

**WORKING GROUP**

# **WOMEN AND TORTURE**

**CALL FOR PARTICIPANTS**





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## Women and Torture Working Group

*The World Organisation against Torture (OMCT) jointly with the Philippines Alliance of Human Rights Advocates (PAHRA), member of the OMCT SOS-Torture Network, is launching a thematic group on women and torture.*

### A | WHY A WORKING GROUP ON WOMEN AND TORTURE?

#### *Causes and consequences of gender-based forms of torture.*

Torture and other cruel, inhuman or degrading treatment of women is a fundamental violation of human rights and one which is absolutely and unreservedly prohibited under international law. In spite of the international legal prohibitions on torture and other cruel, inhuman and degrading treatment or punishment and the growing attention women's rights and the issue of gender-based violence against women has received for the past three decades, reality on the ground provides few signs for optimism. Women and girls continue to face high risks of becoming the victims of torture in many countries around the world, including in Asia.

Torture and other ill-treatment of women and girls often takes a sexual form, thus in societies where its female members are responsible for maintaining the "honour" of a family and society, the use of sexual violence against women has a particular negative impact on women's access to redress and reparation. Women may be threatened with expulsion from their home or community, or worse, may be at risk of further violence or being killed. Many States do not secure evidence in a gender-sensitive manner, and their court rules are not adapted to the special needs of victims of sexual violence. Consequently, women are frequently reluctant to report torture and refrain from searching justice. As a result, torture and other ill-treatment of women goes unnoticed and perpetrators escape punishment. Furthermore, armies and armed groups often subject noncombatants—particularly women and children—to conflict-related sexual violence, such as rape, sexual slavery, and forced marriage.

Women and girls are often denied equal protection against torture and other ill-treatment under international and national laws and mechanisms and there is widespread impunity for the perpetrators. Gender has often an impact on the form of the torture and other ill-treatment, its circumstances, its consequences, and the availability and accessibility of reparation and redress.

#### *Violence against women by non-State actors amounting to torture*

The crucial cause of the difference in the way in which men and women have traditionally been protected against torture and other forms of cruel, inhuman or degrading treatment is that most of the violence against women occurs in the so-called "private sphere" by private non-State actors. The OMCT was very encouraged in 2001, when the UN Committee against Torture (CAT), the monitoring body of the UN Convention against Torture and Other Cruel or Inhuman Treatment or Punishment, expressed for the first time its concern about trafficking of women and domestic violence in its concluding observations and recommendations. In addition, in 2008 the CAT adopted its General Comment No. 2 on the implementation of Article 2 in which it explicitly recognizes that torture and other ill-treatment can be inflicted by private actors and not just public officials and that the State can be held responsible if it failed to exercise due diligence to prevent, investigate, prosecute and punish non-State officials for acts of torture and other ill-treatment.

The CAT has since addressed domestic violence, harmful practices including forced and early marriage and honor crimes, reproductive rights, conditions of detention of women and girls, rape and other forms of sexual violence, trafficking, exploitation and slavery and other issues. However, some of these gains may be under threat in the present human rights climate.

## Addressing gender-based violence against women through the torture lens

Still, civil society organisations (CSOs) working on gender-based violence against women seem to rather use the UN Convention on the Elimination of All forms of Discrimination against Women (CEDAW). While this approach is logical – the CEDAW is an important and effective instrument for ensuring women's human rights – it is equally important to draw on the strengths of other human rights tools including the UN Convention against Torture. The UN Convention against Torture is the only legally-binding instrument at the universal level concerned exclusively with the eradication of torture and other ill-treatment. The CAT is an important body to reflect on how to fight violence against women as a form of torture and other ill-treatment, including through enforcing States' due diligence obligations to prevent, investigate, punish and provide redress for acts of violence against women.

OMCT's Asian SOS-Torture Network members have suggested to put a particular emphasis on gender-based violence against women from a torture perspective in Asia. The rationale is that this is an under-researched topic on the continent and there are multiple dimensions of women's inherent vulnerability to torture and other ill-treatment despite laws adopted in the region that address violence against women - such as structural discrimination and economic disadvantages - that make the topic even more complex. Asian CSOs have also stressed that there is a lack of opportunities for them to connect their experience and data on gender-based violence against women and girls as a form of torture and other ill-treatment to a systematic analysis. The creation of a working group on the protection of women and girls from violence, including sexual violence, in Asia is a means of addressing this need.



*The overall objective of this working group is to launch a report based on reliable and comparative data that allows to initiate an effective protection and advocacy agenda against torture and other ill-treatment for women at the national, regional and global level.*

### B | THE GROUP'S MANDATE AND METHODOLOGY

The group is mandated by PAHRA and OMCT to:

1. Map and describe the current torture and other ill-treatment faced by women in different contexts in Asia, including sexual violence, "honor"-based violence, conflict related violence, torture and ill-treatment in detention as well as in the private sphere;
2. Analyze the contexts of the countries concerned in relation to torture and other ill-treatment against women and explore obstacles women face in accessing protection, judicial remedies, and reparations against torture and other ill-treatment at the national, regional, and universal level;
3. Engage in an effective protection agenda for advocacy towards decision makers at domestic, regional and international level;
4. Foster alliances for the protection of women against torture and other ill-treatment.

The methodology of the study is based on a participatory and bottom up approach where the participants of the working group define the topics to be tackled and draw up strategies based on their needs. The method of creating a working group to pursue this study has been chosen to stress the importance of a collective approach, where coalition and capacity building is at the centre. A participatory approach is used through which participants will map gender-based violence against women that amounts to torture and/or ill-treatment in different Asian countries, and its related protection needs.

The research will improve strategies for advocacy by the members of the working group, the broader SOS-Torture Network as well as PAHRA and the OMCT.

PAHRA and the OMCT will convene at a minimum one group meeting in person to discuss the research and advocacy actions to be undertaken. The meeting will be held in Manila in February 2020.

The meeting will aim to:

- Identify transnational research areas and needs as well as the main lines of research on gender-based violence against women amounting to torture in Asia;
- Agree on a research methodology to map gender-based violence against women that amounts to torture and other ill-treatment in its related protection needs in Asia;
- Define advocacy priorities and targets.

Each member of the working group will draft a national chapter on one or several issues on gender-based violence against women as a form of torture or other ill-treatment related to the country they represent. The chapters will address country specific questions and challenges, including:

- i.** the anti-torture/violence against women legal framework;
- ii.** the mapping of the occurrence of gender-based violence against women amounting to torture and ill-treatment;
- iii.** relevant cases to illustrate the situation in the specific country;
- iv.** legal and policy recommendations.

## C | THE EXPECTED RESULTS

The expected outputs and results are as follows:

- A study published with first-hand information and authoritative recommendations that will serve as a reference (in English) to be launched on 25 November 2020 (International Day for the Elimination of Violence against Women);
- An advocacy strategy to influence decision makers at domestic, regional and global level.

It is expected that the establishment of this working group will:

- Mobilize and build the capacity of anti-torture organisations on the gender dimensions of torture and other ill-treatment; making them more gender sensitive; as well as women's rights organisations becoming more torture cognizant;
- Put gender-based violence against women as a form of torture and other ill-treatment on the agenda in Asia and shape the debate on this issue;
- Deepen the understanding of gender-based violence against women as a form of torture and ill-treatment and inform participants on how they can enhance and use the anti-torture protection framework to reduce women's and girls' vulnerabilities to violence and to present a protection agenda that combines a gender and anti-torture dimension;.
- Create an important platform where women's rights organisations and anti-torture organisations can meet, discuss and define common agendas and strategies beyond this particular project.

## D | COMPOSITION OF THE WORKING GROUP

The working group will be composed of **nine civil society representatives from Asia** working on gender-based violence against women and girls and/or the prohibition against torture and other ill-treatment. Application is open to the members of the SOS-Torture Network of the OMCT, prospective members of the network, and other organizations interested in a partnership with the OMCT.

## E | FINANCING AND ADMINISTRATIVE PROCEDURES

PAHRA and the OMCT will cover the costs of visa, travel, lodging and food expenses of the participants attending the meeting in Manila.

In addition, the working group members conducting country research will receive a financial compensation of 1000 EUR.

## F | HOW TO APPLY?

The following should be sent to [applications@omct.org](mailto:applications@omct.org)

- Curriculum Vitae
- Completed letter of motivation form
- Completed letter of engagement form

The forms can be found attached to this document or can be downloaded from the OMCT website.

## G | WHEN TO APPLY

The deadline for submitting applications is **20 December 2019**.

## H | WHO CAN APPLY?



Successful candidates must:

- Have particular expertise on gender-based violence against women and/or torture and other ill-treatment;
- Be affiliated with a member of the SOS-Torture Network, a prospective member or another civil society organization interested in developing a partnership with the OMCT;
- Have insight in the legal and practical circumstances of gender-based violence against women as a form of torture and other ill-treatment in her/his country;
- Have access to women/girls who have been subjected to violence amounting to torture or other ill-treatment;
- Have national and/or international advocacy experience;
- Be proficient in English.

## I | HOW DOES THE SELECTION PROCESS WORK?

- Consideration of the submissions and establishment of a shortlist of candidates. The selection process will seek to ensure participation from nine different countries and from participants with complementary professional profiles and experiences;
- Pre-selection will be presented to a selection committee for final approval;
- Final decision will be sent to applicants.

## J | SELECTION COMMITTEE

The selection committee will be composed of experts from the **OMCT** and **PAHRA** who will evaluate all the applications according to the above mentioned criteria.

- **The World Organisation Against Torture (OMCT)** is the main global coalition of international non-governmental organisations (NGO) fighting against torture, summary executions, enforced disappearances and all other cruel, inhuman or degrading treatment and punishment. Our teams based Geneva, Brussels and Tunisia mobilise the SOS-Torture Network with over 240 members around the world from over 90 countries to assist victims in their quest for justice, protect human rights defenders and prevent future serious human rights violations from happening.

Specific programmes allow it to provide support to specific categories of people vulnerable to torture, such as women and children. In the framework of its activities, the OMCT also submits individual communications

and alternative reports to the special mechanisms of the United Nations, and actively collaborates in the respect, development and strengthening of international norms for the protection of human rights. The OMCT coordinates the NGO participation to the sessions of the Committee against Torture.

- **The Philippine Alliance of Human Rights Advocates (PAHRA)** is a non-stock, non-profit alliance duly registered under the laws of the Philippines, with SEC No. AN092-03505. It was established on August 9, 1986 in a Congress in which participated more than a hundred organizations from all over the Philippines. It was formed as an alliance of individuals, institutions and organizations committed to the promotion, protection and realization of human rights in the Philippines. PAHRA is a member of the SOS-Torture Network.

Among its founding members are organizations and individuals who were at the forefront of the struggle against the dictatorial regime of former Philippines President Ferdinand Marcos. The establishment of PAHRA was a consolidation of the human rights movement in the country and an acknowledgement of the role played by the human rights organizations in the anti-dictatorship struggle. It was a recognition of the need for a formal venue for cooperation and coordination among human rights groups in the country. From its founding, PAHRA has consistently been at the forefront of the struggle for human rights. Today, it has established itself not only as one of the major human rights formations but also as one of the leading voices in human rights advocacy in the Philippines.

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