

CANADA REFUSES TO INCORPORATE TORTURE BY NON-STATE ACTORS INTO ITS NATIONAL LAW: SAYS IT'S "REDUNDANT" AND A "SOFT LAW" RECOMMENDATION

A response to the LOIPR¹ submitted to the United Nations Committee against Torture-Canada Session

October 9, 2018 to: cat@omct.org and cat@ohchr.org by

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Please note. Our participation in this event is made respectfully possible by the support of the Academic Council on the United Nations System (ACUNS), thus our membership status is listed on our registrations. Although we are current members, we are attending this event and presenting this shadow report solely in our own capacity as Canadian professionals with expertise on non-State torture victimization. Our responses to the Committee will solely be ours.

BIO. As independent scholars we are grassroots supporters and human right defenders of women who have survived predominately family-based non-State torture and human trafficking victimizations. We are feminists, published authors, and researchers with nursing backgrounds and co-founders of Persons Against Non-State Torture campaign. We are pioneers in that our work began in 1993 only five years after this United Nations (UN) Committee against Torture began its work in 1988. We have worked on exposing non-State torture (NST) victimizations that occur in the private domestic sphere for 15 long years before the Committee released its General Comment No. 2, wherein, the Committee spoke about non-State actors and violence against women and girls that manifested as torture (CAT/C/GC/2/CRP.1/Rev.4, para. 18). It would be four more years before we welcomed this Committee's 2012 general comment No. 3 stating that "familiar" relationships could exist between the perpetrator-torturer and those they victimize (CAT/C/GC/3, para. 3).

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¹ LOIPR is the acronym for list of issues prior to reporting.

Canada Refuses to Incorporate Torture by Non-State Actors into its National Law: Says it’s “Redundant” and a “Soft Law” Recommendation

Jeanne Sarson and Linda MacDonald

INTRODUCTION

1. Our shadow report specifically concentrates on torture perpetrated by private individuals and groups—by non-State actors—in the domestic private sphere. These are acts of torture that meet the definition of the intentional infliction of severe pain and suffering, physical or mental. The following figure 1, titled the “Patriarchal Divide,” lists acts of State and non-State torture.² The figure illustrates our 25 years of research and listening to Canadian women (and women globally) detail the acts of torture they suffered and survived that were perpetrated by non-State actors within domestic and family-based relationships and

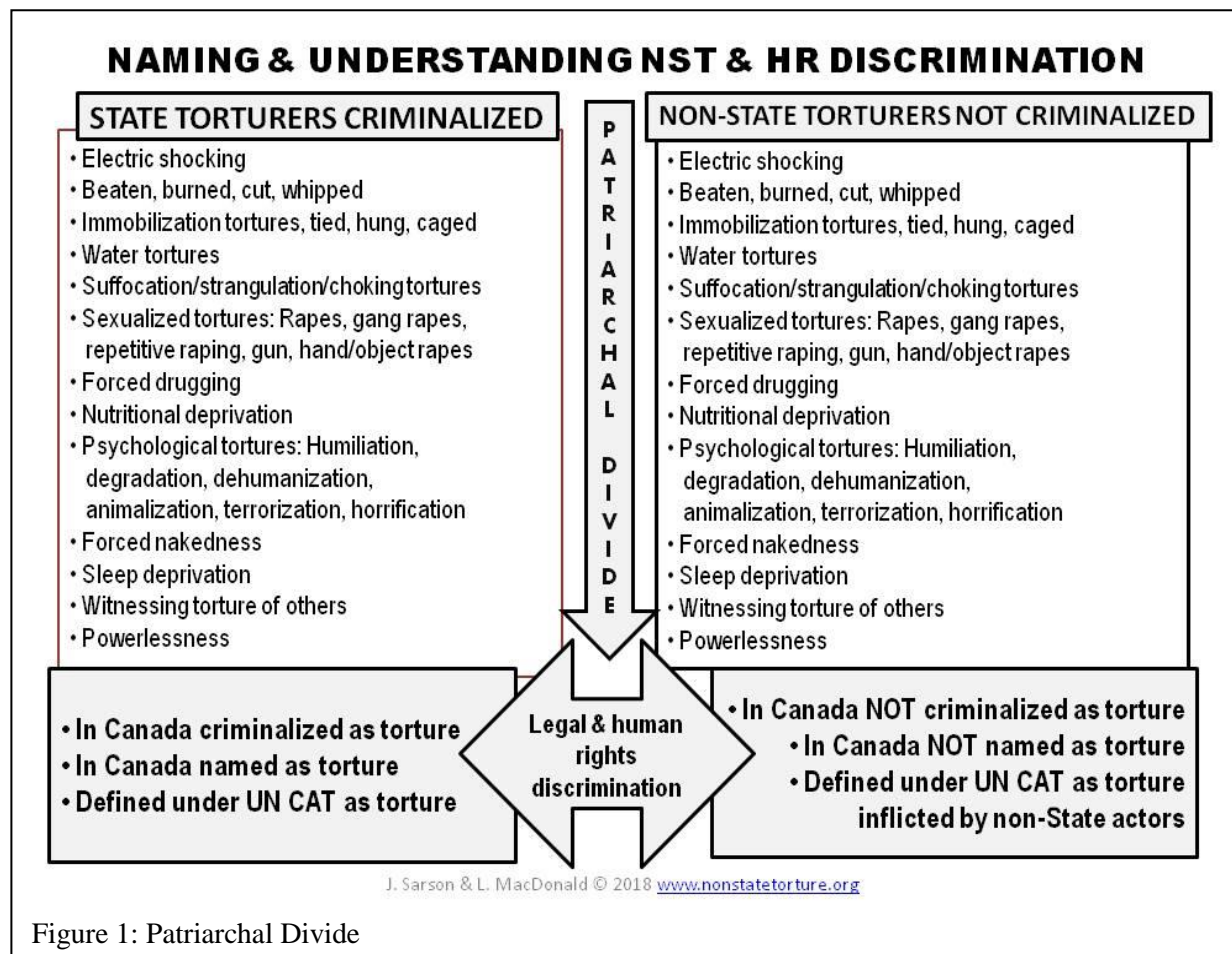


Figure 1: Patriarchal Divide

² 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.

when subjected to human trafficking. Their descriptions of acts of torture are similar to those perpetrated by State actors.³ In Canada only State actors or officials such as peace or public officers, military personnel, or any such person who exercises powers in or outside Canada can be criminally charged for torture under section 269.1 torture.⁴

2. The evidence provided in this shadow report is applicable to the following list of issues submitted to Canada in the Committee's LOIPR document.⁵ First, we make clear the situational status in Canada by stating what has not occurred then follow this with our evidence. The situational status on non-State torture in Canada presently is:

- (a) **Articles 1 and 4, paras. 1-2.** The right to reference torture perpetrated by non-State actors **has not** “been invoked before and by the national courts” and “the grave nature of torture” specific to that perpetrated by non-State actors **has not** been taken into account.
- (b) **Article 2², paras. 3, 8-10.** In reference to non-State torture, “all the provisions of the Convention **have not** been incorporated into Canadian law in order to allow persons to invoke the Convention in courts,” and **has not** given “prominence to the Convention”; **has not** “raised awareness of its provisions in the legal and judicial system as well as the public at large” (para. 3). Measures taken to enact legislation to address torture perpetrated by non-State actors in the domestic sphere **have been stated to be redundant** (para. 8). Therefore, **no statistical data** can be collected on private violence that amounts to non-State torture (paras. 8, 10). Information on persons trafficked who suffered non-State torture is consequently **not available** (para. 9).
- (c) **Article 10, para. 17.** Without a specific law that names torture by non-State actors as a crime training programmes of State actors **will not occur**.
- (d) **Article 14, para. 27.** The Committee's general comment No. 3 identifies “a person should be considered a victim regardless . . . of any familial or other relationship between the perpetrator and the victim.”⁶ Family-based crimes involving non-State

³ Jones, J., Sarson, J., & MacDonald, L. (2018). How non-state torture is gendered and invisibilized: Canada's non-compliance with the Committee against Torture's recommendations. In *Gender Perspectives on Torture: Law and Practice* (pp. 33-56). Center for Human Rights & Humanitarian Law Anti-Torture Initiative: Washington, DC. Retrieved from <https://www.wcl.american.edu/impact/initiatives-programs/center/documents/gender-perspectives-on-torture/>

⁴ Government of Canada. (2018, September 20). Torture, s. 269.1. *Justice Laws Website*. Ottawa, ON. Retrieved from <http://laws-lois.justice.gc.ca/eng/acts/C-46/section-269.1.html>

⁵ Committee against Torture. (2014, July 28). *List of issues prior to submission of the seventh periodic report of Canada, due in 2016* (CAT/C/CAN/QPR/7). Geneva, CH: United Nations.

⁶ Committee against Torture. (2012). *General comment no. 3 of the committee against torture Implementation of article 14 by state parties* (CAT/C/GC/3). Geneva, CH: United Nations.

torture victimization **will not be identified**, nor **will not be** appropriately investigated, nor will persons so tortured **not be assisted** with non-State torture victimization-traumatisation care and rehabilitation when non-State torture is not incorporated into national law.

- (e) **Article 16, paras. 31, 33.** Efforts to strengthen due diligence to intervene to stop and sanction acts of torture when committed by private actors **has been dismissed as ‘redundant’ and a ‘soft law’ recommendation**; therefore, Canadian non-State torturers function with impunity in that they are not held to legal and public account for having inflicted acts of torture.

EVIDENCE:

3. **Victim Impact Statement Redacted.** When the mother of Dustin LaFortune,⁷ tried to submit her Victim Impact Statement (VIS) naming the violence her son suffered using the word ‘torture’ this word had to be removed from her VIS prior to her statement being submitted to the court. Her VIS could not be used to denounce the perpetrator because the perpetrator “had not been prosecuted for ‘torture’ . . . therefore the victim[’s mother] could not use the word in the statement” (p. 260).⁸ Dustin’s mother says that her son was, “*held captive and tortured for an extended period there are no criminal charges in Canadian law that could satisfy the suffering he endured.*”⁹

4. **For over 18-months.** Dustin suffered prolonged and on-going daily beatings, chokings, a crushed eye socket, multiple fractured ribs, breaks in his vertebrae, lacerations to his spleen, liver and small intestine, sexualized violence, permanent brain damage, starvation, and when dumped outside a hospital by the perpetrator Dustin weighed 87 pounds—his previous weight had been around 245 pounds.¹⁰ When clinging to life Dustin’s face was unrecognizable, pieces of his lips and tongue had been cut off and he had new and old wounds.¹¹

5. **Naming non-State torture in court “inflammatory.”** During the Ontario Court of Justice hearings the post-mortem of Donna Jones is described as a result of prolonged violence perpetrated by her spouse. Deborah Sinclair, expert witness, attempted to assign

⁷ CBC. (2012, Feb. 6). Dustin Paxton guilty of aggravated and sexual assault. Retrieved from <https://www.cbc.ca/news/canada/calgary/dustin-paxton-guilty-of-aggravated-and-sexual-assault-1.1188180>

⁸ Sheehy, E. A. (2018). Criminalising private torture as feminist strategy thinking through the implications. In K. Fitz-Gibbon, S. Walklate, J. McCulloch, & J.M. Maher (Eds.), *Intimate partner violence, risk and security Securing women’s lives in a global world* (pp. 251-268). New York, NY: Routledge.

⁹ Kitching, C. (2010, Sept. 25). Torture suspect nabbed Victim’s family relieved. *Winnipeg Sun*.

¹⁰ CBC. (2016, Nov. 16). Roommate torturer Dustin Paxton won’t get new trial. Retrieved from <https://www.cbc.ca/news/canada/calgary/dustin-paxton-appeal-aggravated-assault-conviction-1.3853253>

¹¹ Kitching, C. (2010, Sept. 25). Torture suspect nabbed Victim’s family relieved. *Winnipeg Sun*.

“torture” to the violent acts committed against Donna. She was stopped by the trial judge when the defence stated this was “inflammatory”; the judge agreed this was “over the top” (p. 260).¹² Donna Jones’ medical post-mortem investigation revealed, for example:¹³

- (a) 35 to 50 percent of Donna’s body endured deep third degree burns (para. 24);
- (b) After being burned Donna was kept on cushions placed on the floor in the basement with no bathroom (para. 30);
- (c) The accused acknowledged Donna was unable to climb to the upstairs bathroom thus urinated on the cushions, defecated in her pants, was unable to eat, and lying on the pillows she had difficulty breathing (para. 45);
- (d) Donna’s injuries included large bruises, a broken nose, two black eyes, abrasions and bruising on her knees consistent with being dragged across a surface, bruising and blows to her head, lacerations to her ear, numerous rib fractures in various stages of healing including one fresh rib fracture (paras. 26-28); Donna’s broken nose and abrasions were considered inflicted post-burn (para. 51);
- (e) 30 pellets from a pellet gun were embedded in Donna’s body; it was suggested to penetrate the skin these had to be fired at close range (para. 29); two pellets were considered embedded within the last three days of Donna’s life (para. 51);
- (f) Donna, it was stated died of septic shock as a result of untreated sepsis a consequence of untreated burns (para. 33).

6. **Bill C-242 “redundant.”** The decision of the House of Commons Standing Committee on Justice and Human Rights studying the Private Member of Parliament Bill C-242, An Act to amend the *Criminal Code* (inflicting torture) was to say it was “redundant” to amend the *Criminal Code* to include non-State torture because this could be addressed by existing provisions such as aggravated assaults.

7. **We were two witnesses.** We were the only two witnesses called in support of Bill C-242. Other supporters including the London Abused Women’s Centre, whose non-State

¹² Sheehy, E.A. (2018). Criminalising private torture as feminist strategy thinking through the implications. In K. Fitz-Gibbon, S. Walklate, J. McCulloch, & J.M. Maher (Eds.), *Intimate partner violence, risk and security Securing women’s lives in a global world* (pp. 251-268). New York, NY: Routledge.

¹³ *Ontario Court of Justice* Between Her Majesty the Queen and Mark Hutt Before Justice Heather Perkins-McVey Reasons for Judgement released on June 11, 2012.

torture data we share in paragraph 17, asked to present their evidence in support of identifying and criminalizing non-State torture, however, were not called to give evidence.

8. **Civil society brief.** A Canadian woman, Lane, who fled Canada to gain safety from family-based non-State torture asked to give her personal testimony in support of Bill C-242. She and her spouse were not invited to testify. They submitted a brief in which she describes some acts of non-State torture she suffered and survived including:¹⁴

I survived decades of brutal and unimaginable torture at the hands of my father and his associates Their psychological programming, demented acts of brutality and sexualized exploitation, humiliation and degradation began when I was approximately two years old. It lasted into my mid-twenties at which time I fled.

At night he would take me to our country church or an old barn and torture me. He put a cattle prod inside my vagina and shocked me. He tied me up and stuck a gun inside of me

When I was six, my dad took me to a farm that had baby rabbits. I picked up the cutest one and hugged it. My dad took the rabbit from me and broke its neck the look he gave me was clear—this could happen to me.

My dad made me watch as he cut the heads off chickens—I sat there in horror as the headless chickens jumped around splattering blood everywhere. My father told me that if I told of the things he did to me, the same thing would happen to me I was forced . . . to drink the blood and eat pieces of the dead animals and their feces as the other men watched and laughed.

I was twelve when my dad and his associates got me pregnant and told me that I had evil inside me I thought I was dying They were giving me an abortion and then took the underdeveloped baby, cut it into pieces and made me eat some of it.

My dad told me if I ever said anything about what he was doing, someone I loved would be hurt or killed and it would be my fault. He said that the only way I could make him really proud of me was to kill myself.

¹⁴ Lane, A., & Holodak, R. G. Jr. (2016). *Brief to: The House of Commons standing committee on justice and human rights In view of its study of Bill C-242 and act to amend the criminal code (inflicting torture)*. Retrieved from <https://www.ourcommons.ca/Committees/en/JUST/StudyActivity?studyActivityId=8971422>

9. **Department of Justice witnesses.** The federal Department of Justice testified opposing Bill C-242¹⁵ stating:

- (a) There was no gap in the *Criminal Code* because existing provisions of sexual assault and aggravated assault could address non-State torture.
- (b) If the law was amended to include actors of non-State torture this would give rise to international confusion and havoc.
- (c) It would be too difficult for prosecutors to prove the intention to cause severe pain and suffering which ignores, for example, the legal cases of Donna Jones in paragraph 5 and Dustin LeFortune in paragraph 4.
- (d) Canada would not be able to attend to its international reporting obligations in relation to the human right crime of torture, totally ignoring United Nations resolution to promote human rights equality of women and girls in relation to the Convention, such as:
 - i. 1994-1995: *UN resolution 1994/45* – focused on integrating women’s human rights into United Nations mechanisms, to eliminate discrimination and all forms of violence against women;
 - ii. 2008: *Human Rights Council resolution 8/8* – asking for the Special Rapporteur on torture and States parties to integrate a gender perspective and address non-State actor torture; and,
 - iii. 2010: *General Assembly resolution 65/205* – promoting the adoption of a gender-sensitive framework to Convention and to criminalized all acts of torture under national law.

10. **Criminal Lawyers Association.** The only other witness called by the Committee was Mr. Michael Spratt from the Criminal Lawyers Association.¹⁶ He opposed Bill C-242. On several occasions he mentioned that a person who suffered non-State torture would realize that a crime had been committed against them. In response, Lane, who was not called to testify (para. 8), submitted to the Committee a Victim Impact Statement saying;¹⁷

¹⁵ Standing Committee on Justice and Human Rights. (2016, Sept. 27). *Evidence* (Number 025, 1st session, 42nd Parliament). Retrieved from <http://www.ourcommons.ca/DocumentViewer/en/42-1/JUST/meeting-25/evidence>

¹⁶ Standing Committee on Justice and Human Rights. (2016, Sept. 29). *Evidence* (Number 026, 1st session, 42nd Parliament). Retrieved from <https://www.ourcommons.ca/DocumentViewer/en/42-1/JUST/meeting-26/evidence>

¹⁷ Lane, A. (2016, October 4). *Victim impact statement from Alexandra Lane re: Bill C-242 an act to amend the criminal code (inflicting torture)*. Retrieved from

I did not know a crime was being committed against me because being tortured was a way of life and all I knew.

The most basic things such as eating, smells, holidays etc. are all reminders of the torture I endured. I didn't get the medical treatment or support from health professionals, family, friends, neighbors, or clergy, in fact some of those were the torturers. I was completely alone during the torture. I was taught that I was born for the purpose of men using me as an object to torture and abuse as they wanted. What I went through is different from one incident of aggravated assault.

11. **Soft law recommendations are not legally binding.** Canada dismisses Committee against Torture General Comments and recommendation to incorporate all the provisions of the Convention including torture by non-State actors into its national law by referencing “soft law.” Ms. E. Brady, Department of Justice, stated, “Canada’s longstanding view is that the general comments and concluding observations of the UN treaty bodies are not legally binding” (email communication, July 11, 2013).

10. **State-centric position.** The Minister of Justice and Attorney General of Canada, Honourable Jody Wilson-Raybould, P.C., Q.C., M.P., stated;

Under the Criminal Code, the existing specific offence of torture is meant to deter the infliction of pain and suffering by persons acting on behalf of a state for state purposes such as obtaining information or a confession. . . . It is important to note that the existing offence of torture remains focused on state-related abuses because, under the Convention, Canada must be able to prosecute torture that is committed outside of Canada where the alleged offender is a Canadian citizen or is present in Canada after the offence has been committed (email communication, January 9, 2017).

11. **Prosecuting non-State actors in Canada for other out-of-country crimes is possible.** Under Canada’s so-called ‘sex tourism law’ Canadians can be charged in Canada for sexualized violent crimes they committed abroad.¹⁸ For example, Donald Bakker was the first Canadian to be convicted under this law for the sexualized violence he perpetrated against children in Cambodia. The media used the word ‘torture’ to describe the sexualized violence he perpetrated against women and young girls under the age of 14.¹⁹ A police report used the word “torture” when describing Donald Bakker’s serial rape and torture of Canadian women in prostitution (pp.

<https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR8486871/br-external/LaneAlexandra-2016-10-15-e.pdf>

¹⁸ Government of Canada. (2016). *Child sex tourism: It’s a crime*. Retrieved from

<https://travel.gc.ca/travelling/publications/child-crime#crime>

¹⁹ Armstrong, J. (2018, April 22). Sex tourist convicted in B.C. (updated from 2 June, 2005). *The Globe and Mail*. Retrieved from <https://www.theglobeandmail.com/news/national/sex-tourist-convicted-in-bc/article18229014/>

215, 364).²⁰ Therefore, the Minister of Justice’s response that “*Canada must be able to prosecute torture that is committed outside of Canada where the alleged offender is a Canadian citizen [and] present in Canada after the offence has been committed*” is already possible in Canadian law. Canadians can be prosecuted in Canada for ‘sex tourism’ crimes committed abroad when returning or returned to Canada.

12. **Training programs for police or judiciary.** To our knowledge, non-State torture victimization, investigation, and protection is not in training programs extended to the police or judiciary because there is no such criminal offence in Canadian law.

13. **No governmental data on non-State torture crime.** No national law means there is no data as such a crime does not legally exist. Nor are there considered to be persons who suffered domestic violence that amounts to torture perpetrated by non-State actors. According to Manfred Nowak, past Special Rapporteur on Torture, truth-telling “is at the core of any reparation process and must never be restricted.”²¹ This cannot happen in Canada when a person cannot invoke telling of their non-State torture victimization. When truth-telling is denied during legal procedures legislative and structural re-victimization occurs.

14. **Human traffickers inflict torture.** The Government is knowingly aware that torture is inflicted by non-state actors such as human traffickers. Acts of torture are named and described in the Royal Canadian Mounted Police (RCMP) report, “*Domestic Human Trafficking for Sexual Exploitation in Canada*.”²² However, non-State torture cannot be invoked in a Canadian court as inflicted by the traffickers; it is not considered a criminal means.²³ The RCMP report stated:

Victims have also reported torture tactics used by their traffickers, such as cigarette burns to parts of their bodies, or being forced to bathe in freezing cold water and remain naked afterwards. In one case, ice was further added to the bathtub as the accused felt the water was not cold enough. The victim was not permitted a towel and was forced to stand in front of the air conditioner for a period of time” (p. 22).

ACQUIESCENCE OF THE STATE: CANADA IGNORES NON-STATE TORTURE - A CANADIAN CULTURE OF POLITICAL CRUELTY

²⁰ Lepard, D. (2010, August). *Missing women investigation review*. Vancouver police Department, BC. Retrieved from: <https://www.cbc.ca/bc/news/bc-100820-vancouver-police-pickton-investigation-review.pdf>

²¹ 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, para. 67).*

²² Human Trafficking National Coordination Centre (HTNCC). (2013, October). *Domestic human trafficking for sexual exploitation in Canada*. Ottawa, ON: Royal Canadian Mounted Police.

²³ UNODC, 2013. *Issue Paper Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons*. New York, NY: United Nations.

15. **Canada has reasonable grounds.** The Committee against Torture in paragraph 18 of its general comment No. 2. makes it clear to States parties including Canada that when States parties “have reasonable grounds to believe that acts of torture or ill treatment are being committed by . . . private actors and they fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or 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.” The Canadian Government knows beyond “reasonable grounds” that acts of non-State torture are inflicted against indigenous and non-indigenous women, present day and herstorically. For example:

- (a) Dating back to at least 1975 in an Ontario Status of Women report that was given to the House of Commons Justice Committee stating that “*johns want ‘to burn, torture and beat’ the women prostituted.*”²⁴
- (b) In 1993, the first sentence of Chapter 1 of a national federally funded study of violence against women stated:²⁵

Every day in this country women are maligned, humiliated, shunned, screamed at, pushed, kicked, punched, assaulted, beaten, raped, physically disfigured, tortured, [emphasis added] *threatened with weapons and murdered* (p. 3).

- (c) In the 2014 Native Women’s Association of Canada report torture is repeatedly identified and explained in detail under section 7.1.4 and 7.2.4. As one woman said, “*Torture is torture. I survived it. I’m an expert of it*” (p. 51).²⁶

16. **The Government knows adults including parents are non-State torturers.** The Canadian Centre for Child Protection reports its findings to the Minister of Public Safety. A 2009 report showed that adults—parents and those known to children—were the most common perpetrators of children who suffered **torture** [emphasis added], bestiality, bondage, and degradations, mostly perpetrated against children under 8 years old.²⁷ Girls were in 83.0 percent of the sexualized violent crime scene images; many crime scene images showed infants or

²⁴ Robertson, J. (1979). *Pornography and its effects A survey of recent literature*. Toronto, ON: Ontario Status of Women Council.

²⁵ The Canadian Panel on Violence Against Women. (1993). *Changing the landscape: Ending violence ~ Achieving equality*. Ottawa, ON: Minister of Supply and Services.

²⁶ Native Women’s Association of Canada. (2014, March). *Sexual exploitation and trafficking of Aboriginal women and girls Literature review and key informant interviews*. Toronto, ON: Canadian Women’s Foundation Task Force on Trafficking of Women and Girls in Canada.

²⁷ Bunzeluk, K. (2009, November). *Child sexual abuse images: Summary report. An analysis of websites by cybertip!ca*. Winnipeg, MN: Canadian Centre for Child Protection. Retrieved from: https://www.cybertip.ca/pdfs/CTIP_ChildSexualAbuse_Summary_en.pdf

toddlers being victimized. In a 2015 media report parents and those known to the children were again the common perpetrators and 73 percent of the crime scene images of the young involved the severity of depravity of “**torture**” [emphasis added] and “bondage” indicating a 12 percent increase from 2013.²⁸ The children so tortured grow into adults.

17. **Non-State torture statistical data.** In 2015, we presented a two-day workshop on non-State torture and healing sponsored by the London Abused Women’s Centre, London, Ontario. Since this workshop, the Centre added non-State torture victimization to their intake admission form. From this naming of non-State torture they began collecting statistical data of women who Self-identified as having suffered non-State torture (Figure 2). This statistical data and knowledge has been delivered to the Minister of the Status of Women. 2018 data from this Centre shows, to date, that 50 women reported suffering torture perpetrated by non-State actors. The 2018 statistical numbers include 7 in January, 8 in February, 11 in March, April and May registered 12 as did June to August. The Status of Women has no non-State torture violence against women and girls’ category, thus, this data is invisible.

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NON-STATE TORTURE STATS			
2016	# OF WOMEN	2017	# OF WOMEN
JANUARY	9	JANUARY	1
FEBRUARY	3	FEBRUARY	2
MARCH	1	MARCH	3
APRIL	4	APRIL	3
MAY	3	MAY	2
JUNE	4	JUNE	4
JULY	2	JULY	1
AUGUST	4	AUGUST	5
SEPTEMBER	4	SEPTEMBER	6
OCTOBER	6	OCTOBER	8
NOVEMBER	3	NOVEMBER	6
DECEMBER	3	DECEMBER	2
	46		43

Figure 2: Non-State torture statistics

18. **The last words.** Visitors to our website can access and complete a questionnaire detailing acts of non-State torture suffered. These are automatically forwarded to us. The questions on the questionnaire come from researching State torturers’ tactics and listening to women’s disclosures of non-State torturers’ tactics as shown in figure 1 – the Patriarchal Divide (para. 1). On the following page is a woman’s completed questionnaire shared with us (figure 3). Some women indicate they have survived all or most of the acts of torture on the list, others have not. Women can add other forms of torture they suffered. A comparable questionnaire was included in a report we submitted to the Minister of Justice, the Minister of the Status of Women, and the Minister of Indigenous and Northern Affairs.²⁹ The Government of Canada has full knowledge of non-State torture occurring; choosing to ignore this fact in our opinion is an expression of political cruelty.

²⁸ Cribb, R. (2015, April 26). Underground child porn trade moving toward youngest victims. *The Star*. Retrieved from: <http://www.thestar.com/news/insight/2015/04/26/inside-canadassaddest-room-working-to-curb-the-trade-in-child-porn.html>

²⁹ Sarson, J., & MacDonald, L. (2015). *No one shall be subjected to torture by non-state actors: The missing human & legal right of all Canadians—of women & girls*. Retrieved from <http://nonstatetorture.org/~nonstate/application/files/7915/0662/2363/NoOneShallbeSubjectedtoNST.pdf>

19. **The last word--A woman's identification of non-State torture acts suffered.**

5. **Mark or Circle ALL** of the violent acts you have suffered when acts of non-State torture were inflicted against you.

<p>1. food/drink withheld <u> X </u></p> <p>2. chained or handcuffed to a stationary object <u> X </u></p> <p>3. savagely and repeatedly beaten <u> X </u></p> <p>4. savagely and repeatedly kicked <u> X </u></p> <p>5. hung by your limbs <u> X </u></p> <p>6. burnt <u> X </u></p> <p>7. cut <u> X </u></p> <p>8. whipped <u> X </u></p> <p>9. soles of feet beaten (falanga) _____</p> <p>10. fingers, toes, and limbs twisted <u> X </u></p> <p>11. fingers, toes, and limbs broken _____</p> <p>12. fingers, toes, and limbs dislocated <u> X </u></p> <p>13. tied down naked for prolonged periods of time <u> X </u></p> <p>14. sat on making breathing difficult <u> X </u></p> <p>15. forced to lie naked on the floor/ground without bedding/warmth <u> X </u></p> <p>16. confined to a dark enclosed space <u> X </u></p> <p>17. placed in crate/box <u> X </u></p> <p>18. caged <u> X </u></p> <p>19. electric shocked <u> X </u></p> <p>20. forcibly impregnated _____</p> <p>21. forcibly aborted _____</p> <p>22. forced to eat one's vomitus (throw-up) _____</p> <p>23. forced to eat one's bowel movements _____</p> <p>24. raped by one person <u> X </u></p> <p>25. raped by a family/group <u> X </u></p> <p>26. raped with a weapon (gun or knife) or other objects <u> X </u></p> <p>27. raped with animals _____</p>	<p>28. prevented from using toilet <u> X </u></p> <p>29. smeared with urine, feces, or blood <u> X </u></p> <p>30. forced under cold or burning hot water <u> X </u></p> <p>31. placed in a freezer _____</p> <p>32. near drowned when held under water in the tub, toilet, bucket, stream <u> X </u></p> <p>33. drugged with alcohol _____</p> <p>34. drugged with pills <u> X </u></p> <p>35. drugged with injections <u> X </u></p> <p>36. drugged with by mask <u> X </u></p> <p>37. choked <u> X </u></p> <p>38. suffocated by object placed over one's face _____</p> <p>39. pornography pictures taken <u> X </u></p> <p>40. pornography or snuff films made/used _____</p> <p>41. forced to harm others _____</p> <p>42. forced to watch others being harmed _____</p> <p>43. forced to watch pets being harmed or killed _____</p> <p>44. forced to harm or kill pets or animals _____</p> <p>45. threatened to be killed <u> X </u></p> <p>46. called derogatory names <u> X </u></p> <p>47. put down <u> X </u></p> <p>48. treated as non-human <u> X </u></p> <p>Comment on other non-State torture harms you suffered that are not included on this list or share other comments other harms that you are aware of: Torture wounds scrubbed with Detol using a wire brush, kept in absolute darkness or absolute light for days and days, absolute silence and no visual stimulation (sensory deprivation), forced to sit in the bathroom naked, surrounded by other people (older children) who were instructed to verbally humiliate me, received food/nutrition via I.V., while chained to a bed, naked, injected with drugs and filmed while unconscious.</p>
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Figure 3: Completed questionnaire from a Canadian woman that asks respondents to select all the acts they suffered as a victim of non-State torture (December 15, 2015).