

Briefing Report

Thematic Briefing: Protecting women from violence through the UN Convention Against Torture 10:00 am – 1:00 pm & 3:00 pm – 6:00 pm, Tuesday 4 December 2018 Palais Wilson

The views and proposals put forward in this report represent those of the participants without claiming to be exhaustive or necessarily reflecting the views of all participants. They are not a reflection of the authoritative position of the Committee against Torture, nor should they be attributed to any particular participant. The document has been prepared by the World Organisation Against Torture (OMCT), Women's Link Worldwide (WLW), Amnesty International (AI) and Global Justice Center (GJC) without having been reviewed or approved by all participants.

Introduction

On 4 December 2018, Women's Link Worldwide (WLW) and the World Organisation Against Torture (OMCT) organised with the support of Amnesty International (AI) and the Global Justice Center (GJC) a Thematic Briefing for the UN Committee against Torture (the Committee).

The briefing was a **closed meeting** conducted in a panel-dialogue style with the participation of representatives of international organisation and courts, lawyers, academics, and CSO representatives. There were six panels with each two to three experts introducing the following themes: torture of women under international law; trafficking in women and girls; rape and other forms of sexual violence – two country cases; protection of women from torture – comparative practices; access to justice and reparation, including rehabilitation; and integration of gender perspectives in the work of the Committee and the way forward. A [concept note](#) was provided to inform the discussion.

Over the past two decades the Committee has made significant progress in integrating a gender perspective in its work through increasingly addressing torture and other ill-treatment of women¹ in its concluding observations (COBs) adopted by the Committee after a State review and by adopting in 2007 General Comment No. 2 on the implementation of article 2 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention) by the States parties. In the Comment, the Committee clarified in paragraph 18 that where State authorities fail to exercise due diligence to prevent, investigate, prosecute and punish non-State actors, “its officials should be considered as authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in such impermissible acts.” In the same paragraph, the Comment goes on explaining that “the State's indifference or inaction provides a form of encouragement and/or de facto permission” to non-State actors. The Committee concludes

¹ References to the term women in the present document also include girls.

the paragraph by noting the applicability of this principle “to States parties’ failure to prevent and protect victims from gender-based violence, such as rape, domestic violence, female genital mutilation, and trafficking.”

After the adoption of General Comment No. 2, the Committee has over the years extended the inclusion of gender-based forms of violence, including by non-State actors, in its concluding observations. For years, torture and other ill-treatment of women by private actors have been addressed on a rather routine basis. However, challenges of implementation remain across the globe and of engagement by States to walk this path taken by the Committee.

The objective of the briefing was to inform a discussion amongst the Committee members on the gender dimensions of torture and other cruel, inhuman or degrading treatment or punishment and to explore together how the Committee can further step up its prevention and protection framework for women and girls in a more robust and systematic manner, bearing in mind the particular risks of torture or other ill-treatment that they face in different contexts.

The summary of the discussion mainly addresses different forms of gender-based violence against women amounting to torture and other ill-treatment, which were highlighted during the day, and why it is important that the Committee assumes its role in addressing gender-specific forms of torture and other ill-treatment. At the end of the document, a number of practical recommendations made by the participants on how the Committee could achieve that objective are listed.

Summary of the Discussion

In the opening remarks, the organisers highlighted the fact that the Committee has addressed torture and other ill-treatment of women in its concluding observations and general comments for almost two decades. Civil Society started to submit reports on gender-based violence against women to the Committee and since 2001 the information started to be reflected in its Concluding Observations.

They emphasised the Committee’s crucial role in aiming to ensure that women can effectively exercise their rights under the Convention. The Committee is uniquely positioned to provide the human rights community with standards that allow the fight against gendered forms of torture and other ill-treatment to continue in a comprehensive way.

It was then also stressed that while its mandate is unique and independent, the Committee against Torture is part of a wider human rights protection system. It is therefore important that the Committee and the other treaty bodies do not work in silos but together, to mutually reinforce each other and not to exclude each other. This is key to increase human rights protection at the national levels and effective remedies for victims.

It was emphasized that the Committee charged with enforcing the Convention against Torture has in its hand what is at the heart of all human rights law: the protection of human dignity without discrimination based on sex and/or gender. As a way of opening the conversation, there was an

invitation to reflect on the various forms and manifestations of torture and other ill-treatment which strip women of their dignity.

I. Violence against Women as Torture and Other Forms of Ill-Treatment

Participants agreed that violence against women is generally the result of rampant discrimination, gender inequality and asymmetric power relationships and often wrongly justified or tolerated under the pretext of tradition, culture or religion. The gendered-nature of violence against women is a means for social control over women and further perpetrates gender inequality. Sexual violence to which particularly girls and women are subjected in all regions of the world, in both private and public settings, aim to reinforce the subordinated status of women and girls and to deprive them of their independence and dignity both in public life and at home. Moreover, the role of the public/private dichotomy in international law has led to the persistent trivialization of violence against women in the private sphere.

Participants addressed a variety of forms of violence against women amounting to torture and other ill-treatment in different situations and contexts. They agreed that gender has an impact on the form of the violence, on the circumstances and on the consequences for the victims and their access to justice and reparation including rehabilitation.

1. Violence in Detention Settings

Participants discussed the particular risk for women and girls of sexual forms of torture and other ill-treatment by male prisoners and prison staff, including rape, insults, humiliation and unnecessarily invasive body searches when there are no protective measures in place. The risk of sexual forms of torture or other ill-treatment increases during transfers to police stations, courts or prisons, especially where male and female prisoners are not separated or when male staff accompany female prisoners. The risk of sexual forms of torture is also high during pretrial detention, when sexual abuse may be used as a means of coercion and to extract confessions. Other forms of torture and other ill-treatment faced by women are: male guards watching female prisoners in intimate moments such as dressing or showering; the use of shackles and handcuffs on pregnant women during labour and immediately after childbirth; solitary confinement when used as a punishment; body searches, in particular strip and invasive body searches, when conducted in an unnecessary, disproportionate, humiliating or discriminatory manner; and the absence of appropriate medical care not taking into account specific needs of female inmates.

2. Rape and Other Sexual Violence

Participants underlined that it is well established under international human rights law, including in the Committee's work, that rape and other forms of sexual violence can amount to torture or other ill-treatment. Rape and other forms of sexual violence by State and non-State actors predominantly affect women and girls. In addition, victims face many obstacles in accessing justice as the experiences in India and Mexico show: gender stereotypes are used to discredit victims; the Istanbul Protocol is rarely applied; lawyers are often not present when victims report abuse to authorities; and lack of special units or gender sensitive procedures that would support victims who want to report abuse. As a result, there is a very low conviction rate for rape and other sexual violence.

Participants stressed that the risk of rape and the impunity for its commission is significantly increased: (a) in times of armed conflict; (b) when women are deprived of their liberty; and (c) when they are on the move as refugees and migrants.

3. Harmful Practices

When discussing harmful practices, participants stressed that especially women and girls tend to be at risk of “honour-based” violence for being perceived as having brought shame on their family by transgressing set gender norms, e.g. when having, or being suspected of having, engaged in sexual relations outside of marriage, choosing a partner without their family’s approval, escaping from a forced marriage or behaving in other ways that are considered outside of gender norms, or simply because of rumors spread about them.

It was noted during the discussion that female genital mutilation is inherently cruel, inhuman or degrading, and is also inherently discriminatory. It has severe negative health consequences, including risk of grave infections, higher risks of post-partum haemorrhage and other obstetric complications, and death. It has no health benefits, but causes severe pain, shock, anxiety and depression. It is a means of controlling female sexuality and may result in loss of ability to experience sexual pleasure.

“Virginity testing” was also addressed by participants as an inherently discriminatory practice, which has no scientific basis and reinforces stereotyped notions of female sexuality and gender inequality. The examination can be painful, humiliating and traumatic. The consequences of coerced “virginity testing” can be scarring, loss of sexual sensation, pain, incontinence and lifelong depression. Moreover, it severely violates the physical integrity, dignity, and privacy of women and girls and may well amount to torture or cruel, inhuman or degrading treatment.

4. Denial of Safe Abortion and Forced Sterilization

Participants emphasized that denial of safe abortion services can amount to torture or other ill-treatment, in particular where the life or physical or mental health of the pregnant woman is endangered, in certain cases of foetal impairment, or when the pregnancy is the result of rape and incest. Forced sterilization is a grave violation of a woman’s rights to physical integrity, physical and mental health, equality and non-discrimination, privacy and family life and inflicts severe suffering or humiliation amounting to torture or other ill-treatment.

5. Trafficking in Girls and Women

Trafficked women and girls are routinely subjected to confinement, severe physical and sexual abuse, humiliation and threats for the purposes of sexual exploitation or slavery including in the context of forced and early marriages, domestic servitude, forced labour, or organ removal. Although trafficking affects women disproportionately, it is not always addressed through a gendered lens. Participants stressed that trafficking is often analysed in a criminal law, immigration law or national security law context that does not necessarily entail obligations to prevent, protect, investigate and prosecute such acts and to provide reparations for victims.

The effect of trafficking is further exacerbated in armed conflicts and displacement. Often, victims of trafficking are re-victimized and re-traumatized in refoulement procedures. Traffickers often go unpunished as they benefit from government involvement or protection.

6. Domestic Violence

Domestic violence occurs in the intimate setting of the home and the family and affects primarily women and children. Participants underlined that social indifference, inaction or passivity by law enforcement and the judiciary, refusal to criminalize marital rape, discriminatory laws and a culture of impunity lead to the legitimization and normalization of domestic violence.

Domestic violence often involves some form of physical violence. It was stated by the participants that the methods of intimate violence resemble the common methods of torture including beatings, punching, kicking, raping, stabbing, strangling, burning and attempted drowning. The consequences can include physical and mental pain and suffering, as well as disfigurement, miscarriage, maiming, and even death. At the same time, domestic violence is not always considered violence, but a “personal”, “private” or “family” matter.

II. Reasons Why the Committee has an Important Role in Protecting Women from Torture and Other Ill-Treatment

Participants agreed that the Committee has an important role in addressing torture and other ill-treatment of women, whether at the hands of State actors or non-State actors. In addition, violence inflicted by non-State actors ranks with the gravest human rights violations and is as damaging or heinous as torture or other ill-treatment by State actors. The violence against women has the same effect as other forms of torture and other ill-treatment inflicted upon men, included but not limited to broken bones, bruises, disability, trauma, and psychological suffering.

It was stressed that gender-based violence against women is not a “niche” problem affecting a few unfortunate women and girls scattered among a few marginalized communities but rather represents one of the most pervasive, cruel and destructive forms of violence that keeps traumatizing millions of people every day and in every corner of the world.

The response of national authorities, including the police, prosecutors and judges, remains grossly inadequate in a great number of cases. In all countries, to varying extents, there is a large implementation gap due to insufficient resources allocated, lack of training of all actors in the justice system, lack of awareness and lack of political will. Similar to other forms of torture and other ill-treatment, impunity is one of the biggest challenges in the fight against gender-based violence faced by women.

Breaking these cycles of violence requires concerted efforts across the human rights system, including from the Committee. Participants have thus explained why the Committee needs to address violence against women both at the hands of State officials and private actors.

1. The Stigma Attached to Torture and its Absolute Prohibition

Participants stressed that qualifying violence against women inflicted by or with the acquiescence of a public official inscribes the gravity of the violence and emphasizes the urgency for response. There is a special stigma attached to the finding of torture. Given the seriousness and stigma associated with torture and other ill-treatment, governments are often concerned that certain State behaviour might fall within the Convention's prohibitions. Moreover, labelling domestic violence as a form of torture involves an immediate obligation of the State to address the violence, makes perpetrators the focus of investigation and helps undoing the discriminatory victim-blaming narrative.

Governmental authorities involved in the State review procedure and delegations attending the interactive dialogue with the Committee tend to be high-level officials, often at the rank of deputy ministers or directors of the ministry of law, justice and/or interior. Recommendations from the Committee on legislative amendments can thus yield direct positive results, as the example of Venezuela shows. In its COBs, the Committee urged Venezuela to incorporate the crime of femicide into its laws, which it did shortly after the review.

It was mentioned that the *ius cogens* status of the prohibition of torture and other ill-treatment gives further added value to the assertion that violence against women is a violation of a fundamental right prohibited in absolute terms under international law. The prohibition is non-derogable, as is the obligation to prevent such acts from being perpetrated by State officials and non-State actors alike.

2. The Committee's Unique Technical Expertise in Criminal Procedures and Safeguards

Participants highlighted the Convention's provisions as a blueprint for how to eradicate torture and other ill-treatment. Given the Committee's mandate, it possesses a unique expertise in criminal procedures and legal safeguards that other Committees are lacking. The Committee is not only aware of obstacles that victims face when complaining about torture and other ill-treatment to the police or in judicial procedures, it has also developed standards for the protection of victims and witnesses, the prevention of re-victimisation, the impartiality, effectiveness and thoroughness of investigations and judicial procedures, and migration proceedings. All these standards are essential for procedures dealing with violence against women, regardless whether it is committed by State or non-State actors.

3. Committee's Mandate to Combat Torture Derived from Discrimination

The Committee's mandate to combat torture derived from discrimination reinforces the relevance of specific attention to groups discriminated against. It was also noted by the participants that CEDAW's broad mandate, covering all forms of discrimination against women in the public and private sphere makes it less likely for the CEDAW Committee to deal in detail with gendered torture and other ill-treatment. The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) complements the Committee by supervising a specific population, persons deprived of liberty, while other populations and strategies are left exclusively to the Committee. As the Committee's mandate, focused on a special

category of violent acts, is already limited in its material scope, there is no reason to put further limitations on victim groups, settings, forms of perpetration, etc.

4. The Committee's Comprehensive Reparative Concept

Participants noted that the redress standard that the Committee has developed for victims of torture is a comprehensive reparative concept that entails restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Women victims of violence, in particular in the context of trafficking, do not usually have access to such redress and reparation as trafficking is typically dealt with in criminal law or migration law.

5. The Convention's "Acquiescence" Equals Failure to Exercise Due Diligence

The definition of torture under article 1 and article 16 of the Convention requires that pain and suffering "is inflicted [...] with the consent or acquiescence of a public official". Participants agreed that the text of the Convention leaves no doubt that "consent or acquiescence" requires State parties to exercise due diligence to prevent, investigate, prosecute, and punish violence against women by non-State actors. In line with the Committee's General Comment No. 2, by failing to exercise due diligence, States are in breach, through consent or acquiescence, of the prohibition of torture and other ill-treatment. It was thus noted that the question is not IF the violence by non-State actors is torture or other ill-treatment but rather WHEN violence by non-State actors becomes an issue under the Convention.

Participants further stressed that States' due diligence obligation to address and protect against violence committed by private actors is not an issue of capacity, but rather an issue of intentionality. It was mentioned during the discussion that due diligence is not an obligation that States violate overnight. It often takes years of consistently and intentionally ignoring such violence for a State to be held accountable. This is because such violations cannot proceed to regional or international bodies until domestic remedies have been exhausted – which can take years. The State is therefore given ample notice and afforded numerous opportunities to remedy such violations.

It was further reiterated, that when, for example, domestic violence occurs and the State in question has exercised due diligence – as it had relevant laws in place, the police had acted accordingly and the perpetrator was punished – the violence does not constitute torture or another form of cruel, inhuman or degrading treatment but would be treated as a crime.

6. Protection against Non-refoulement

Reference was made in the briefing to the non-refoulement principle. It is established in international law and has been confirmed by many human rights bodies that women cannot be returned to a country where they would face a real and personal risk of violence by State or non-State actors amounting to torture or other ill-treatment. Participants cited General Comment No. 4 of the Committee which states that "States parties should refrain from deporting individuals to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture or other ill-treatment at the hands of non-State entities." Thus, States are obliged to ensure that women and girls are not transferred to another State where there are substantial grounds for believing that they would be in danger of being subjected to violence at the hands of non-State actors and where the authorities of that country are unable or unwilling to

exercise due diligence to effectively prevent or protect from such violence. If a State despite of its knowledge of those dangers, would go ahead with the transfer, that State would bear responsibility under the Convention for consenting or acquiescing to violence.

7. Treaty Body System Coherence

It was pointed out by participants that there have been numerous initiatives within the UN that aimed for greater coherence and common standard setting throughout the UN system. Reference was made for instance to the “leaving no one behind” and “delivering as one” initiatives.

It was further emphasised that it is important that the Committee considers violence against women as not just a matter for the CEDAW Committee. It is not only about women or ‘women’s issues’ but about gender relations, social constructions, economic and other forms of power that need to be taken into account by all treaty bodies to ensure coherence, a grounding in international law, and a rights-based, victim-centred approach.

Participants also mentioned that the incorporation of trafficking in the mandate of the Committee brings coherence to the legal human rights regime. Both the prohibition of torture and other cruel, inhuman or degrading treatment or punishment and the prohibition of slavery are *ius cogens* norms. It makes sense for the Committee to consider that trafficking, being a form of slavery, is also a form of torture when the State does not exercise due diligence to prevent it and to protect people, especially women and girls, from trafficking and slavery.

For victims, reiteration by all treaty bodies emphasises the commonalities between different forms of violence against women, and that the State has the responsibility to prevent, protect and provide redress. It was stressed that the Committee, like any other treaty body, should contribute to the construction of societies where systematic violence against women is prevented, prosecuted and punished. This is also in line with the Preamble of the Convention against Torture, which States that the “recognition of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” and recognises “that those rights derive from the inherent dignity of the human person”.

III. Recommendations and Identification of Good Practices by the Participants

Participants identified the following recommendations and good practices in the different thematic areas addressed:

1. Assert the Due Diligence Obligation

Participants encouraged the Committee to systematically refer to the due diligence standard in the COBs as it provides one of the most valued doctrines to challenge human rights violations committed by private actors and the standard obliges States to take concrete positive measures to prevent, protect and redress violence.

Referring to the due diligence standard also ensures a harmonious view of human rights, with human rights bodies speaking the same language and using the same criteria by adopting a single, unified, criterion for official involvement in violence, humiliation, and other such acts by non-

State actors. There are always overlapping areas and in order to avoid fragmentation and compartmentalisation, it is important that the Committee, the CEDAW Committee and other UN treaty bodies apply the same concepts and thresholds regarding violence against women.

In this context, participants referred to a variety of cases by other regional human rights institutions that defined and shaped the due diligence obligation and that, in some instances, even changed domestic laws.² One landmark case stood out in particular, *López Soto vs. Venezuela*,³ decided in November 2018, in which the Inter-American Court of Human Rights, IACtHR, for the first time held a State responsible for the acts of sexual torture committed by a private actor. The Court analysed two important questions for this debate: (1) whether the conduct of a private actor could be attributed to Venezuela; and (2) whether this conduct amounted to torture and sexual slavery under international law. The Court recalled that under the American Convention on Human Rights, States have a positive duty to prevent human rights abuses, including those committed by private individuals and in cases of violence against women, States must adhere to a strict due diligence standard. The Court clarified the standards by stating that reporting an abduction or disappearance to the police is in itself sufficient to trigger a State's due diligence duty to act. The Court further held that Ms. López Soto had suffered torture due to the presence of intent, severe physical and mental suffering, and purpose to discriminate on the basis of her gender. It recalled that the definition of torture does not only encompass acts of violence by persons acting in official capacity, and that acts of violence against women by private actors can amount to torture when they are perpetrated with the State's tolerance or acquiescence.

Participants further stressed the importance that the Committee assert that, wherever States fail to exercise due diligence in preventing and responding to violence against women, whether at the hands of the State or non-State actors, they become complicit in the crime of torture and other ill-treatment. At the same time, States become internationally responsible for violating their obligations arising from the absolute, non-derogable and universal prohibition of torture and other ill-treatment.

2. Explain the Due Diligence Obligation During the State Reviews

States parties might not be aware of the situations in which violence by non-State actors falls within the obligations of the Convention. It was therefore stressed that the concept of due diligence, as defined in the General Comment No. 2, is reiterated in State review procedures and that the obligations that follow therefrom are explained.

3. Require States to Take Preventative, Legislative, Judicial and Executive Measures

It is commonly accepted that due diligence obligation entails preventative, legislative, executive and judicial measures.⁴ States have a duty to prevent occurrences or continuation of torture and

² See Inter-American Commission on Human Rights; cases of Haiti; the Inter-American Court of Human Rights Cotton Field Case of Ciudad Juarez, Mexico (2009), the Inter-American Court of Human Rights, *Maria da Penha Fernandes v. Brazil* (2000).

³ Corte Interamericana de Derechos Humanos, *Caso López Soto y Otros vs. Venezuela*, Sentencia de 26 de Septiembre de 2018, www.corteidh.or.cr/docs/casos/articulos/seriec_362_esp.pdf

⁴ The Committee on the Elimination of Discrimination against Women specifically refer and explain in its General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 the obligations at the legislative, executive and judicial levels, UN Doc. CEDAW/C/GC/35, para 26.

other ill-treatment by State and non-State actors by training personnel and excluding evidence obtained by torture and other ill-treatment.

With regards to legislative measures, participants asked that the Committee requires States to enact relevant laws that criminalize violence against women, including trafficking and domestic violence.

Concerning executive measures, participants asked for instance that States have relevant complaint mechanisms, a gender-sensitive approach towards policing, and efficient and effective investigations and prosecution of perpetrators. Moreover, it is important that victims have access to medical, legal and social services.

With regards to judicial measures, participants stressed the importance of avoiding re-victimisation in court procedures and that laws criminalizing violence against women are consistently applied so that perpetrators can be brought to justice. Gender stereotyping in judicial proceedings adjudicating gender-based forms of violence against women constitutes a main obstacle for victims right to access justice and reparations and should therefore be eliminated.

In this context, it was highlighted that according to the established case law of the ECtHR, States have the positive obligation under Article 3 of the European Convention on Human Rights (prohibition of torture and inhuman or degrading treatment or punishment) to penalize and to effectively prosecute rape. The leading case of *M.C. v. Bulgaria* was mentioned in which a 14-year-old victim alleged having been raped by two acquaintances. Referring to the flawed investigation, the ECtHR stated that authorities had failed to assess in a context-sensitive manner the credibility of the conflicting statements. Furthermore, the investigation put undue emphasis to the lack of proof of rape instead of focusing on the issue of non-consent. The ECtHR concluded that a violation of article 3 (and 8) had occurred and that the State has to “establish and apply effectively a criminal-law system punishing all forms of rape and sexual abuse.”⁵

4. Bring Non-State Violence into the Anti-torture Framework

Participants encouraged the Committee to bring violence against women by non-State actors, in particular domestic violence, sexual violence and trafficking, into the anti-torture framework. They mentioned that the Committee should make absolutely clear that violence against women may amount to torture for these acts are always inherently cruel, inhuman or degrading, and always inherently discriminatory, and they are also always inflicted with purpose and intent (see also above recommendation 1).

The Convention against Torture, unlike any other international treaty, contains a blueprint to fight torture and other ill-treatment, and provides guidelines on prevention, investigation, prosecution, and reparation. Participants asked the Committee to apply this blueprint and guidelines to violence against women as they provide an excellent tool to criminalize all forms of violence against women and to prosecute and punish perpetrators. Applying the anti-torture framework to violence against women allows victims to request access to medical, psycho-social and other services, and seek redress.

⁵ *M.C. v. Bulgaria*, (Appl. No. 39272/98), Judgment (First Section), 4 December 2003, para. 185.

5. Formulate Gender Sensitive Remedies Including Reparation and Rehabilitation

Concerning procedural obligations, the Committee was invited to urge States to put in place gender sensitive forms of remedies and reparation, including rehabilitation and coordinated services by the relevant providers. In doing so, participants invited the Committee to apply gender sensitive reasoning and, similar to the ECtHR's jurisprudence, to consider the particular vulnerability of victims of gender-based violence.

It was further stressed that while it is important that the perpetrators of gendered forms of torture or other ill-treatment are punished, it is equally important that States parties ensure holistic rehabilitation for the victims as they often suffer severe psychological effect of trauma. Comprehensive reparation to women victims of violence should include also systemic, transformative change which can help reduce gender discrimination and inequality perpetuated by violence against women.

Women who suffer cruel, inhuman or degrading treatment by a non-State actor are likely to qualify for the same diagnosis of complex posttraumatic stress disorder (CPTSD) as someone who has suffered this treatment by a State actor. This means that a woman's gender may be a predisposing factor for her being at risk of interpersonal trauma and disempowerment, which leads to CPTSD. The perpetrator exerts power and control over the victim. This is true whether it is a State or non-State actor.

6. Systematically Request Information and Data

It was recommended that the Committee systematically request information and data on violence against women as well as gender-disaggregated data in the List of Issues (LOI) or List of Issues Prior to Reporting (LOIPR). When the Committee does not address violence against women because of lack of information, it becomes a self-perpetuating cycle—sufficient information is not provided, which can inhibit the Committee's ability to act—and it is not apparent to States or advocates that this is an issue for this Committee.

7. Systematically Include Torture and Other Cruel, Inhuman or Degrading Treatment of Women in the Follow-up Procedure

It was proposed that torture and other cruel, inhuman or degrading treatment of women be more systematically included in the follow-up procedure, which has seen a sharp decline over the past two years, in order to enable a continued dialogue with the State on this matter.