

ENFORCED DISAPPEARANCES AND THE NON-STATE TORTURE OF WOMEN AND GIRLS: IN CANADA AND BEYOND

**A NCWC Response to the Call for inputs on “women, girls and enforced
disappearances” ([concept note for CED General Comment n°2](#))**

Submission of 4,234 words via ohchr-ced@un.org 9 July 2025

NCWC Contact Information: Penny Rankin, President, presncwc@gmail.com
Megan Walker, Vice-President Justice, meggiewalk@icloud.com

*The National Council of Women of Canada was founded in 1893. Its Mission Statement is to
empower all women to work together towards improving the quality of life for women, families,
and society through a forum of member organizations and individuals.¹*

TABLE OF CONTENTS

Introduction:	Paragraphs 1-6
Article 3: Women and Girls--Enforced Disappearances and Non-State Torture Victimizations	Paragraphs 7-9
Enforced Disappearance and Non-State Torture of Women and Girls	Paragraphs 10-13
MO of Non-State Actors of Enforced Disappearances and Sexualized Non-State Torture	Paragraphs 14-24
Recommendations	Paragraphs 25-27

INTRODUCTION

¹ This submission was developed, written, and edited by NCWC Members Jeanne Sarson and Linda MacDonald based on their local to global advocacy and professional nursing expertise of 32 years supporting women heal from years of torture victimizations, including of enforced disappearance, perpetrated by non-State actors. They have dozens of publications, soon releasing their second book and recently presented this NCWC sponsored virtual side-event, “[Family and Non-Family Non-State Torture \(NST\), Human Trafficking, & Femicidal Risks: A Person/Victim-Centered Approach](#),” during the May 2025 session of the UN Commission of Crime Prevent and Criminal Justice in Vienna.

1. It is with intense caring to uphold the NCWC Mission specifically “to work together towards improving the quality of life for women . . .” that this submission is advocating that enforced disappearances are perpetrated by non-State actors who commit acts of non-State torture against women and girls they hold in captivity. As stated by the Committee on Enforced Disappearances, enforced disappearance has evolved to include “non-state actors such as organized crime, human trafficking networks . . . disproportionately affecting women and girls” (Concept note, para. 25). Also recognizing that enforced disappearances committed by non-State actors include sexualized violence as the “central axis of analysis” of the behaviours of such perpetrators (Concept note, para. 29).

2. Article 3 of the 2010 International Convention for the Protection of All Persons from Enforced Disappearance, acknowledges that enforced disappearances are perpetrated by persons acting without the support of the government²—in fact, are perpetrated by non-State actors. The United Nations acknowledges that persons who disappear “are frequently tortured,” are “in constant fear for their lives, and are dehumanized.”³ Furthermore, it states that persons who suffer enforced disappearance no longer have the ability to gain legal protection, lose their right to life and security, and their right not to be subjected to torture. The Committee on Enforced Disappearances also notes that non-State actors also perpetrate acts of torture.

3. To the previous paragraph, Amnesty International adds that enforced disappearances perpetrated by State actors means the person victimized loses the human rights to be treated humanely, with human dignity, with legal personality, to a fair trial, and to family life.⁴ Furthermore, REDRESS states that enforced disappearance is a “continuous violation” that begins with the deprivation of the person’s liberty. It does not end until the person’s whereabouts is established, which can mean hours, days, months, years, or decades later.⁵ These impacts describe the suffering of women and girls who are likewise victimized by non-State actors.

4. Additionally, the United Nations Committee against Torture recognizes that forced disappearance perpetrated by State actors constitutes in itself a form of torture.⁶ The Office of the United Nations High Commissioner for Human Rights, detailed in their fact sheet on forced disappearances that persons so victimized suffer brutality, fear for their lives, are totally defenseless, and are deprived of all forms of protection, including of their rights as issued in the Universal Declaration of Human Rights.⁷

5. When non-State actors perpetrate the enforced disappearance of a woman or girl they too inflict all of these continuous human right violations, including of their disappearance and non-State torture victimizations which can last for months or for decades, with the same resulting

² Article 3: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced-disappearance#:~:text=of%20the%20law,Article%203,bring%20those%20responsible%20to%20justice>.

³ United Nations. (n.d.). *International day of the victims of enforced disappearances*, 30 August.

https://www.un.org/en/observances/victims-enforced-disappearance?_gl=1*150wndg*_ga*ODgxMTQ2MjkwLjE3MTg4ODczNzk*_ga_S5EKZKSB78*MTczMDEyMjgyOS41LjAuMTczMDEyMjgyMy41Ni4wLjA.*_ga_TK9BQL5X7Z*MTczMDEyMjgyOS40NC4wLjE3MzAxMjI4MjkuMC4wLjA

⁴ Amnesty International. (n.d.). *Enforced disappearances*. <https://www.amnesty.org/en/what-we-do/enforced-disappearances/>

⁵ REDRESS. (n.d.). *Enforced disappearance as torture. Module 3 What is enforced disappearance?* <https://redress.org/wp-content/uploads/2024/06/Training-Module-03-Enforced-Disappearance-As-Torture.pdf>

⁶ Bürli, N. (n.d.). *The Committee against Torture’s position on enforced disappearance*. OMCT. <https://www.omct.org/en/resources/blog/committee-tortures-position-enforced-disappearance>

⁷ United Nations Office of the High Commissioner for Human Rights. (2023). *Fact sheet no. 6 Rev. 4 enforced disappearances*. <https://www.ohchr.org/sites/default/files/documents/publications/Fact-sheet6-Rev4.pdf>

consequences. Woman or girls fear for their lives and are dehumanized. Dehumanization is the common aim of torturers—State and non-State. They degrade and humiliate those they torture in an attempt to destroy the personality or the personhood of the woman or girl they torture.⁸

6. Enforced disappearance and non-State torture of women and girls has happened in Canada and is perpetrated globally. The NCWC adopted in 2012, the policy urging “the Government of Canada to develop legislation to amend the Criminal Code of Canada to make Torture by Non-State Actors a specific criminal offence.”⁹ This policy has not been initiated by government; therefore, the lack of legally naming and criminalizing non-State actors as perpetrators of non-State torture victimizations means these crimes are invisibilized when inflicted by non-State perpetrators of enforced disappearances. Thereby, this “contributes to the acceptance and normalisation of the most extreme forms of gender-based violence against women and girls in society” (Committee on Enforced Disappearances, Concept note, para. 6).

ARTICLE 3: WOMEN AND GIRLS—ENFORCED DISAPPEARANCES AND NON-STATE TORTURE VICTIMIZATIONS

7. Enforced disappearance and non-State torture names correctly the meaning of the most extreme forms of violence committed against women and girls in society. In 2020, United Nations Secretary-General António Guterres expanded on the reality of enforced disappearances when he said that enforced disappearances can particularly affect women (*UN News*, 2020).¹⁰

8. Research indicates the more severe the acts of violence committed against a woman are, can result in a woman’s elevated suicidality ideation or attempts of suicide.¹¹ Being a victim of enforced disappearances and torture ordeals perpetrated by non-State actors is severe and life-threatening violence and there is a risk a woman may die by suicide in efforts to relieve her suffering. Based on our knowledge, if a woman has suffered such violent victimizations that appears to have died by Self-inflicted suicide, her death can be a consequence of the violent victimizations committed by such a perpetrator(s). If so, her death needs to be considered femicide—a *consequential suicide-femicide*. For example, Lynn, a Canadian woman whose enforced disappearance, non-State torture, and human trafficking was organized by her husband

⁸ Baer, H. U. & Vorbrüggen, M. (2007). Humiliation: The lasting effect of torture. *Military Medicine*, 172, S29–S33. https://doi.org/10.7205/MILMED.173.Supplement_2.29; Inter-American Convention to Prevent and Punish Torture (1985) Art. 2. <https://www.oas.org/juridico/English/Treaties/a-51.html>

⁹ NCWC. (2012). 2012:07 Criminalize torture by non-state actors. <https://ncwcanada.com/wp-content/uploads/2012.07-CRIMINALIZE-TORTURE-BY-NON-STATE-ACTORS.pdf>

¹⁰ *UN News*. (2020, August 30). Enforced disappearances ‘rife across the world’ – UN chief. United Nations. <https://news.un.org/en/story/2020/08/1071282#:~:text=Enforced%20disappearance%20has%20become%20a%20global%20problem%20%E2%80%933.political%20repression%20of%20opponents%2C%20according%20to%20the%20UN>

¹¹ Khodabandeh, F. (2019). The assessment of suicidal ideation and attitudes in battered women. *Journal of Suicide Prevention*, 1(1), 3-8. <https://issp.ir/article-1-25-en.pdf>; Sarson, J. & MacDonald, L. (2025). Non-State Torture Victimization and Suicidal-Femicide Conditioning. *Peace Studies Journal*, 18(1), 12-19. <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:2ce6a98e-1067-4ba2-8ac8-f63ba018e201>; Warshaw, C., Foley, K., Alpert, E. J., Amezcua, N., Feltes, N., Cerulli, C., Murphy, C., Bland, B., Carlucci, K., & Draper, J. (2018). *Recommendations for suicide prevention hotlines on responding to intimate partner violence*. National Center on Domestic Violence, Trauma & Mental Health. http://www.nationalcenterdvtraumamh.org/wp-content/uploads/2019/04/NCDVTMH_NDVH_NSPL_UR_09.2018_SuicidePreventionHotlinesIPV_WarshawEtAl.pdf.

and his male criminal informal network, who kept her in captivity for four-one-half years until she escaped, explained her risk of consequential suicide-femicide:¹²

They called me a ‘piece of meat.’ It made it easier for them to dehumanize me and, if necessary, kill me or hope they could drive me to die by suicide because of what they did to me. . . .

My speeding suicidal roller-coaster included on-again off-again plans for overdosing with pills and alcohol.

9. Lynn only shared her comment on suicidality 20 years after her victimization, which she described was perpetrated in the mid-1970s.¹³ Because, she said, no one wanted to listen to her ordeal of enforced disappearance, captivity, and torture, by her husband and the men who forcibly trafficked her into prostitution. Lynn also explained that her husband’s criminal informal network involved police who were State actors. Research on organized crime indicates that it often involves State actors.¹⁴ This knowledge of consequential-suicide femicide is evolving in Canada. It has been shared with various federal and provincial government Standing Committee studies and a commission addressing violence against women and girls.¹⁵

ENFORCED DISAPPEARANCE AND NON-STATE TORTURE OF WOMEN AND GIRLS

10. The concept that women and girls suffer enforced disappearances perpetrated by non-State actors such as human traffickers is a present-day reality as stated by the Committee on Enforced Disappearances’ Concept note (paras. 24-25). Evidenced tragically shared by Canadian Kathy King, who wrote that her young daughter Cara, in the summer of 1997 disappeared.¹⁶ Kathy further told that Cara’s body was “found a month later,” and that it was her daughter Cara who was then “labeled and stigmatized. . . . blamed for her own exploitation” versus accountability being centered on the perpetrators (p. xvi).

¹² Sarson, J., & MacDonald, L. (in print). *Healing Lynn’s story Getting my-self back The woman’s revolution*. FriesenPress.

¹³ Sarson, J., & MacDonald, L. (2019). “A difficult client”: Lynn’s story of captivity, non-state torture, and human trafficking by her husband. *International Journal of Advanced Nursing Education and Research*, 4(3), 107-124. https://gvpress.com/journals/IJANER/vol4_no3/13.pdf

¹⁴ Findlay, M. (2014). Crime, development and corruption: Cultural dynamic—Global challenge? In S. Caneppele, & F. Calderoni (Eds.), *Organized crime, corruption and crime prevention* (pp. 179-186). Springer; Global Initiative against Transnational Organized Crime. (2023). *Global organized crime index 2023*. <https://globalinitiative.net/wp-content/uploads/2023/09/Global-organized-crime-index-2023-web-compressed-compressed.pdf>

¹⁵ Sarson, J., & MacDonald, L. (2022, August 19). A feminist analysis: Transforming an understanding of cultural patriarchy, misogyny, and red flag warnings of violent men’s non-state torture of Nova Scotian women. A submission to Nova Scotia’s [Mass Casualty Commission](https://masscasualtycommission.ca/files/documents/Final-Written-FFF-PANST.pdf) concerning the 18-19 April 2020 mass casualty violence, specifically addressing intimate partner, gender-based, and family violence to provide meaningful recommendations to keep women and communities safe in the future. <https://masscasualtycommission.ca/files/documents/Final-Written-FFF-PANST.pdf>; Sarson, J., & MacDonald, L. (2024, March 31). Brief to House of Commons Standing Committee on Health on Women’s Health: Mental Health. <https://www.ourcommons.ca/Content/Committee/441/HESA/Brief/BR13012814/br-external/PersonsAgainstNonStateTorture-e.pdf>

¹⁶ Heinz, A., & King, K. (2024). *When men by sex: Who really pays? Canadian stories of exploitation, survival, and advocacy*. FriesenPress.

11. That enforced disappearance of girls and women happens in Canada and beyond is, as shown, not a new form of victimization perpetrated against women and girls. Acknowledging that Lynn's enforced disappearance occurred in the 1970s and was continuous for over four years. It included sexualized torture with five forced impregnations and physical torture-enforced abortions and other forms of non-State torture that are the same or similar acts of torture perpetrated by State torturers.

12. Other women and girls tell of similar victimizations. Some stories of girls' and women's enforced disappearances, non-State torture, survival, and femicides perpetrated by non-State actors include:

1. Abby Drover, from the Canadian province of British Columbia, was 12 years-old in 1976 when she disappeared while on her way to school. She was held a prisoner for 181 days entombed in an underground converted bomb shelter with a sound-proofed door that was built under the male perpetrator's garage. Abby described being immobilized when handcuffed, shackled, and chained, denied nutrition, and suffered repetitive sexualized victimizations.¹⁷ There were intense searches including by her family and the police.
2. Amanda Berry (age 17), Gina DeJesus (age 14), and Michelle Knight (21 years old) of Cleveland, Ohio, USA, forcibly disappeared and were held in captivity by Ariel Castro for at least a decade before escaping.¹⁸ Their enforced disappearances occurred between 2002 and 2004. They describe being chained and locked inside Castro's house, deprived of food, of cleanliness, and suffered repetitive sexualized victimizations. Knight was forcibly impregnated five times and violently aborted. Berry was enforcedly impregnated and delivered when in captivity. Berry's mother spent years looking for her and died of a heart attack before ever knowing what happened to her daughter. Justice did identify that Castro did torture Berry, DeJesus, and Knight.¹⁹
3. Elisabeth Fritzl, of Austria, survived 24 years of enforced disappearance perpetrated by her father, Josef Fritzl. Elisabeth, beginning when she was 18 years old, was locked in a dungeon built by her father. He impregnated Elisabeth seven times, and three of the children were raised by his wife. He told her and the family that Elisabeth had run away to a religious sect, abandoning the children on their doorstep. One baby died in the dungeon. Elisabeth never knew if she and the three surviving children held in captivity with her would die in his dungeon.²⁰

¹⁷ *The Free Lance-Star*. (1976, September 8). Girl, held captive for 181 days, felt confident that she would survive. <https://news.google.com/newspapers?nid=1298&dat=19760908&id=OeZLAAAIBAJ&sjid=A4wDAAAIBAJ&pg=4292,1079564>

¹⁸ Aradillas, E. (2002, August 22). The Cleveland kidnapping case: A house of horrors, an amazing escape and the survivor's lives now. *People*. <https://people.com/crime/ariel-castro-kidnappings-cleveland-survivors-timeline/>; Yang, A., & Diaz, J. (2020, January 2). Michelle Knight's triumph over 11-year captor Ariel Castro: 'He doesn't define who I am.' *ABC News*. <https://abcnews.go.com/US/michelle-knights-triumph-11-year-captor-ariel-castro/story?id=67857015>

¹⁹ *ABC News*. (2015, April 28). Cleveland kidnapping survivors talk about whether they can forgive Ariel Castro. <https://abcnews.go.com/US/michelle-knights-triumph-11-year-captor-ariel-castro/story?id=67857015>

²⁰ *BBC News*. (2009, March 16). Inside Josef Fritzl's cellar dungeon. <http://news.bbc.co.uk/2/hi/europe/7373172.stm>; Fleming, M. (2017, October 21). Construction workers discover secret basement in rapist Josef Fritzl's guesthouse. *Independent*. <https://www.independent.co.uk/news/world/josef-fritzl-latest-secret-basement-guesthouse-unterach-am-mondsee-austria-daughter-rapist-a8012496.html#gallery>

4. Natascha Kampusch was 10 years old in 1998 when she disappeared on her way to her Austrian school.²¹ For 8 years Wolfgang Priklopil kept her captive in a hidden homemade cellar-like prison before she managed to escape. Natascha's father said "she looked in bad shape physically and had wasted away. She has very, very white skin and marks all over her entire body. I don't want to think about where they came from. . . . the waiting has been worth it, and my life has a purpose."
 5. Sabine Dardenne (12 years old) and Laetitia Delhez (14) survived enforced disappearances, suffered repetitive sexualized torture including pornographic crimes. Julie Leeune and Melissa Russo, both eight years old, starved to death in captivity; An Marchal (17), and Eefje Lambrecks (19) were tortured, drugged, starved, and eventually died when buried alive. The perpetrator was Marc Dutroux of Belgium who was aided by others, including a suggestion of a like-minded network. Dutroux had built a basement dungeon in which he used to hide some of the girls who he repeatedly tortured.²² The deaths of the girls he killed need to be recognized as the specific crime of femicide.
13. Words utilized to misname enforced disappearance and the non-State torture victimizations women and girls suffer commonly include kidnapping, abuse, assault, and other crimes. These terms are a far cry from the descriptive words of the United Nations and others when detailing the continuous suffering and of the torture brutalities committed against women and girls of enforced disappearances. The term kidnapping from our knowledge is a different crime when attending to the modus operandi (MO) of present-day non-State perpetrators of enforced disappearances and torture. The United Nations describes the MO of kidnappers as terrorism motivated, seeking blackmail concessions from governments and others,²³ and by State parties who fight back by developing counter-terrorism expertise.²⁴

MO OF NON-STATE ACTORS OF ENFORCED DISAPPEARANCES AND SEXUALIZED NON-STATE TORTURE

14. The Committee on Enforced Disappearances presents that enforced disappearances of women and girls needs to be considered from different perspectives because of their social status as women and girls, of their human inequality, and structural discrimination (concept note, para. 4). Additionally, the Committee recognizes they can also be subjected to specific forms of violence such as enforced and violent impregnations and abortions and if they become mothers what happens to their children who are born in such captivity.

²¹ Harding, L. (2006, August 25). Kidnapped at 10 and held for eight years. The girl in the cellar. *The Guardian*. <http://www.theguardian.com/world/2006/aug/25/austria.topstories3>

²² Amies, N. (2021, October 20). Belgium remembers the White March on its 25th anniversary. *The Bulletin*. <https://www.thebulletin.be/belgium-remembers-white-march-its-25th-anniversary>; Buerkle, T. (1996, October 21). Pedophile case stirs Belgian fury. *The Globe and Mail*, p. 8; Jewers, C. (2023, September 23). Tortured and raped in a soundproof dungeon as they slowly starved to death: How killer paedophile Marc Dutroux abused children as young as eight with the aid of his wife in 'house of horror'. *Daily News.com*. <https://www.dailymail.co.uk/news/article-12544083/How-killer-paedophile-Marc-Dutroux-abused-children-young-eight-aid-wife-house-horror-memorial.html>; Stillingfleet, S. B. (2005, November 23). In defense of the innocent. Raising awareness on all forms of exploitation against woman and children in the 21st century [blog].

²³ United Nations Office on Drugs and Crime. (n.d.). *Countering kidnapping and extortion*. <https://www.unodc.org/unodc/en/terrorism/expertise/countering-kidnapping-and-extortion.html>

²⁴ United Nations Office of Counter-Terrorism. (2021, September 15). *Launch of the United Nations Manual of Guidance for Countering Kidnapping and Extortion*. <https://www.un.org/counterterrorism/events/launch-UN-manual-guidance-countering-kidnapping-and-extortion>

15. Besides misnaming enforced disappearances as kidnapping more general non-legal terms also dismiss enforced disappearances of women and girls as being runaways or as described by Josef Fritzl that his daughter Elisabeth joined a religious sect. Josef Fritz “pleaded guilty to charges of rape, incest, false imprisonment and coercion.”²⁵ Some years later Jeanne, the writer of this article, had an opportunity during a presentation, at the United Nations in New York City, to personally ask an Austrian judge why Josef Fritz was not charged with non-State torture, specifically sexualized non-State torture. Shaking her head, her distressing response was, “It was never thought of.”

16. Being respectful of the Committee’s position that enforced disappearance of women and girls is generally not identified by States parties as a specific criminal human rights violation; instead, it is commonly linked to other forms of violence perpetrated against women and girls, such as sexual violence or human trafficking (concept note, para. 6). Consequently this means when enforced disappearance and non-State torture are not specifically criminally named these human right violations and crimes disappear. The perpetrator’s impunity continues.

17. As to how a child born into enforced disappearance is treated, of the seven children enforcedly born to Elisabeth, only three children remained to live in continuous captivity with Elisabeth, a daughter aged 19 and two sons aged 18 and five. They were imprisoned with no space, never saw daylight, lacked sufficient oxygen, were small and pale, and only escaped when Elisabeth’s daughter became ill and was taken to hospital.²⁶

18. The perpetrator, Alexander Hay, of 12 year old Abby Drover was charged, in 1976, with “kidnapping, rape, gross indecency and abduction with intent to have sexual relations.”²⁷ This misnaming invisibilizes enforced disappearances and also highlights a failure to recognize non-State torture, specifically sexualized non-State torture of a 12 year old child. It exposes a reality that ought to be unacceptable in 2025.

19. Although Ariel Castro, the perpetrator of Gina DeJesus, Amanda Berry, and Michelle Knight, was initially charged with 329 counts of rape, torture, and murder, a grand jury indicted him on 139 counts of rape, 177 counts of kidnapping, seven counts of gross sexual imposition, three counts of felonious assault, and one count of possession of criminal tools.²⁸ A little girl born into captivity to Amanda Berry was six when the three women escaped. Enforced disappearance and non-State torture, specifically sexualized torture, were invisibilized in the naming of the charges.

20. The perpetrator of Natascha Kampusch, Wolfgang Priklopil, died by suicide.²⁹

21. Marc Dutroux of Belgium was found guilty “to kidnap and rape six girls and kill four of them.”³⁰ The legal system again used kidnapping and rape as the perpetrator’s crime, invisibilizing enforced disappearance and non-State torture including sexualized brutalities.

22. Lynn, who shared her on-and-off struggle with suicidality following her escape from being held captive by her Canadian husband and his criminal informal network, returned home to

²⁵ Connolly, K. (2009, March 17). Daughter’s cellar hell: locked up for 24 years; raped 3,000 times. *The Guardian*. <https://www.theguardian.com/world/2009/mar/17/josef-fritzl-austria-trial1>

²⁶ BBC News. (2009, March 16). Inside Josef Fritzl’s cellar dungeon. <http://news.bbc.co.uk/2/hi/europe/7373172.stm>

²⁷ *The Free Lance-Star*. (1976, September 8). Girl, held captive for 181 days, felt confident that she would survive. <https://news.google.com/newspapers?nid=1298&dat=19760908&id=OeZLAAAAIBAJ&sjid=A4wDAAAIBAJ&pg=4292,1079564>

²⁸ ABC News. (2013, June 12). Ariel Castro pleads not guilty to imprisoning three women for a decade. <https://abcnews.go.com/US/ariel-castro-pleads-guilty-imprisoning-women-decade/story?id=19381420>

²⁹ Harding, L. (2006, August 25). Kidnapped at 10 and held for eight years. The girl in the cellar. *The Guardian*. <http://www.theguardian.com/world/2006/aug/25/austria.topstories3>

³⁰ Reuters News. (2004, June 17). Belgium’s Dutroux found guilty in sex crimes case. <https://www.abc.net.au/news/2004-06-17/belgiums-dutroux-found-guilty-in-sex-crimes-case/1994626>

live with her mother. She said she never knew if her mother tried to find her during the over four years she was missing. Lynn could not bring her-Self to talk with her mother about the terror, horror, torture, and being forcibly trafficked into prostitution.³¹

23. The MO that keeps being revealed by the women's and girls' stories is that non-State perpetrators of enforced disappearances of women and girls inflict continuous sexualized non-State torture brutalities and that all women and girls do not survive—some will die of femicides.

24. In 2013 the Vienna Declaration on Femicide recognized that femicide is the killing of women and girls because they are women and girls who can also suffer torture and their deaths were misogynistically motivated.³² The NCWC adopted as policy that femicide is “the intentional killing of women and female children simply because they are women and female children; and . . . urge the government of Canada to amend the Criminal Code of Canada to identify femicide as a separate article within the Code.”³³ This NCWC advocacy is ongoing.

RECOMMENDATIONS

25. The following recommendations are based on the evidence shared on the significant human rights violations of enforced disappearance, non-State torture, and the consequential suicide-femicide perpetrated by non-State actors against women and girls. This evidence suggests that naming enforced disappearances and non-State torture as forms of violent crimes perpetrated against women and girls describes the MO of these perpetrators. We suggest it meets the following four descriptive elements of the classification of crime for statistical analysis:³⁴

1. The behaviours or actions of the perpetrator(s) are described by the women's and girls' stories and by the official investigations,
2. The intentionality of the perpetrator(s) are revealed when understanding their motivations,
3. The person(s) the perpetrator(s) victimized is clarified when women tell their stories or investigations named the girls who died, and
4. The relationship that exists between the perpetrator(s) and the person(s) they victimize were clarified as family and non-family, as known and unknown.

26. The recommendations that follow are mindful of respecting a person/victim-centred approach as presented by the United Nations General Assembly Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.³⁵ According to this Declaration, abuse of

³¹ Sarson, J., & MacDonald, L. (in print). *Healing Lynn's story Getting my-self back The woman's revolution*. FriesenPress.

³² United Nations Economic and Security Council. (2013). Vienna Declaration on femicide. Statement submitted by the Academic Council on the United Nations System, a non-governmental organization in consultative status with the Economic and Social Council [E/CN.15/2013/NGO/1]. https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf

³³ NCWC. (2024). Femicide as a distinct article in the Criminal Code of Canada. <https://www.ncwcanada.ca/blog/f-18/femicide-as-a-distinct-article-in-the-criminal-code-of-canada-877>

³⁴ United Nations Office on Drugs and Crime. (2015). *International classification of crime for statistical analysis (ICCS) version 1.0*. https://www.unodc.org/documents/data-and-analysis/statistics/crime/ICCS/ICCS_English_2016_web.pdf

³⁵ General Assembly of the United Nations. (1985). *Declaration of basic principles of justice for victims of crime and abuse of power* (resolution 40/34, annex. <https://www.ohchr.org/sites/default/files/victims.pdf>

power occurs “through acts or omissions **that do not yet constitute** [emphasis added] violations of national criminal laws but of internationally recognized norms relating to human rights (para. 18). Interventions apply the principle of non-discrimination, for this submission based on sex, and require that Member States need to act to promote legislative reforms in law, policies, and practices to address the harms those victimized suffer. For this submission the harms suffered are based on having the knowledge and understanding of enforced disappearance and non-State torture victimizations as distinct human right violations and crimes.

27. Furthermore, legal sanctions are essential to prevent, control, and punish criminal violations. If a country does not integrate such legal sanctions, perpetrators at all levels of society from parents to multi-institutions, justice and religious systems, and violent groups, gangs, organized networks, and governments have license to inflict multi-harms including by non-State actors who perpetrate enforced disappearance, non-State torture, and femicides.³⁶ Women and girls need society to condemn their victimizations so they experienced being valued and their dignity upheld. The following recommendations are:

Recommendation I: States parties are encouraged to specifically criminalize enforced disappearance as a distinct crime committed by non-State actors to prevent their ongoing impunity and to increase the protection of women and girls;

Recommendation II: States parties are encouraged to specifically criminalize non-State torture as a torture crime given that continuous sexualized tortures are perpetrated against women and girls and can last for decades.

Recommendation III, that the Committee on Enforced Disappearances establish a non-legally binding declaration on enforced disappearance and non-State torture. Declarations act as a global educational strategy that can guide the Committee’s work of promoting global transformation given that declarations are a common intervention and that the United Nations has developed standards and norms that offer guidance necessary for ongoing reforms.

Recommendation IV: Request that the United Nations Office on Drugs and Crime add both enforced disappearances and non-State torture to their International Classification of Crime for Statistical Purposes because both are not presently included.

³⁶ United Nations Office on Drugs and Crime, & Centre for International Crime Prevention. (1999). *Handbook on justice for victims On the use and application of the declaration of basic principles of justice for victims of crime and abuse of power*. https://www.unodc.org/pdf/criminal_justice/UNODC_Handbook_on_Justice_for_victims.pdf