

NON-STATE TORTURE HAPPENS TO WOMEN & GIRLS

UNNAMED = INVISIBILITY

NAMED = VISIBILITY

Geneva NGO Forum - Beijing+20

NST Non-State torture (NST) is torture committed in the private sphere. It is perpetrated by parents, spouses, other kin, guardians, neighbours, traffickers, pimps, johns, and strangers. It happens, for example, in homes, cottages, warehouses, farms, fields, on boats, and other places. Girls and women from infancy to adulthood are predominate victims. Motivations of non-State torturers include power, pleasure, and profit. This brief draws from our over 20 years of professional grass root work and activism to have non-State torture (NST), most specifically sexualized torture, recognized as a *jus cogens* human rights violation (Persons Against NST: www.nonstatetorture.org).

NON-STATE TORTURE: IT HAPPENS TO WOMEN AND GIRLS

PRESENTED TO GENEVA NGO FORUM - BEIJING+20


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HER- HIS- STORY: On December 10, 1948 the global human rights community declared in the [*Universal Declaration of Human Rights*](#) that: **NO ONE** shall be subjected to torture and that this human right belonged to women and men equally! **What happened instead is:**


HER-HIS- STORY:


STATUS QUO DISCRIMINATORY STATEMENTS AND PRACTICES developed that applied this universal human right only to warring men and male prisoners of war. Torture of women and girls, especially sexualized torture, was justified as a sexual “service” necessity of warring men or the massive rapes by ‘liberating’ troops dismissed as collateral damage.


STATUS QUO DISCRIMINATORY STATEMENTS AND PRACTICES developed that fail to uphold her human right equality not to be subjected to torture. Examples of statements and practices that contribute to the denial of her non-State torture victimization are:


 **W**hen women or girls suffer non-State torture it is OK to misname it—to invisibilize it!

 **W**hen women or girls suffer non-State torture it is OK to tell them that you do not believe them, that they are crazy, or tell them it does not matter that it is correctly named!

 **W**hen women or girls suffer non-State torture it is OK they cannot hold non-State torturers accountable under the law for acts of torturing!

 **W**hen women or girls specifically suffer sexualized non-State torture it is OK to say they consented to sadomasochism because “they asked for it”!

 **W**hen women or girls suffer non-State torture within intimate relationships perpetrated by parents or spouses/partners it is OK to ignore it. Because it occurred in the so-called private spaces of their homes, apartments, and other buildings; in woods, fields, and farms; in cars, trucks, and on boats; in private professional offices and clinics; wherever torturers are, in any place they secured protected from detection!

 **W**hen women or girls suffer non-State torture when prostituted and trafficked that is perpetrated by non-State actors such as pimps, johns or punters, traffickers, pornographers, gangs, or pedophilic rings it is also OK to ignore it because “they choose this ‘work’ or ‘service’ because they get paid for it”.

HER-STORY:

In June 1993, at the 2nd World Conference on Human Rights in its final statement—The Vienna Convention—**SHE** exerted **HER-SELF** to declare:

[T]he term 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as...intimidating or coercing [her]...for any reason based on discrimination of any kind, when such pain or suffering is inflicted...with the consent or acquiescence of a ...person acting in an official capacity [art. 1]....Each State party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by persons which constitutes complicity or participation in torture [art. 4].

UNITED NATIONS CONVENTION AGAINST TORTURE
AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

HER NON-STATE TORTURE STORY MEANS she has suffered all or most of the following acts known as classic torture tactics once, but probably repeatedly, possibly for years, and beginning at any time in her life from infancy to adulthood.

Here are examples of **HER-VOICE** and the non-State torture she endured:

- Electric shocking torture of her body, sexualized shocking inside her vagina then raped
- Physical tortures: beaten, burned, cut, bones broken, limbs dislocated or twisted, pins inserted under her fingernails,
- Immobilization tortures of being tied down, hung by her limbs, caged, handcuffed, forced into small dark spaces, tied to a tree, forced to wear a dog collar and leashed
- Water tortures: held under water in a bathtub, bucket, sink, or outdoors in a lake or brook until near drowned, forced into tub of ice water, forced to stay under a cold water shower
- Suffocation and choking tortures: hooded with a plastic bag over her head, a pillow held over her face, sat on making it difficult to breathe when also being orally raped
- Sexualized tortures: Rapes, gang rapes, hand/object/weapon rapes, repetitive raping
- Reproductive tortures: forced impregnation and abortions, harms to reproductive organs
- Animal-human cruelty: bestiality, threatening torture and or the killing of pets
- Chemical tortures: forced drugging by mouth, injections, mask, or nasal sniffing
- Deprivation tortures: withholding of food and drink, exposure to extremes of heat and cold, toileting denied thus forced to urinate and defecate on her-Self, forced to go without sleep
- Psychological tortures: terrorized and horrified, called derogatory names and putdowns
- Forced to witness the torturing of others, of pets and told it is her fault
- Forced to harm others, forced into sexualized harms of others, forced to kill pets
- Powerlessness: physical and conditioned captivity which forces a belief that there is no escaping, that she is trapped forever, that she is property and belongs to the torturers
- Humiliation tortures: forced nakedness, being ridiculed, laughed at, mocked
- Cannibalistic tortures: forced to swallow body fluids, aborted tissue, to Self-cut for torturers' pleasure as many like the sight of her bleeding
- Dehumanization tortures: degraded, animalized when forced to eat and act like a dog or forced to believe they are nothing but an animal, to feel and believe they are not human.

HER NON-STATE TORTURE VICTIMIZATION REQUIRES offering her respectful and helping responses, such as:

- When she tells she has survived non-State torture, be respectful to uphold her dignity
- Tell her you believe her, that it is not her fault, and you are sorry
- Do not misname the non-State torture she suffered as another human rights crime
- When she says it happened in her family and in her home be sufficiently informed; say you know that non-State torture happens in families and homes and many other places
- When she says she was a tiny child or an educated woman when tortured—listen; say you have learned that children of all ages and women from all walks of life can suffer non-State torture within intimate relationships
- To support her, organize presentations/discussions with knowledgeable presenters; include informational written material in school, university, and professional programs; in relationship and sexuality education classes, and promote the use of the United Nations Declaration on Human Rights Education and Training

RATE YOUR- HER- COUNTRY: Is there a law that criminalizes non-State torture? If not, why not? If there is a non-State torture law is it being used to uphold equality when dealing with gender-based non-State torture crimes? If not, why not? If required—advocate for a law!

HER-STORY: TRANSFORM HER HUMAN RIGHTS FUTURE

What Geneva NGO Forum attendees can do for the Beijing+20 report:

- 1. Include a very specific statement in the report that says non-State torture of women and girls is a distinct human right violation that must be globally acknowledged because ALL “human rights are women’s rights”.**
- 2. Include a very specific statement in the report saying all State Parties must ensure national laws criminalize non-State torture perpetrated by non-State actors and that the law is applied to gender-based non-State torture crimes.**

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