Brunswick, Canada. Available http://nonstatetorture.org/files/9313/0714/7474/spillovernst.pdf



Slide 4: Relational Tortures & Gender

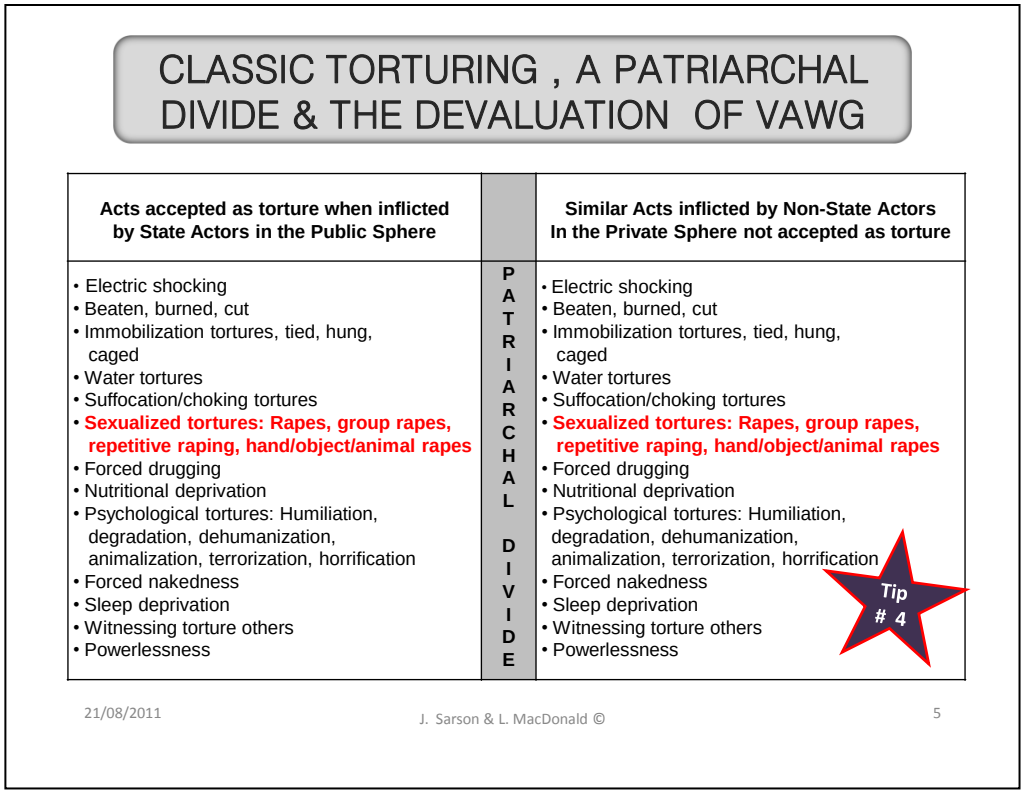
Considering that NST inflicted in the so-called domestic or private sphere is an emerging issue we take the liberty to suggest examining it from the following three categories which are relational and predominately identify gender/sex-based violence and discrimination:

1. **CLASSIC TORTURES PERPETRATED BY NON-STATE ACTORS,** classic torturing being the term frequently and globally used to express acts of torturing thought to occur only in the public domain perpetrated by State actors, negating that these same acts of torture are perpetrated in the private sphere by non-state actors. Specific examples include electric shocking, severe beatings, being hung, cut, burnt, whipped, caged, suffocated, starved, sleep deprived, forcibly drugged, water tortured, degraded with body waste, multi-perpetrator, object/weapon and/or animal rapes and forced impregnations and abortions. Combination tortures are always present in that, for example, sexualized torture inflicts spiritual harm as well as physical torture pain and suffering; another example of combinations of relational violence is ritual abuse-torture.[7, 8, 9]

[7] Sarson, J. & MacDonald, L. (2008, July). Ritual abuse-torture within families/groups. *Journal of Aggression, Maltreatment & Trauma,* 16, 4, pp. 419–438. For an abstract of this paper see *Women's UN Report Network* (WUNRN) http://www.tandfonline.com/doi/abs/10.1080/10926770801926146

[8] _____. . (2007). Ritual abuse-torture in families. In N. A. Jackson (Ed.), *Encyclopedia of Domestic Violence* (pp. 603-611). New York: Routledge.

2. **NST TORTURES THAT ARE COMMERCIAL BASED,** in that the interest of the non-state torturer is financial organized crime in connection to human trafficking and exploitation, torture-porn, and snuff films/photos, for example.
3. **NST TORTURES EMBEDDED IN SOCIO-CULTURAL AND RELIGIOUS VIOLATIONS** includes, for example, female genital mutilation (FGM),[10] acid burning, widow burning,[11] which are not the topic of this presentation but have been declared forms of gender-based torture in UN Special Rapporteur reports.



Slide 5: Classic Torturing and the Patriarchal Divide,[12] and the Devaluation of Violence against Women and Girls (VAWG)

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[9] _____. (2005). Ritual abuse/torture. *The Gazette*, 67, 1, pp. 32-33. Available http://www.rcmp-grc.gc.ca/gazette/archiv/vol67n1-eng.pdf

[10] Méndez, J. E. (2011, June 1). Female genital mutilation: Progress-Realities-Challenges. Side event sponsored by Women's UN Report Network, Worldwide Organization for Women and NGO Committee on the Status of Women-Geneva. Available http://www.wunrn.com/news/2011/06_11/06_06/060611_un.htm

[11] Nowak, M. (2010, September 15). "Acid burning attacks-victimization, survivors, support". Side event sponsored by Women's UN Report Network, Worldwide Organization for Women and NGO Committee on the Status of Women-Geneva. Available http://www.violenceisnotourculture.org/files/UN%20SR%20Torture%20Statement%20for%20Event%20on%20Women%20&%20Acid%20Attacks-HRC%2015.pdf

[12] Patriarchal divide figure is adapted from Sarson, J., & MacDonald, L. (2009, Winter). Torturing by non-state actors invisibilized, a patriarchal divide and spillover violence from the military sphere into the domestic sphere. *Peace Studies Journal*, 2(2), 16-38.

Slide 5 provides a visual list of examples of acts of classic torture which both State and non-state actors inflict. The lists are mirror images. Historically, there has existed a patriarchal divide that has devalued gender-based violence, including NST, perpetrated in the domestic/private sphere.[13] Therefore, NST has been dismissed, invisibilized and trivialized. Or, misnamed as another form of relational violence such as assault or abuse, or women and girls have been discredited, and/or disbelieved or pathologized and labelled with a mental illness framework when attempting to report and describe the atrocities that perpetrators of NST had sadistic pleasures inflicting, frequently beginning with pedophilic torturing.

Slide 6: Sexualized Torture: Homemade Tool

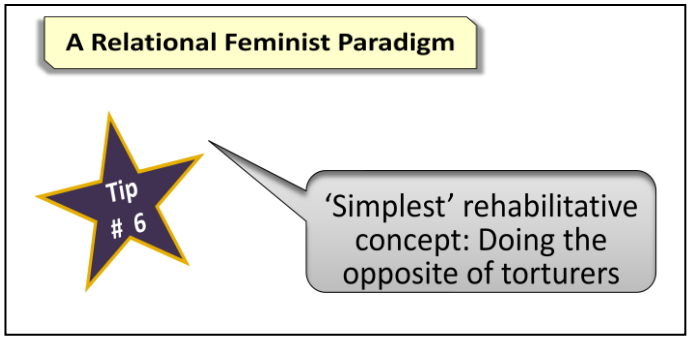
The photo of the homemade "bad stick" torture tool shared with us by a woman so tortured has been removed from this slide for privacy reasons. This homemade tool was used for sexualized torturing but also inflicted the six other methods of torture listed. This is another example of how one form of torture combines to inflict complex destructive tortures onto the person being tortured.

Like State torturers who create torture tools from items they have access to,[14] non-state torturers do likewise. For example, a hot light bulb or a hot poker is a household item that becomes a homemade torture tool when inserted into a girl's vagina to inflict burning torture. A spoon heated on the stove element can be used to inflict burns to her skin or in her anus or vagina or mouth. A tub filled with water becomes a water torture tool which the non-state torturers use to inflict pseudo-drowning and when the girl or woman is unconscious she can suffer pseudo-necrophilic raping of her inert body. The list of homemade torture tools is endless.[15]

[13] Sarson, J., & MacDonald, L. (2009, Winter). Torturing by non-state actors invisibilized, a patriarchal divide and spillover violence from the military sphere into the domestic sphere. Peace Studies Journal, 2(2), 16-38. Available http://www.peacestudiesjournal.org/archive/winter09/McDonald.pdf

[14] Forrest, D. (1996). The methods of torture and its effects. In D. Forrest (Ed.), *A glimpse of hell Reports of torture worldwide* (pp. 105-114). London: Amnesty International UK.

[15] See a woman's art image of 128 homemade torture tools in, Sarson, J. & MacDonald, L. (2011, June). *Spillover Torture from the Military/Warring Sphere: Making Visible a Silenced Human Rights Violation and Victimized Persons' 'body talk'*. Paper presented at the Canadian Peace Research Association (CPRA) 2011 Conference. St. Thomas University, Fredericton, New Brunswick, Canada. Available http://nonstatetorture.org/files/9313/0714/7474/spillovernst.pdf



Slide 7: A Relational Feminist Paradigm

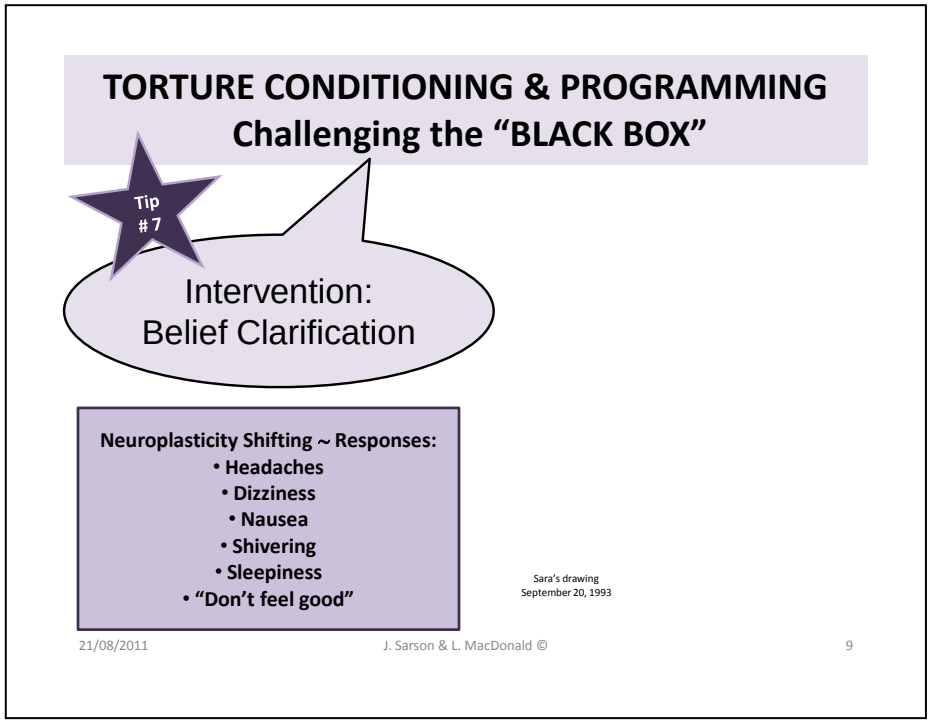
The woman's drawings that were in this slide and shared during the presentation have been withheld. Her drawings illustrated her experience of a fractured sense-of-Self—of perceiving her-Self in tiny "bits"—versus how she is coming to see and experience her-Self as a female person, as a child, who had/has a full body with skin, and who was crying and can cry because of the torture suffering ordeals she reported surviving since infancy.

Basic guideline for the rehabilitative concepts of relational healing. The simplest way to word practice guidelines is to be focussed on doing the opposite of what the torturers did/do. This concept refers to the need to acknowledge that the torturer's intentional purpose is to destroy the child/woman's sense of humanness—to destroy her relationship with/to/for Self—therefore, to guide healing and rehabilitating requires re-constructing one`s relationship with/to/for Self.

Doing the opposite includes truth-telling which is the opposite to the lies and distortions torturers inflict. For example, women we have worked with say they were told/forced/conditioned into perceiving them-Self as different people in different ordeals. When they ask us if they are different persons we speak of the physical reality. We speak that they, like us, have one body, one brain and mind, and one heart. This also addresses the reality of normal physicality v/s reinforcing their sense of non-physicality—that they do not exist in a physical body, that they do not have skin, and that they are not physically like "normal" people. Their sense of non-physicality is reinforced when tortured into survival out-of-body and dissociative responses which women often explained as, "I found my-Self looking down at that person, when, that person was me."

Destruction of their relational sense-of-Self by the torturers is esteem-killing. The torturer's verbal messages are, for example, that she is to blame, that it is "her fault", that she is "good for nothing", "a slut", "a whore" and that she is "bad", so bad that if she tells "no one will believe her". Torturers dehumanize her, animalize her, and brutalize her so she may not even experience her-Self as a human being. The torturers also torture or condition her to Self-harm, for example, to Self-cut, to head-bang, and to commit suicide. In other words, the torturers' destructive tactics are aimed at turning her relationally against her-Self.

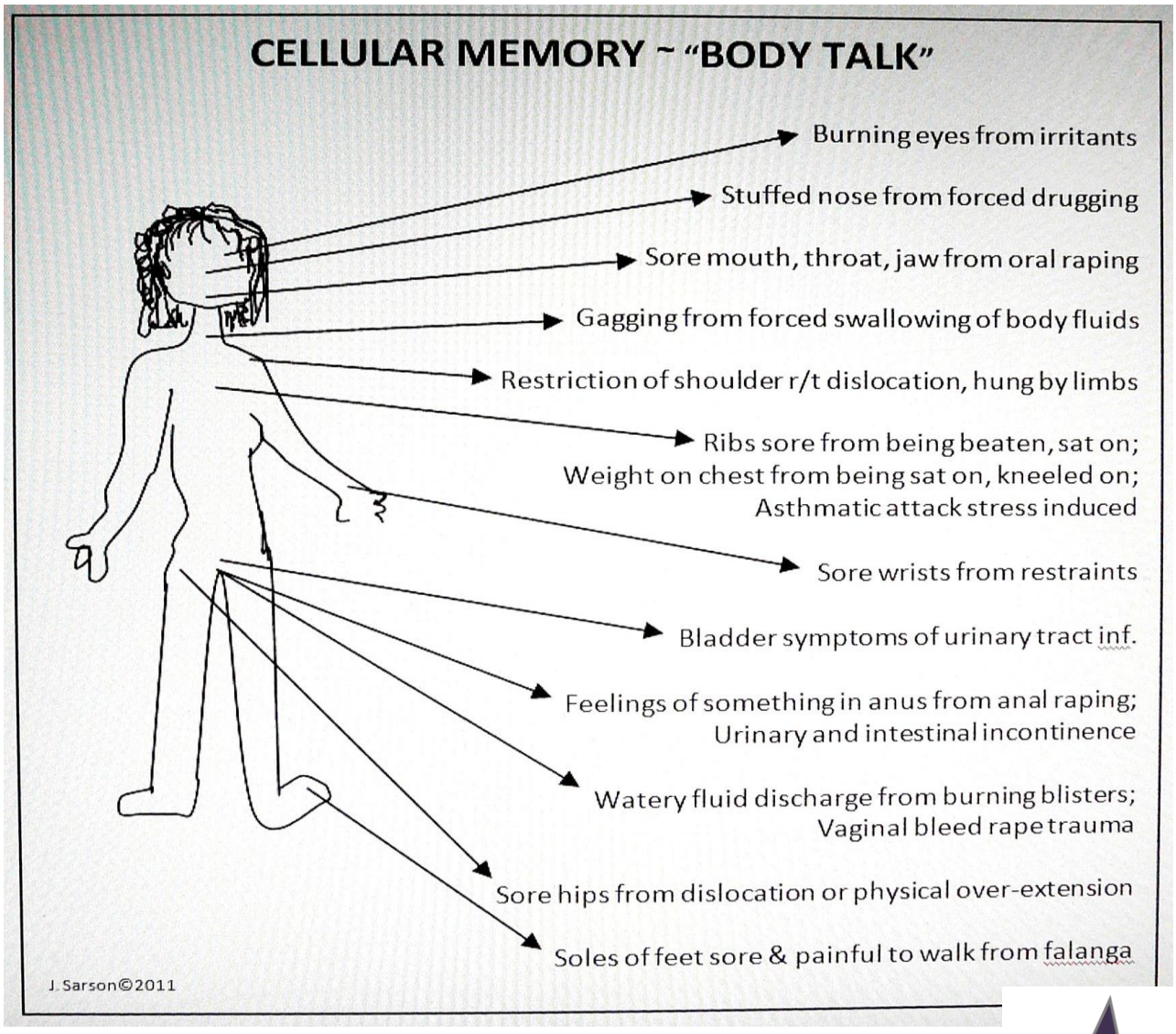
Slide 8: Torture Conditioning and Programming: Challenging "Black Box"



The woman's drawing withheld in this slide illustrated the sensation she felt when she began challenging her distorted beliefs. It was as if a black box barrier came up into her brain and blocked her ability to challenge the torturer's mental and cognitive distortions inflicted via their psychological torture tactics. The purpose of the torture conditioning was to distort her reality and worldview, therefore, keeping her, since childhood, in a state of psychological confusion and captivity. For example, she was forced to believe that her family was superior to outsiders and that some of the tortures she endured was to make her strong enough to endure being trapped or contaminated by outsiders.

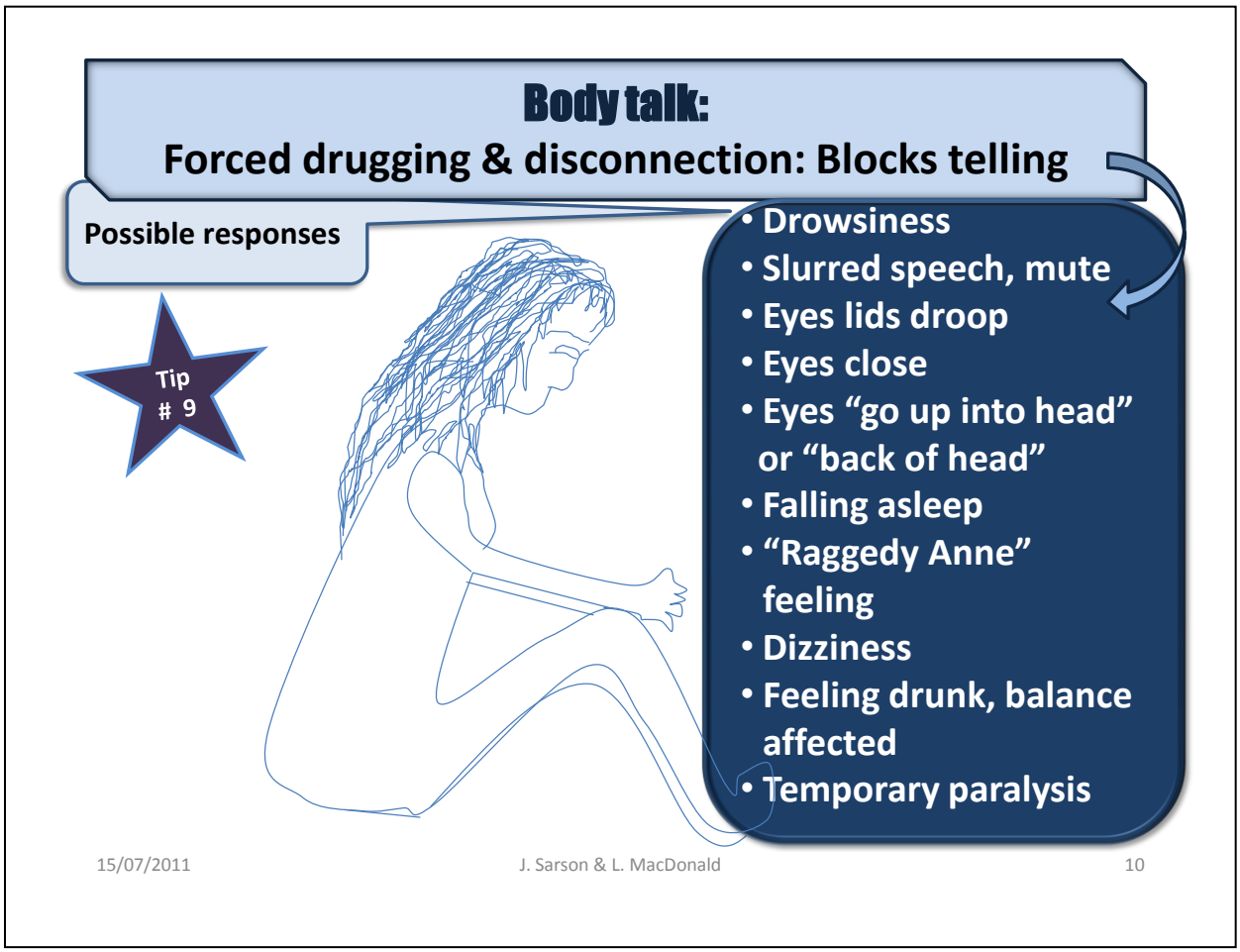
Our experiences and repeated observations indicate that when women are challenging their internalized distorted beliefs, such as the forced belief that the sexualized torture was "teaching her to be a woman", when the reality was that they were just little girls of five or seven years of age, varied physically and physiologically events occur, including, we suggest, within the neuroplasticity of the brain. For example, we repeatedly observe shifting beliefs commonly produces the physical responses listed on the slide. These were generally spoken of as being immediately felt by the women. Most effects settle fairly quickly, however, headaches may/can last for hours or even a few days. During the activity of the thought and belief-shifting processes, we assume, based on collective research on the brain, that the brain activity is deleting the old connections and creating new connective neural pathways because of brain neuroplasticity.[16] We suggest the neuroplasticity shift is occurring because women frequently mention sensations that occur in their brain at the time when major belief perceptions are shifting. Our observations suggest sleep is an important source of support when these physical and neuroplasticity events occur. And we promote exercise, such as safe walking, when physically possible, as it is also helpful in promoting brain fitness when doing this difficult and complex work.

[16] *Time Magazine*. (2007, Jan. 19). The brain: How the brain rewires itself. Available http://www.time.com/time/magazine/article/0,9171,1580438-5,00.html



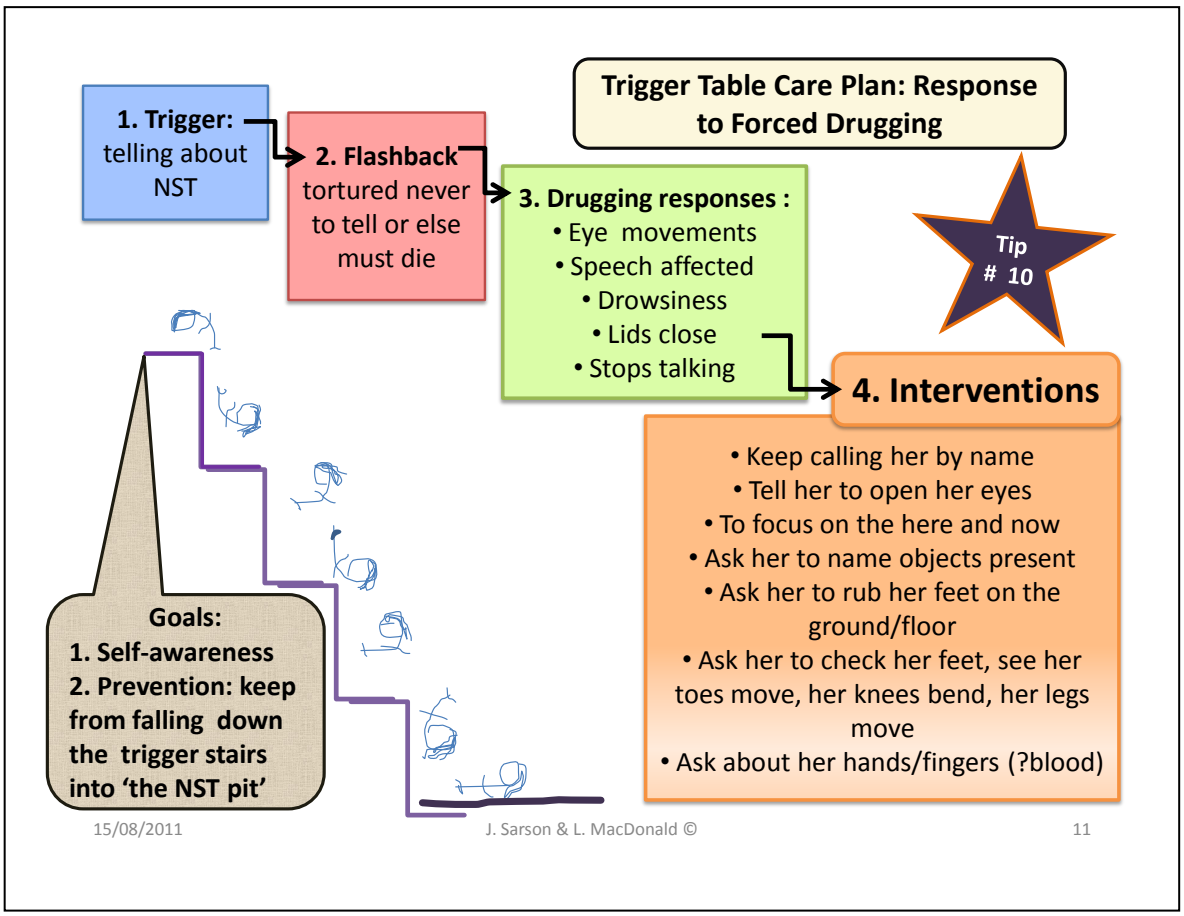
Slide 9: Cellular Memory – "Body Talk"

This drawing illustrates many of the stored cellular torture pain memories that can be re- experienced, re-felt, by women when they are processing unrevealed NST victimization ordeals. They re-experience and re-feel these cellular memories as if the torture pain is happening in the here-and-now. They need support to understand what happened, what was done to them, how it felt not only physically but also emotionally and spiritually. They need support to cope with how re-remembering can take over the here-and-now and be reassured that the body talk pain and suffering will ease as they go through—process—the flashback memory. It is most painful and difficult work as they learn that as they process their herstories they become more and more relationally connected with them-Self as was discussed in Slide 7, A Relational Feminist Paradigm.



Slide 10: Body Talk: Forced Drugging and Disconnection: Blocks Telling

Women repeatedly inform us that the torturers constantly drugged them when they were children. Some remember how drugged they were after being given their baby bottles when they were toddlers. This is remembered as occurring when they were transported to organized family/group torture gatherings or as one woman stated it, when she was "trafficked for torturing". When women are in the process of speaking about their NST ordeals they frequently and spontaneously re-experience and re-enact the effects of being drugged. This chemical torture tactic was inflicted by the torturers to keep the victimized girl or woman silent and to increase her powerlessness. It can also re-play to block a woman's telling when she is attempting to expose the details of the NST victimization she suffered. To counter this re-playing of the drugging it is necessary to assist her to keep re-orientating her-Self into the present as discussed in the following slide.



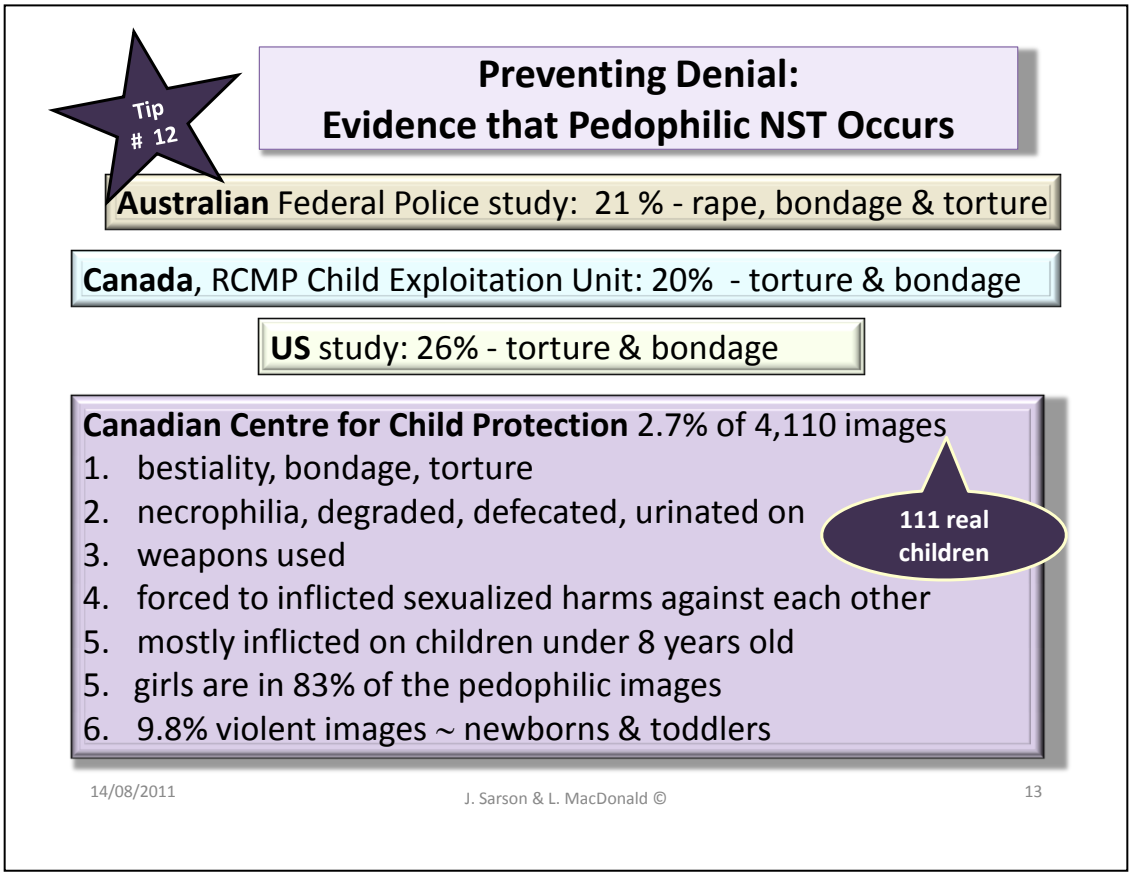
Slide 11: Trigger Table Care Plan in Response to Forced Drugging

This slide illustrates briefly three levels of triggering responses a woman may have when trying to tell about the NST she endured. The fourth step provides basic interventions that ought to be carried out in order to assist her achieve the goal of preventing her-Self from falling deeper into the flashback—down the trigger stairs into the memory NST pit, so to speak. Falling into the NST memory means she can become more disorientated and dissociative from the NST ordeal that she is attempting to process. The reason we have listed connecting with her hands last and have placed blood in brackets with a question mark is because often women speak of having blood on their hands when they were being tortured and horrified. When a woman starts flashbacking she may flashback visually to the time when she saw blood on her hands. Asking her to initially connect with her hands could trigger her deeper into her NST memory. Also, her hands may have been tied out of her range of vision during immobilization tortures, if so, she may not be able to make a here-and-now connection with her hands, therefore, we leave this physical connection with her hands to the last to be sure she is more present visually.

Slide 12: Trigger Table Care Plan

This slide has been withheld for publication reasons. It illustrated an example of how flashbacking can be progressive and prolonged if a first responder has not been educated about NST flashbacking and triggering responses.

It presents a situation that occurred in an out-patient department in relation to a woman who became triggered by seeing her red blood when having a blood sample taken. A culmination of interventions by the nurse, which were well intended, escalated the woman's flashbacking, causing the woman to respond with behaviours that were misunderstood. This resulted in keeping the woman on a stretcher in OPD for eight hours, followed by an hour of debriefing time with the woman. With education on NST and flashbacking the nurse could have intervened to prevent or assist the woman from 'falling down the trigger stairs'.



Slide 13: Preventing Denial: Evidence that Pedophilic NST Occurs

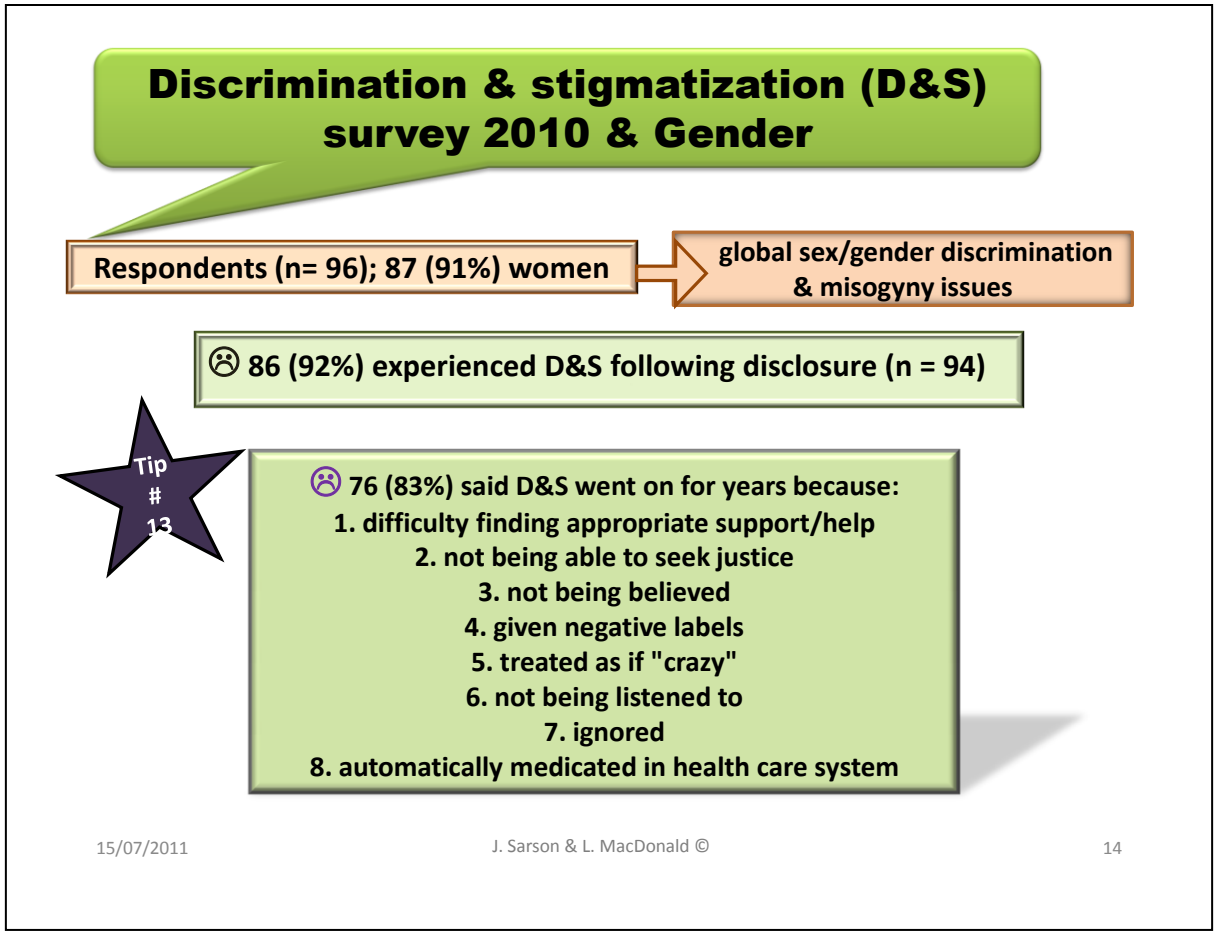
When we began to speak or present our work regarding NST victimization in 1993 we were seldom believed. At times efforts were made to discredit us and to silence us from practicing to support women

so victimized. The 'science' of pathologizing women and not believing NST happened was still, at that time, well entrenched socially.

Women so harmed were tortured as children to accept that they would not be believed if they tried to tell. The science of pathologizing women also reinforced women to mistrust them-Self, reinforcing an illness model perception they were "crazy" or that their memories were really nightmares and dreams, for example. Reports such as those listed on this slide,[17, 18] now provide the evidence that pedophilic sexualized NST is suffered by children, as young as in infancy, and is predominately inflicted against girls. No more can it be said that NST does not occur.

Women frequently speak of suffering NST that involved acts of necrophilia, including the horrification issues related to 'pornography' and snuff films.[19, 20, 21] Some women state they were witnesses to snuff murders. Here again, there has been social denial that such violence as necrophilic snuff occurred in the past or in the present; and here again, there is now police evidence that snuff is a horrific reality. As the police have increased their skills of internet science and investigation the women and the few men who have contacted us have been provided with supportive reality evidence that such atrocities as sexualized NST and other horrors are suffered by some children of all ages.

[17] Maalla, Najat M'jid. (2009, July 13). Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), paras. 39-40.
[18] Canadian Centre for Child Protection. (2009, November). Child sexual abuse images An analysis of websites by cybertip!ca. Available http://www.cybertip.ca/pdfs/Cybertip_researchreport.pdf
[19] Scottish Daily Record & Sunday. (1999). Perverts murdered woman for snuff movie. Available http://www.thefreelibrary.com/Perverts+murdered+woman+for+snuff+movie.-a060425776
[20] Burke, J., Gentleman, A., & Willan, P. (2000, October 1). British link to 'snuff' videos. Available http://www.guardian.co.uk/uk/2000/oct/01/ameliagentleman.philipwillan
[21] Sarson, J. (2011, April 5). Breaking the silence about "snuff". Available http://nonstatetorture.org/blog/breaking-the-silence-about-snuff/



Slide 14: Discrimination and Stigmatization (D&S) Survey 2010 and Gender

The findings shown on this 14th slide are the outcome of a Self-reporting web survey completed in 2010. It gave voice to the respondents who indicated they had endured various forms of NST. The majority reported experiencing D&S following disclosure. The forms of D&S are as listed on this slide. This list suggests socio-cultural structures require:

a) Social education on NST victimization;
b) Evaluation of laws to ensure that NST is identified as a specific and distinct criminal offence;
c) Professionals to be specifically educated on NST victimization to understand the full continuum of violence that is inflicted onto some children and adults they may be supporting; this point became clear to us when several child protection workers explained to us that they did not realize a little girl bled when raped, or that they did not believe torture and ritualized tortures occurred, therefore, when children disclosed such horrors these were considered unreal;
d) A re-examination of the depth of violent ordeals, including NST, that children as young as infants are at risks of suffering;
e) That sexualized NST is a gendered discriminatory form of victimization directed predominately at girls and women as shown in the previous slide;

f) That it be acknowledged that torturers come from all sectors of society which often challenges class biases that can act to prevent unbiased investigations, for example, and
g) A shifting from the pathology model to a model that recognizes that a person who has survived NST is a person first, a person who has been victimized and had their human rights violated.

Prevention of Discrimination and Stigmatization (D&S): State and NGO Responsibilities

State obligations that occur. Such as for States who have ratified UN international human rights instruments such as CAT and CEDAW. Assessing a country's due diligence human rights obligations, based on the past UN Special Rapporteur on CAT, Manfred Nowak's 2010 report, indicates country responsibilities to mean:[22, 23]

a) *A country must not act with indifference or with inaction to torture* that is inflicted by State or non-state persons (actors) because taking no action suggests the country is giving a form of agreement, and/or permission or 'acquiescence' for such acts of torture to be inflicted;
b) *Preventing State acquiescence* requires that the country uphold international due diligence obligations of respecting, preventing and protecting all citizens from torture whether the torture is inflicted by State actors or non-state actors (private persons);
c) *There is an obligation to protect* all citizens from torture even in the private sphere, including torture that happens in a home for example. A failure to provide protection to all citizens can occur if domestic laws fail to provide adequate protection against any form of torture, whether perpetrated by State or non-state actors. To protect all citizens "domestic criminal law has to cover all possible cases falling under the definition of torture" (para. 48);
d) *Addressing a deficient legal framework* that occurs when other existing legal provisions such as aggravated assault, are used to misname torture crimes, thereby failing to take into account the destructive gravity of torture victimization. Utilizing existing legal provisions, i.e., aggravated assault is not equal to torture crimes and it is impermissible to minimize and trivialize torture to an assault or another crime. Torture is considered one of the worst, most destructive human rights violations and it must not be so trivialized.

[22] Nowak, M. (2010a). *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. Study on the phenomena of torture in the world, including an assessment of conditions of detention* (A/HRC/13/39/Add.5). Available http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.39.Add.5_en.pdf

[23] This following section, from Manfred Nowak's 2010 report to NGO involvement, is from background papers put forth by the International Relations Committee of the NGO, the Canadian Federation of University Women (CFUW), in support of a proposed resolution to criminalize NST in Canada. Presently NST is not criminalized. Although the Canadian government recognizes NST occurs, and has been reported as occurring since 1993, the Justice Department minimizes NST to a lesser crime such as a sexualized assault. Therefore NST crimes in Canada are invisibilized. Resolution and initial background paper is available http://www.cfuw.org/doc/Proposed_resolutions_booklet_for_amendments_clubs_feb_4.pdf. This resolution was separated into two resolutions at the Annual General Meeting in St. John's, Newfoundland, August 4-6, 2011. The separated resolutions were passed August 6th, and adopted in the policies of the CFUW. Available http://www.cfuw.org/doc/Adopted_Resolutions_2011.pdf

e) *Addressing a culture of impunity* that exists when NST is not criminalized because when NST laws are not present torturers are not held accountable for the offence of torture, creating impunity which is one root cause for torture being widespread whether State or non-state perpetrator inflicted.

UN Resolution 65/205 of March 28, 2011.[24] This resolution urges that domestic criminal law address acts of violence in the domestic sphere that can constitute torture. For example, it calls for States to assess the effectiveness of its laws, policies and actions in relation to its due diligence responsibilities not to commit human rights violations, to prevent such violations from existing, and to respond effectively to eliminate such violations. Freedom from torture is a non-derogable right that must be protected under all circumstances, at all time and in any place, in the public or private spheres, whether perpetrated by State or non-state actors. The resolution urges States to include gender-based manifestations of torture, including information concerning children in its reports to the UN. If NST laws do not exist no data can be collected therefore no such crime is seen to exist and will not be reported.

CEDAW and UN Resolution 65/205. States must also ask, do its laws, policies and actions meet the standard of "without discrimination", as defined under article 1 of CEDAW which describes gender-based violence as violence "which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions".[25] Ignoring in law that women/girls predominately suffer non-state torture is gender-based discrimination; therefore, a country that has ratified a UN instrument such as CEDAW is not meeting its due diligence responsibilities to protect, to prevent and to support women/girls human rights as per CEDAW.

Healing. The UN recognizes it is necessary for persons who have survived torture victimization to have the socio-legal right to express being tortured, to be heard and never silenced from speaking their truth. Seeking criminal justice to hold torturers accountable is a fundamental core of reparation processes of healing, as is the need to develop torture victimization informed protection and care services. [26]

NGO involvement and accountability. If an NGO is working to improve the status of women/girls, advancing human rights and justice, and if the NGO has special consultative status responsibilities under ECOSOC UN Resolution 1996/31, this latter responsibility involves working to promote/protect human rights and to achieve women/girls equality as outlined in the *Universal Declaration of Human Rights.*[27] This responsibility requires *assessing* if a government is upholding its evolving due diligence human rights obligations that arise from being a signatory to UN international human rights instruments, for

[24] General Assembly. (2011, March 28). 65/205. Torture and other cruel, inhuman or degrading treatment or punishment (Sixty-fifth session, agenda item 68 (a), A/RES/65/205). Available http://www.apt.ch/region/unlegal/Torture/UNGA%20A-RES-65-205%20-%20ENG.pdf

[25] UN. (1992). *Convention on the elimination of all forms of discrimination against women* (CEDAW). Available http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

[26] Nowak, M. (2008, January 15). *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment* (A/HRC/7/3). Available http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/101/61/PDF/G0810161.pdf?OpenElement

[27] United Nations (UN). (1948). *Universal declaration on human rights* (Article 5). Available http://www.un.org/en/documents/udhr/index.shtml

example, the *Convention against Torture and Other Cruel, Inhuman or degrading Treatment or Punishment* (CAT), the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) and updated UN resolutions.

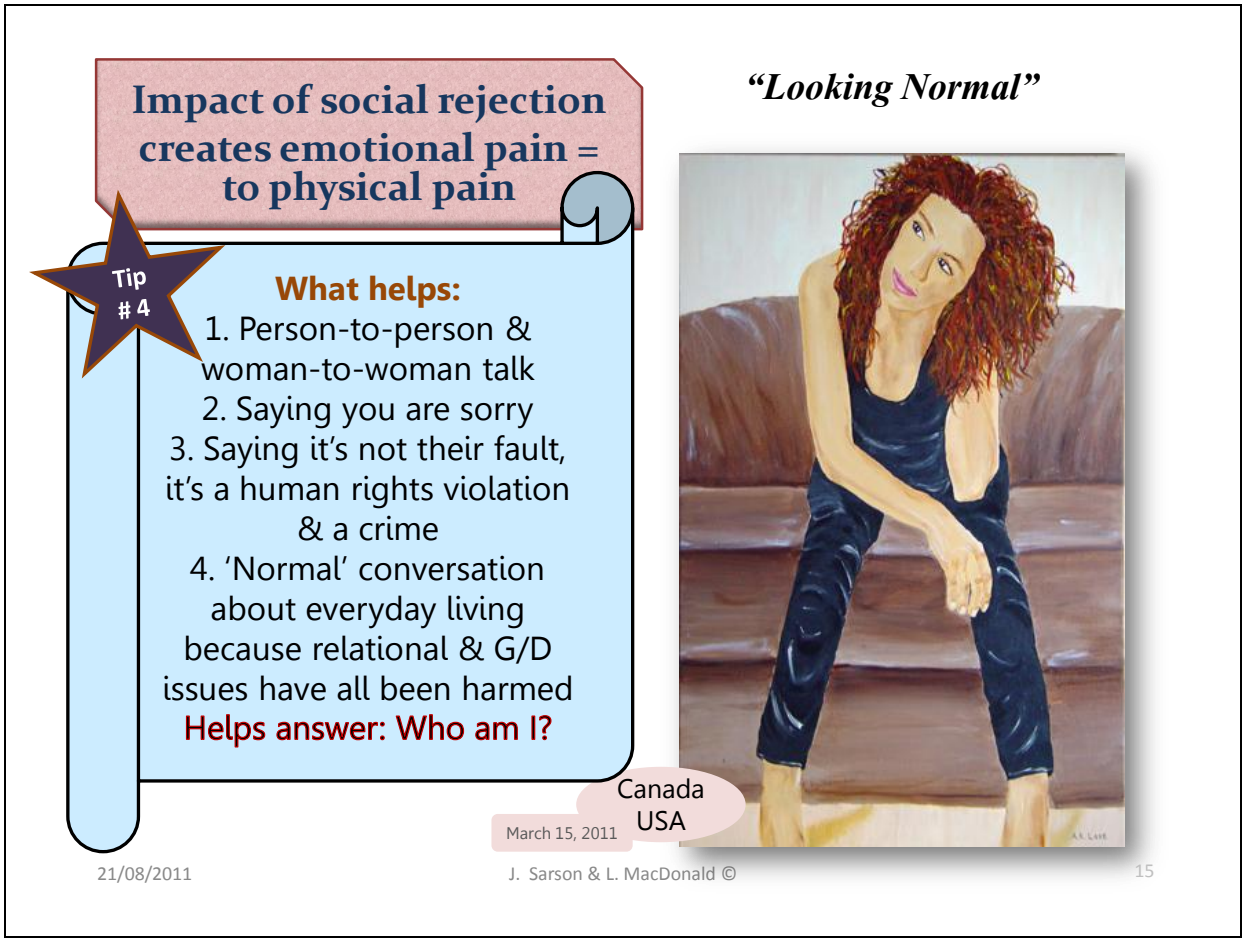
Shadow reports can be submitted to CEDAW and CAT UN Committees to assist in bring to the global consciousness the reality of NST victimization and the discrimination that has/is in existence socio-legally and relationally that has made gendered NST victimization invisible.[28]

NST is a global reality that we must all address. The door has been opened at the UN level for women and girls to finally have the acts of violence committed against them to include various categories of NST victimization. We have suggested three categories as highlighted in slide # 4. Let us join together to make it happen that no one, including women and girls, shall be subjected to NST. Let us make this happen!

The NGO, the Canadian Federation of University Women (CFUW) passed resolutions that begin to address the invisibility on NST victimization and the gendered inequality that exists within the Canadian socio-legal structures in relation to NST.[29] It could be insightful for other NGOs to begin to assess the stage of development their States are in, if they have ratified CAT for example, in regards to violence against women/girls, or any citizen, and whether there is the legal recourse to have categories of NST victimization addressed as torture.

[28] Sarson, J. & MacDonald, L. (2008). Torture of Canadian women by non-state actors in the private sphere: A shadow report March. Available http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/VOWCanada42.pdf

[29] Canadian Federation of University Women. (2011, August 6). *Adopted resolutions as passed at the AGM, August 6, 2011.* Ottawa: Author. Available http://www.cfuw.org/doc/Adopted_Resolutions_2011.pdf



Slide 15: "Looking Normal"

One research article has found that social rejection or exclusion creates emotional pain that is equal to physical pain.[30] Women speak of their fears that if society knew what they had endured they would be socio-relationally rejected. This is a painful fear as it means they risk a potential loss of relational connection with others—friends, partners, work peers—and efforts to develop a safe community network. It is essential that socio-relationally woman and girls, men and boys, so harmed are respected as persons with their human right to full human dignity, as Alex's painting says "Looking Normal",[31] as they work so very hard to be and seek feeling normal.

There is a list of "What helps"; these are important when placed in the context that if NST victimization began in childhood and the torturers were parents, other kin or guardians, the victimized woman`s whole growth, developmental and relational continuum has been harmed. There is a need for normal

[30] Eisenberger, N. I., Lieberman, M.D. & Williams, K. D. (2003). Does rejection hurt? An fMRI study of social exclusion. *Science*, 302, 290 -292.

[31] Alex's artwork, "Looking Normal"; see other works at www.becauseart.com. Email consent given July 16, 2011, to include in this presentation and paper and for release for posting on our website and to the Sexual Violence Conference, Sept 8, 2011, Forensic Psychological Services, Middlesex University London, U.K. website.

conversation and very safe role modelling to assist women to gain their right to experience very safe relational boundaries. To feel and be alive—to know they are human beings with and worthy of human equality and human rights.