

No Longer Invisible: Families that Torture, Traffic, and Exploit their Girl Child

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Abstract

This paper discusses non-State torture families that organize the sexualized trafficking and exploitation of their girl child to their network of like-minded individuals and groups. They have eluded being identified in the extensive research that informs the *Global Report on Trafficking in Persons* (2014) by the United Nations Office on Drugs and Crime. This means the trafficked and tortured girl child has been absent from the profile of trafficked children. Understanding the girl child's position of vulnerability and complex relational victimization and traumatisation responses to being tortured, trafficked, and exploited is essential to recommending interventions that address socio-legal and knowledge gaps and promote the dignity and human rights of the girl child.

Key words

Non-State torture families; sexualized human trafficking; exploitation; trafficked female children

Resumen

Este artículo trata sobre familias que infligen torturas no estatales y que organizan el tráfico sexual y la explotación de sus hijas por medio de redes de individuos y grupos de similares características. Han eludido ser identificadas en la extensa investigación que dio lugar al *Informe Global sobre Trata de Personas* (2014) de la Oficina de las Naciones Unidas contra las Drogas y el Delito. Ello significa que la niña objeto de trata y torturas no aparece en el perfil de niños víctimas de trata. Es esencial comprender la posición de vulnerabilidad y de respuestas complejas a la victimización relacional y al trauma por parte de la niña para poder recomendar intervenciones que aborden las lagunas sociojurídicas y de conocimiento y que promuevan la dignidad y los derechos humanos de la niña.

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Palabras clave

Tortura no estatal por parte de familias; trata sexual de personas; explotación; niñas traficadas

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1. Introduction

In December 2003, the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN General Assembly 2000a) came into force, supplementing the United Nations Convention against Transnational Organized Crime (UN General Assembly 2000b). Seven years prior, in mid-August 1993, Sara¹ introduced us, Sarson and MacDonald, to her reality that as a child she was conditioned to commit suicide if she ever told on *the family* she was born into, who sadistically tortured, trafficked, and exploited her including into child-child and child-adult crime scene pornography. *The family*, Sara eventually explained, was a coded term that referred not only to her parents and some relatives but also to all other like-minded non-State actors. It was this experience of supporting Sara that motivated us to persist in exposing such family based victimizations. Twenty-one years passed, before the opportunity presented for us to ask and learn from Dr. Kristiina Kangaspunta. As a team researcher with the United Nations Office on Drugs and Crime (UNODC) who wrote the *Global Report on Trafficking in Persons*, Kristiina informed us that the team did not have information on the non-State torture victimization of children who were trafficked by their parents (Sarson and McDonald 2015). This paper describes the organized family based non-State torture and human trafficking of the girl child.

From the moment Sara entered our professional practice, and we committed to supporting her, as we could not find other professionals who had knowledge on non-State torture recovery, we were in uncharted practice territory. Non-State torture committed in the domestic relational sphere appeared not to be recognized in 1993. Thus, this paper is praxis-focused. It shares what we have learned in practice and the theory we created from our experiences of supporting Sara, and later, other women who contacted us when we ventured into the cyber world of websites, emails, and social media. We estimate we have had contact with over 4,000 women from predominantly English speaking countries. Most of the women, like Sara, tell of being born into non-State torture family units that trafficked and exploited them from their earliest of childhood memories. It no longer surprises us, however, when women who, even in their 80th years, approach us to share that their childhoods involved non-State torture victimization, trafficking, and exploitation.

Being a trafficked girl child is not a new form of victimization. In 1910, Dedrick wrote, in *Fighting the Traffic in Young Women or War on the White Slave Trade*, that girls "as young as 9 years; deceived, betrayed, led away, through wiles of abominable men whose business is to traffic in girls" (p. 102). Other contributors to this over a hundred-year-old book wrote about the selling and slavery of girls and young women, about pimps although this was not the terminology of 1910, about national and international trafficking, and about the corruption of officials who the traffickers and brothel keepers paid to protect them. In chapter XVI of *Fighting the Traffic in Young Women or War on the White Slave Trade*, entitled *The Yellow Slave Trade*, Bell (1910, p. 221) wrote about the "slave pens" of Oakville and San Francisco. The dehumanization and brutalities inflicted were not identified as non-State torture in 1910.

This reality has continued to elude everyday social consciousness to this day. Therefore, by sharing what we have learned from women about their childhoods, the objectives of our paper are to ensure that such elusiveness does not continue. Our objectives are: (1) offering a typology of these specific domestic family based torturers, traffickers, and exploiters, (2) visibilizing the girl child in the profile of trafficked children, understanding her vulnerability, and her complex relational victimization and traumatization responses to being tortured, trafficked, and

¹ Sara is a pseudonym chosen by the woman who has given consent to sharing her story.

exploited within the context of family relationships, and (3) recommending interventions that could address existing socio-legal and structural knowledge gaps thus promote the dignity and human rights of this specific group of victimized and exploited girl children.

2. UNODC typology model

Capra, in 1988, wrote that a science concerned only with measurement and quantity is inherently unable to deal with human values, qualities, and experiences. For him, an approach was scientific as long as the new knowledge followed these three fundamental conditions (Capra 1988, pp. 375-376):

1. The knowledge was based on systematic observations,
2. The knowledge was consistent in model-making development, and
3. The model-making process permitted a logically consistent network of concepts to interconnect the observed data of subjective and shared patterns of experiences with space for quantitative elements if present.

We valued Capra's position because, from the moment Sara entered our professional practice we were in uncharted practice and theoretically non-researched territory. What we did have were astute and experienced public health and transcultural nursing observation and listening skills gathered from working with families and their communities which honed our model-making abilities. We created models to assist us organize Sara's and other women's subjective victimization ordeals and explain their consequential traumatised responses. The models gave shape to understanding the perpetrators' brutal criminal actions and patterns of dehumanizing women and girls.

We present the family based non-State torture and human trafficking operations by utilizing the typology model described in the 2014 United Nations Office on Drugs and Crime (UNODC) *Global Report on Trafficking in Persons*. It identifies three forms of organized operations: "small local," "medium sub-regional," and "large trans-regional" (UNODC 2014, p. 14). Family based perpetrators do not descriptively fit only into one typology group; they can cross all three typology groups. However, the day-by-day family based operations to some extent fit into most of the small local group descriptors of: (1) involving one or few traffickers, (2) controlling a small number of victimized persons, (3) involving local or short-distance trafficking flows, (4) requiring no cross-border travel documents, (5) involving intimate partner exploitation, (6) having limited cost and profits, and (7) requiring less complex organizational management. The UNODC report suggested small local human trafficking operations are less complex than either the medium sub-regional or the large transregional operations. We, however, consider non-State torture and human trafficking family based operations to be complex. They have eluded detection because of their relational complexity, effectively using and abusing the positional power societies give to the family unit and to the concept of the family unit as caring and nurturing. In the following section we share some insights into the family based non-State torture and human trafficking operations.

3. Family based non-State torture, human trafficking operations

Organized family based non-State torture, human trafficking operations include patterns of in-house trafficking and sexualized torturing whereby like-minded others gather in the family home of the perpetrator(s) (Sarson and MacDonald 2016). These organized gatherings are often coded as *parties*; for Sara, this was just one of many patterns of non-State torture and trafficking she suffered. She described being taken into the "little torture room" in the basement of her normal-looking single dwelling family house. For Alex, the pattern was of her father routinely trafficking and transporting her to a group of three men who, like her father, were powerful members in their church, but who, along with her father, inflicted massive acts of sexualized and reproductive tortures against her. Carrie

recalls her father exploited and transported her, and participated in a large perpetrating group of 12 members until she was about 13 years of age. The group, Carrie described, included doctors, a lawyer, a nurse, and a teacher. Carrie also spoke of how she and another little girl were often tied down on wooden planks to be tortured together (Sarson and MacDonald 2015).

Fathers or other male family members were most often described as being in charge of the small family based day-by-day patterns of non-State torture and trafficking operations. Some mothers, such as Sara's, were actively involved. For others, their mothers appeared not to question the patterns of behaviours that occurred, accepted or ignored their daughter's signs of being harmed, or did not seem to question where their daughters were being taken.

Some local family based operations ventured into regional and transregional areas. It appears to us that these operations may be limited, possibly because of increased risks when compared to local trafficking operations which, we suggest, provided controllable protection. Sophie, for example, shared the multi-operations of the torture, trafficking, and exploitation ordeals she suffered that were home-based and transregional:

I am [now] 18 years old. New York (...). [M]y aunt and uncle were the ones who (...) would rent me out to people (...). My first memories of my Family in NY abusing me start when I was around 3 or 4. I was at an Aunt's house and they would play card games. I would be the "prize" and men would try to rape me or make me do things to them. 'You can do anything to her for a price', was their saying. There are a few distinct groups of people they would rent me out to. One was a group which I call the *basement group* and they were into BDSM (Bondage and Discipline, and Sadism and Masochism) type things (...). They would take me to a basement that was like a torture chamber (...). I remember being trafficked. I wasn't traded. My Family *owned* me. They took me places, all over, to be raped, photographed, and to have movies made. They even took me to Prague (...) I was supposed to be in a snuff film. I saw someone else get their throat slashed. I never told. The picture still haunts me. Every day and every night. She was maybe 16 at the oldest. I was somewhere between 7-9 years old at the time. (Email communications, 2006-2007)

As to the traffickers controlling a small number of victimized persons as described in the small local operations UNODC typology model, our knowledge suggests the family based perpetrators differed in that they trafficked their own girl child. It often appeared a specific daughter was selected for victimization; perhaps this made managing the cover-ups easier. However, a family based local network of like-minded perpetrators also involved multi-child victimizations. For example, women describe that when they were transported to some locations and held captive in animal sized cages, besides numerous perpetrators being present, sometimes other children were present, were caged, and were harmed.

In the pre-school years a child is totally under the control of her parents. Once she enters the school system this adds increasing degrees of risks for the perpetrating parent(s). A number of women explained that their parents—their fathers and or mothers—dealt with this risk by becoming school volunteers, such as "helping" in the student lunch time program, being a student driver educator, an identified safe parent in the neighborhood watch program, or the school bus driver. These were tactical positions. Presenting themselves as involved and caring parents covered-up their stalking patterns which effectively sent the message to the women as children that they were being constantly watched. This maintained their sense of terror that if they said anything out of order they would suffer grave torture harms. Additionally, various women explained how they as little children were trained to commit suicide if ever they told, or, as Alex said: "[my father] programmed me to kill myself". These psychological torture tactics to condition self-destruction require constant attention by the perpetrators; we have only had one opportunity to interview sisters and they described very different victimizations, therefore, we

suspect that maintaining such dominating control may be another reason for a pattern of focusing on one daughter versus more than one child.

In relation to profits, some women describe knowing their parent(s) received money or other benefits from trafficking them. Based on the positional power that many of the perpetrators to whom the girl child was trafficked to, we suspect that family based operators derived some benefits, if not money then maybe job security, job promotion, or political positions that heightened their community profile and prestige. Heightening their community prestige was a manipulative way of promoting an identity of being an upstanding family and community member. Women tell us that their fathers and other perpetrators were businessmen, politicians, doctors, lawyers, fishers, farmers, military or veteran personnel, clergy, in media relations, firemen, really a cross-section of any employment position. When women were involved, besides mothers, grandmothers, and other family members, female perpetrators were identified as being nurses, social workers, psychologists, clergy, counselors or feminist therapists, teachers, etc. Again, a cross-section of community members.

Societies promote families as caring units; this helps these family based operators elude detection. Women explain that when, as children, they disappeared—were trafficked—for an extended period of time, their parents explained to outsiders that they had been sent to visit relatives, for example. By manipulating and abusing their parental positional power these family based operators do not fit into a specific UNODC topology group thus have remained invisible. This paper makes them visible.

4. Abuse of a Position of Power or a Position of Vulnerability

The UNODC *Issue Paper* (Gallagher *et al.* 2013, p. 1) lists the defining elements of human trafficking as presented in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UN General Assembly 2000a), as:

1. "Action" which includes: recruitment, transportation, transferring, harbouring, or receipt of a person;
2. "Means" which describes how the action is achieved using threats, force, coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, and giving or receiving payments or benefits to achieve consent of a person having control over another person; and,
3. "Purpose" which is the intentional exploitation of a person.

The *Issue Paper* distinguishes "vulnerability" as a susceptibility that can lead to being trafficked versus "abuse of vulnerability as a means by which trafficking is perpetrated" (Gallagher *et al.* 2013, p. 15). We agree if the understanding is, for instance, that a young female adult needs a job to survive, so her vulnerability makes her susceptible to sexualized exploitation. However, when an infant girl is born into a family based non-State torture human trafficking operation, both distinctions apply—vulnerability as a susceptibility and abuse of vulnerability. There can be no greater abuse of vulnerability than that exercised by family based perpetrator-parents against their girl child. When Sara, as an adult, fought to leave her family home she carried a "vulnerability as a susceptibility". She did not understand, for instance, that her professional salary was hers to keep. Instead, she gave it to her father and *the family*. Sara also continued to be trafficked, attending the *family* gatherings where she was tortured. This was her relational normal. To exit it would take Sara almost seven years to address her vulnerability as a susceptibility and the abuse of her vulnerability by her parents and those they were connected to.

The *Issue Paper* states that when a child is trafficked, "it is not necessary to prove that one of the acts was accomplished through the use of any of the listed *means*"

(Gallagher *et al.* 2013, p. 1). Nonetheless, to facilitate greater understanding of this specific population of family based operators we will place context on all three defining elements: actions, means, and purpose.

Actions. The actions list includes:

a) Recruitment. The girl child born into this form of perpetrating family unit is subjected to intentional psychological emotional recruitment of belongingness, of belonging to or being owned by *the family*. Many women voice this conceptual belief, such as when Sophie said, "My Family *owned* me". Exiting is complex when they have endured such belongingness conditioning recruitment since infancy.

b) Transportation. Multi-forms of transportation are used to transport the women as children by parent(s) or connected others, including walking her to a pick-up location or carrying her drugged out of the house to a waiting vehicle.

c) Transferring. Sara said, as a girl child, her father took her to a bus station, made to sit on a bench until she was picked up by another person, usually a woman. The woman took her to various places, including what Sara perceived was a warehouse where she suffered gang sexualized torture, then discarded into a corner, abandoned and feeling, she said, "like garbage".

d) Harboring. The girl child born to these family based operators is always under the direct *shelter* and dominating control of her parents. She is harboured, captive, powerless, and without the capacity to leave. The family can conceal or hide her captivity from the community because she is seen as functioning in the community, for instance, as a child in school.

e) Receipt of a person. When a family based operation connects and gathers with like-minded adults they deliver or transport their daughter to be victimized, as well as participate in the receipt of other transported children for victimization.

Means. These family based operators maximize the use of the following means:

a) Threats, force, or coercion. Torture is the fundamental means by which the girl child is maintained in a position of vulnerability and victimization. We will address various forms of torture later in this paper. Alex explains how weapons were instruments of life-threatening force and threats:

Dad used a gun on me. Put it to my head when I was approx. 5 years old and said if I made a sound he would shoot me. He also stuck the gun inside my vagina and said if I told anyone he would pull the trigger. I had been with him when he shot birds and dogs and skunks, etc. So I knew how serious a gun was. (Email communication, 29 June 2010)

b) Abduction. A girl child born to such family based operators, abduction is not necessary.

c) Fraud. Much of the literature on human trafficking refers to recruitment fraud of women or youth who are then exploited, this does not occur to the girl child born to family based operators.

d) Deception. A girl child born to these family based operators suffers much continuous deception. Her growth and development, her relationships, and her worldviews are intentionally distorted. For instance, being "rented out", a term women frequently used, normalizes trafficking as relational. Horrendous deceptions are intentionally inflicted to create a position of psychological captivity that begins when the girl child is a toddler and continues. For example, when Sara was a young teen in school, before she

left home there were days she was ordered to walk home versus take the school bus; she was given a coded name so when a car pulled up beside her when she was walking home, the person(s) in the car said the coded name and Sara got in—this was her normal response. This was her father's organized pattern of trafficking Sara from school. A pattern she did not question based on very early childhood relationally destructive developmental conditioning that created beliefs Sara carried throughout her years of being trafficked, tortured, and exploited. Including in university, controlled and trafficked, this too was her normal. Psychological captivity and conditioned relational deceptions normalized chronic revictimization ordeals which Sara had to dismantle as an adult.

d) Giving or receiving payments or benefits to achieve consent of a person having control over another person. Some women remember seeing their parent(s)/guardian receiving envelopes from the persons who were *renting* them. As previously discussed, our opinion is that these specific family based operators derived benefits and/or received monies by trafficking their daughters.

e) Abuse of power or a position of vulnerability. A girl child born into small family based non-State torture, human trafficking operations is immediately vulnerable as an infant, as a female infant. Women inform us they have memories of suffering sexualized victimization as infants in their cribs. Written and media reports support that very young children are victimized; today internet videos supply undisputable evidence that infants are victimized by single and multi-groups of perpetrators and commonly by parent(s), a family member, or others close to the child (United States Department of Justice 1986, Morgan 2006, Bunzeluk 2009, Cribb 2015). Women often say that when they try to tell about their childhood victimizations they are frequently disbelieved; Sophie, as a teenager, was told by a professional she was lying. Denial that such victimization had been and is perpetrated is tainted with attitudes of childism and female misopedia; later, women trying to tell are confronted by misogyny.

As vulnerable and victimized infants the women were in a no-win life-threatening situation with the need-to-bond-for-survival, at the same time suffering dissociative responses to the grievous harms inflicted onto them by the very persons they must bond to. Consequently, women describe dissociative responses that spontaneously occurred at a very young age; this protected them from the overwhelming severe torture pain. Based on our understanding, these perpetrators intentionally force, create, watch for, and use their daughters' dissociative survival responses for these assumed reasons that:

1. Dissociative responses would provide protection in that their daughters would not remember what happened, who harmed them, or where the exploitative torture and trafficking happened;
2. Combined polydrugging and dissociative responses rendered their daughter helpless, powerless, and silenced thus facilitating the infliction of their sadistic sexualized torture pleasures;
3. Conditioning their daughter to withstand sadistic sexualized torture increased her exploitative *value*; as Sara put it: "I was trafficked for torturing"; and,
4. Ensured their ability to pathologize their daughters as being mentally ill or "crazy" thus disbelieved if she tried to tell.

The *Issue Paper* (Gallagher *et al.* 2013) lists poverty and linguistic and social isolation as susceptibilities that can create vulnerabilities. Although some family based operators were poor, many were middle and upper class. Linguistic isolation occurred when, as children, women were trafficked to foreign speaking regions. This increased their emotional life-threatening terror because they could not predict

foreign perpetrators' actions, the places of captivity were unfamiliar, and the foreign language maximized their confusion and disorientation. These factors increased their vulnerabilities of captivity, helplessness, and powerlessness.

To intentionally create social isolation in childhood, family based operators interfered with their girl child's ability to develop childhood friendships by stalking them when volunteering in their school; this kept them isolated from their peers. Some women recalled that psychological, verbal, and emotional put downs forced the development of a belief that no one cared to be their friends. The tactic of frequent moving and transferring from school to school disrupted potential childhood friendship building and helped avoid detection. Not being allowed to have other children in their homes or to play with other children kept some women, as children, isolated and under parental control.

Purpose. Exploitation, whether local, regional, or transregional, generally meant the girl child was exploited into a sexualized non-State torture group or ring, and/or was rented out to others not involved in the family operations. Being exploited frequently meant forced participation in crime scene child-child or adult-child pornographic victimization, including being trafficked to pornographers who used a modelling agency to cover-up their production of crime scene pedophilic pornography.

Speaking of cover-up tactics, babysitting tactics placed Sara in a no-win situation when sent to the home of perpetrator-parents. These perpetrators threatened to victimize their children knowing Sara would act to protect the children, saying, "Take me. Take me". This was a no-win tactic as both Sara and the children were tortured. This psychological victimization tactic caused Sara emotional self-concept traumatisation, it left her believing she "wasn't good enough" to save the children—that it was "my fault" the children were harmed. Sara spoke of being ashamed and self-blaming.

The methodology utilized in the research of the UNODC *Issue Paper* involved 12 countries representing different regions, legal traditions, and practitioners' interviews. The methodology of the UNODC *Global Report on Trafficking in Persons* (2014) included nearly 20 countries and a questionnaire sent to Governments. Both researching teams collected other information from literature or police data for example. Only the *Issue Paper* mentioned torture—twice—voiced by the Republic of Moldova as a violent means element used by traffickers. This limited mentioning of torture as a means represents an extensive global, socio-legal, and practitioner knowledge gap which contributes to the invisibility of both the non-State torture and human trafficking family based operators and the tortured and trafficked girl child.

5. Non-State Torture: What is it? Why has it been missed as a Means?

As mentioned earlier, this paper is praxis based. In 1993, we were unable to find any published literature on torture that occurred in the domestic or private sphere. Therefore, we researched State torture literature, and comparing the torture tactics Sara described suffering revealed these were the same, only perpetrated by different individuals—by non-State actors versus State actors—perpetrated in different spaces—in private spaces versus public spaces—perpetrated in different buildings—in a home versus perhaps in a jail. An ever increasing number of women recounted similar subjective non-State torture ordeals that also involved human trafficking and other forms of exploitation organized by family members—by various non-State actors. It would take years before the emerging terminology of "non-State actors" was used in reference to violence perpetrated against women in the private or domestic sphere (Amnesty International 2000).

Over the years we discovered that many countries, including our own of Canada, defined their law on torture as acts inflicted only by State actors. This means in

Canada non-State torture is renamed, for example, as an “aggravated assault”. Consequently, if a woman suffered non-State torture victimization she would be legally bound to accept—forced—to say she was assaulted. If also trafficked and non-State torture was the means used to exploit her, a non-State torture charge is inadmissible in a Canadian court of law—a legal position that prevents truth-telling. Belgium, on the other hand, has both State and non-State law, and REDRESS (2013) identified that the non-State torture law was used twice for crimes committed against women.

This Canadian legal human right inequality led us to develop the patriarchal divide model (Sarson and MacDonald 2009b), see Figure 1. This model reflects Capra’s (1988) point that a model has an interconnection of logically consistent concepts such as we present in our model which includes that:

1. The terminology of non-State torture is equally as valid as State torture,
2. Similar torture tactics are inflicted by both State and non-State torturers,
3. Discriminatory legal practices can exist in a country when only State torture is criminalized with non-State torture renamed another crime; and,
4. Human rights discrimination occurs when Article 5 of the Universal Declaration of Human Rights (United Nations General Assembly 1948), which states that “no one shall be subjected to torture”, is only considered a human right of persons tortured by State actors and not a human right of persons tortured by non-State actors.

FIGURE 1

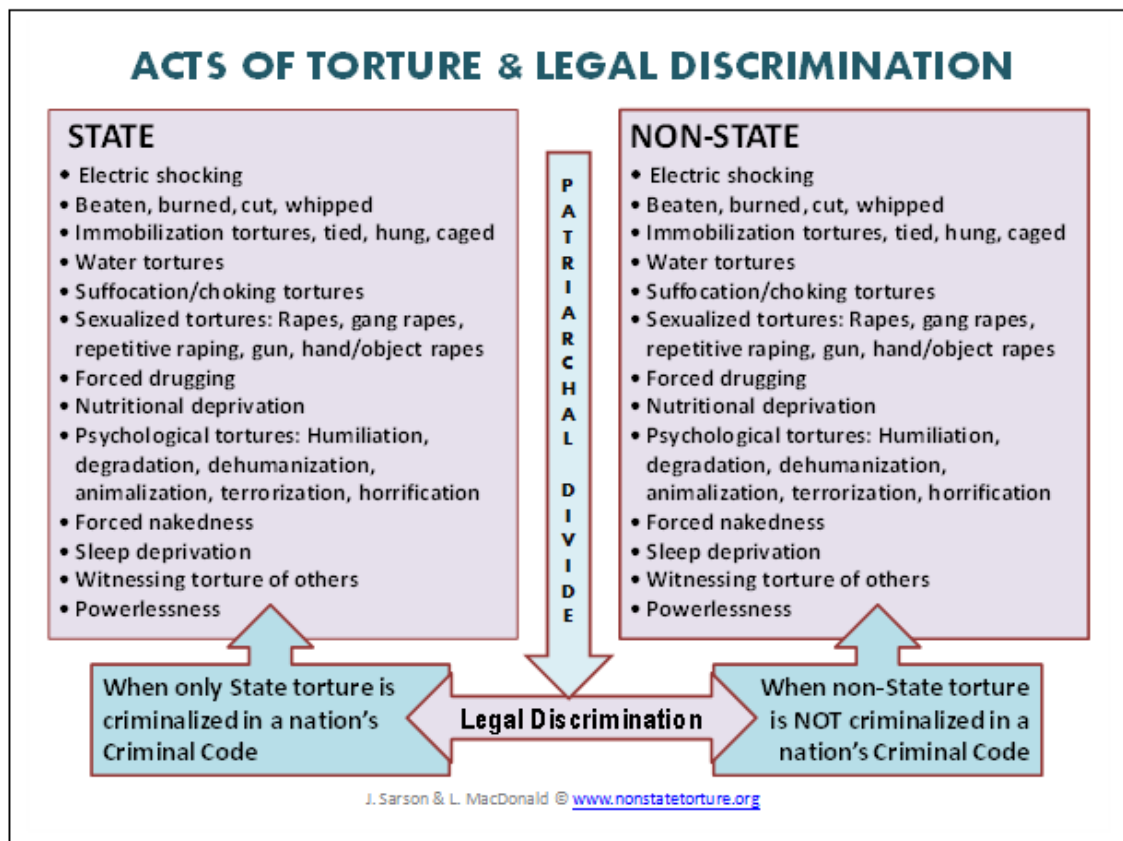


Figure 1. The Patriarchal Divide.

These interconnected reasons shed insight into why non-State torture has been missed as a means that facilitates on-going human exploitation of the girl child born into non-State torture family based operations.

6. Women's voices: They speak, we must listen

Throughout our 24-years of work one objective that we nourish is promoting equality space for women's voices to be heard, breaking the socio-cultural and legal rejection that has silenced them from claiming their human right not to be subjected to torture. Elizabeth Gordon shares part of her childhood story and art advocacy in this paper.

6.1. Elizabeth's "My Story"

I make art. I've made many drawings to help me speak to what would otherwise be beyond words about existing in an environment of torture in my home from when I was an infant until I escaped when I was 20.

A network of organised non-State torture perpetrator family and their *friends* knew each other through the local community, through the church, their military connections, and through the entertainment industry. In my childhood, I was trafficked and torture harmed by family and their *friends* at home, and also taken from my home and school, transported, trafficked, and tortured at private locations like houses, studios, a barn, and woods. I remember family *friends* arriving at home when I was five and being told to "take the men upstairs" and "show them your bedroom". Swept into the terror and darkness of the men's long coats, upstairs, the men gang-raped me.

I was transported from my home, and sometimes taken out of school, usually in the early afternoons on a Thursday or Friday just before the weekend or a school holiday. My father would come into school and tell the teacher he had to take me out for an appointment. Now I understand that these days and times I was taken out of school had been carefully planned, maybe so that after I had been harmed, there would be a weekend or a school holiday to hide my injuries.

My father would take me to a main London train station and tell me to sit on a bench. An *uncle* and one of his *friends* would arrive. One time, when I was eight and sitting on a bench at the station, I saw this *uncle* get out *paper money* from a *paper wallet*. He handed my father *paper money* and he put it in his jacket pocket and walked away.

This *uncle* and his friend took me to the taxi. In the taxi on this occasion, there were three other children and a woman. The *uncle* and the other man got in another car. The taxi drew up outside a house with pillars and steps up to the front door. The *uncle* and the other man were there already standing outside by the taxi door, and I remember this *uncle* saying to the taxi driver: "Drop this one off here". The *uncle* and the other man took me up to the house. A man opened the door (see Figure 2).

FIGURE 2

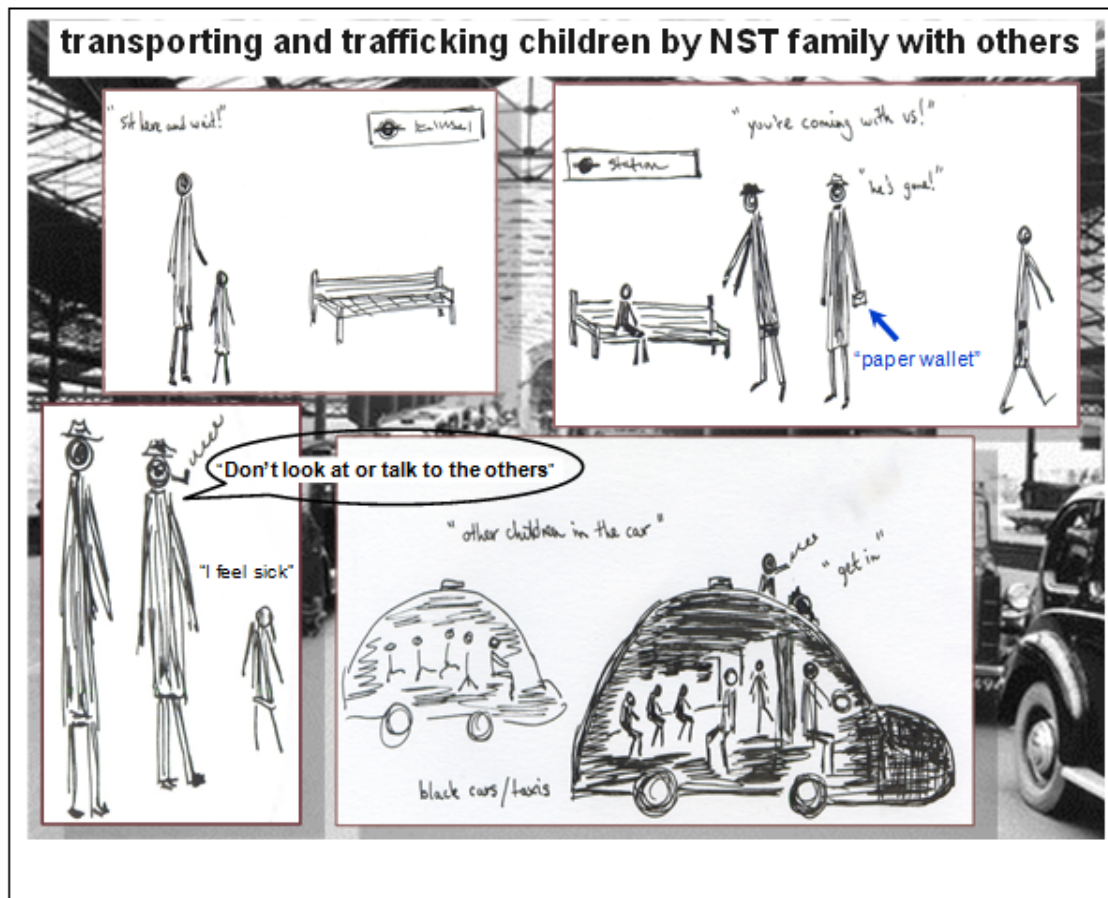


Figure 2. Elizabeth's transporting and trafficking.

The men in the houses tortured me. I dissociated into numbness and deadness. I don't remember afterwards. I don't remember being picked up by the *uncle* and his friends. I just remember feeling dizzy, my head thick and spinning. I remember feeling sore, numb, and swollen and that I could hardly walk.

My body-talk responses to enduring torture in my home and other private places were very clear to see, but not acted on by teachers at school. I fainted in assembly nearly every day as at night I was forcedly kept awake while being screamed at, trafficked and tortured. Freezing in one spot at school, not being able to speak or move was another response I had to overwhelming torture trauma. I had physical injuries: bruises, fractured toes and ankles, bleeding feet, sprained wrists. I would wear several layers of clothes. I avoided P.E. and games lessons where we had to change into a t-shirt and shorts. I had difficulty writing and communicating. I would seem to forget tasks and skills I had already learned. I couldn't talk at all about ordinary family events. I was terrified to tell because of "die if you tell" programming. I had very restricted communication with school friends outside of school. I tried very hard to appear *normal*.

Now I do tell using my art as activism so family based traffickers and torturers who are hidden in plain sight in our communities will no longer be invisible! Girls and women non-State torture harmed through these organised criminal family-based networks deserve human rights recognition, a heard voice for social and legal justice and informed care.

7. Challenging State complicity: A model categorising non-State torture of women and girls

Human and legal rights equality to protection from torture is defined in Articles 5, 2, and 7 of the United Nations Universal Declaration of Human Rights which states that:

No one shall be subjected to torture (Article 5) (...) [and] everyone is entitled to all the rights and freedoms, set forth in this Declaration, without distinction of any kind (Article 2) (...), and all are equal before the law and are entitled without any discrimination to equal protection of the law (Article 7)

Evaluating the operationalization of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (UN General Assembly 1984) from a feminist perspective reveals, for example, “he”, “him” and “his” appears 21 times in the Convention—“she” is not present. This, in our opinion, helped set the global and legal patriarchal discriminatory application of the Convention that rejected that non-State torture is perpetrated in the private or domestic sphere. It was missed being listed as a means in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UN General Assembly 2000a). Therefore, impunity thrives. Because of the persistent global inequality of women and girls that comes bonded to patriarchy, States parties absorbed this patriarchal human right and legal discrimination into country laws by only naming and criminalizing State torture. Ignored were the principles of universality and non-discrimination of international human rights law as first written into the articles of the Universal Declaration of Human Rights, supposedly to be absolutely equally applied to women as to men and girls as to boys.

Of the 158 States that have ratified the CAT (UN Web TV 2015), the question to ask is: How many States have defined their law on torture in a non-discriminatory way? Examining briefly the 28 EU countries listed by the OSCE Office for Democratic Institutions and Human Rights (n.d.), torture was predominately listed as State torture, as a war crime, a crime against humanity, an extradition or in detention risk, occasionally a crime against children and animals, or to control trading in goods used for torturing. This very limited list of countries examined is meant solely to establish the conversation just as Garcia and Santos (2009) did when discussing the need to criminalize both State and non-State torture when the Philippines developed its Anti-Torture Law. Obviously the struggle to criminalize torture non-discriminately and uphold the guiding articles of the Universal Declaration of Human Rights still exists.

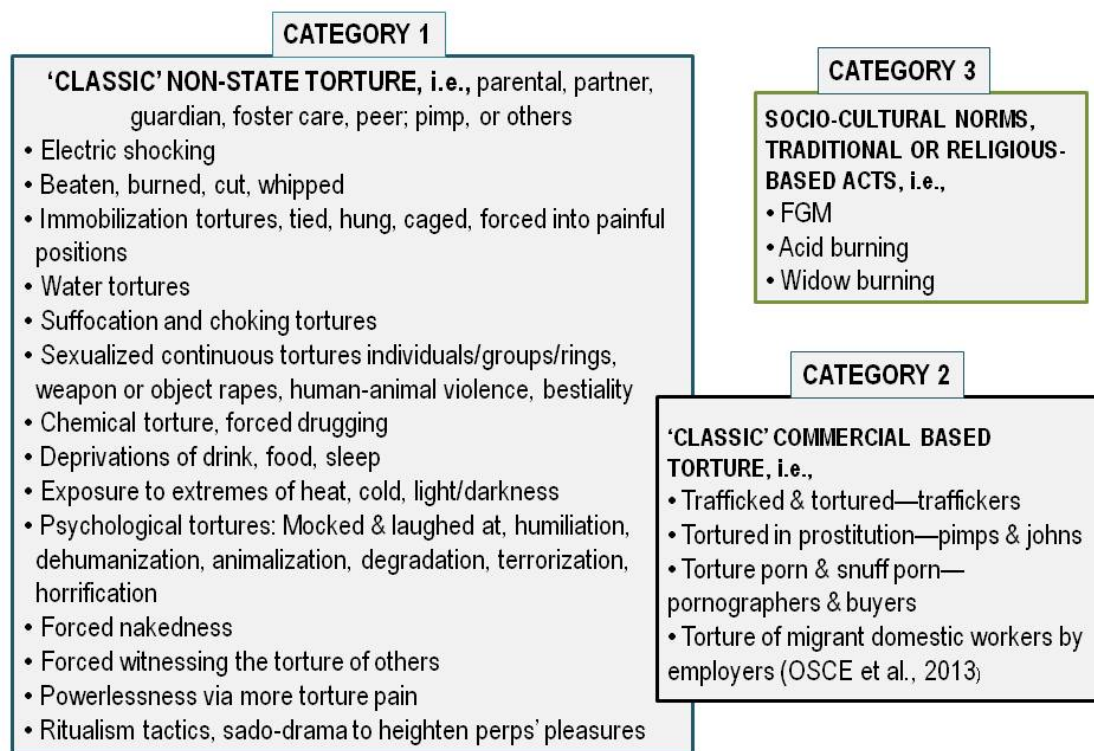
Furthermore, in relation to the global fact that sexualized violence is inflicted predominately against women and girls by State and non-State actors, we learned from Felice Gaer that the discriminatory silence about sexualized torture of women by State actors did not break until 1986 (Sarson and MacDonald 2013). United Nations Special Rapporteur Peter Kooijmans (1986) noted there was a State duty to protection by law even when acts of torture are perpetrated by non-State actors. However, passive State attitudes led to abandoning their “function of protecting its citizens from any kind of torture”, for example addressing “sexual mutilations” (Kooijmans 1986, p. 11). The methods of torture he listed in his report are similar to those in our patriarchal divide model; he also wrote that “torture is even directed at wiping out the individual’s personality” (Kooijmans 1986, p. 1). Women frequently describe their destruction as a belief they were “a thing”, an “it” or a “nothing” or invisible and fragmented into pieces like a jig-saw-puzzle. Elizabeth said she was shattered into “bits”. Kooijmans’s report has not motivated global attention to the non-State torture of women and girls in the private or domestic sphere. Nowak (2008), as UN Special Rapporteur on Torture, wrote that intimate partner violence, female genital mutilation (FGM), and human trafficking impact

millions of women globally, are trivialized yet such atrocities are comparable to *classic* torture that State officials inflict.

Unwilling to accept passive State attitudes, our next model identifies three categories of non-State torture which logically interconnects the consistent concept that non-State torture is inflicted against women and girls in the private or domestic sphere (Sarson and MacDonald 2015). To our knowledge this is the first ever model to illustrate the global non-State torture of women and girls (see Figure 3). The three categories of non-State torture are: (1) *classic* non-State torture that is inflicted by a parent(s), partner, guardian, carer, peer, or by others known or unknown; and, (2) *classic* commercial based non-State torture perpetrated by human traffickers, pimps, buyers or renters, and pornographers; in addition, we add employers who inflict non-State torture against migrant domestic workers they employ (OSCE Office of the Special Representative and Co-ordination for Combating Trafficking in Human Beings 2013). The term “classic” has been used because this is a term that frequently refers to the acts of torture inflicted by State torturers. Category (3), socio-cultural, traditional or religious norms such as female genital mutilation (FGM), acid burning, and widow burning, have been declared forms of gender based torture in reports by United Nations Special Rapporteurs Méndez (2011, 2016) and Nowak (2010), and by the UN Committee against Torture (2008).

FIGURE 3

GLOBAL CATEGORIES of NST of WOMEN & GIRLS in the PRIVATE/DOMESTIC SPHERE



22/12/2017

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Figure 3. Global Categories of Non-State Torture (NST) of Women and Girls in the Private/Domestic Sphere.

Our 24 years of work have taught us that the actions of family based small operators fall into categories 1 and 2. Passive State attitudes and State complicity must end. Criminalizing non-State torture is essential if the means used by non-State torture and human trafficking operators are to be clearly understood. Criminalization will assist in identifying the severe pain and suffering, physical and mental, inflicted by such family based operators, removing the invisibility of how the girl child is so intentionally, purposefully, and destructively victimized.

8. Conclusion and summary

In this paper we offered a typology of non-State torture and human trafficking family based operators, thereby exposing that family based operations can involve a family interconnected group, ring, or network of like-minded perpetrators whose pleasure is specifically sexualized sadistic torturing. And that such family based operators are involved in various criminal activities such as child-child and child-adult pornography, including potential exposure to torture and snuff crime scene pornography for example. Additionally, our models shape the meaning of non-State torture acts and the discrimination that exists in law when such acts are not named and criminalized as torture. Therefore, we conclude by addressing existing socio-legal, structural, and knowledge gaps, suggesting interventions that can help promote the dignity and the human and legal rights and understanding of girl children born into non-State torture and human trafficking family operations. Our suggestions:

8.1. State interventions and national criminal law.

States need to periodically adapt existing legislation and practices to respond to evolving knowledge (United Nations General Assembly 1985), thus we suggest:

- a) Non-State torture be criminalized so that it is “written that ‘every one’ or ‘every person’ who engages in such crimes is criminally liable” (Sarson and MacDonald 2009a, p. 29);
- b) Non-State torture needs to be recognized as a “means” human traffickers inflict against women and girls of many ages; traffickers including family based operators must be held criminally responsible for torturing if impunity is to be addressed;
- c) States parties that have not ratified the CAT do so to promote civil society, legal, and protection service awareness about the prohibition of torture, regardless of whether the torturer is a non-State or State actor (Committee against Torture 2008);
- d) When non-State torture is named and criminalized women and girls would be able to invoke in court that they have suffered non-State torture and truth-tell in their Victim Impact Statements;
- e) Correctly naming non-State torture to facilitate truth-telling are economical healing interventions that promote social justice and assist rehabilitation.

8.2. NGOs, shadow reports, and the United Nations Committee against Torture.

We encourage Non Governmental Organizations (NGOs) to submit shadow reports to the United Nations Committee against Torture detailing acts of non-State torture perpetrated in the private or domestic sphere. This intervention provides support to girls and women so victimized, it sends the message they are heard, it promotes their sense of social inclusion, and that they matter because they are *normal* persons with human rights equality not to be subjected to non-State torture. Wanting to be normal is one statement we repeatedly hear. We share, in Figure 4, a painting by Alex, titled *Looking Normal*. It tells of her wanting to feel and be considered a normal person, that the non-State torture she suffered in childhood ought to not dismiss her normalness. NGO shadow reports detailing non-State torture victimization also promote global awareness that it is a human right of everyone—including women and girls—not to be subjected to torture at any time, in any place, regardless of who the torturer is—non-State or State.

FIGURE 4



Figure 4. "Looking normal".

8.3. Criminalizing the demand for sexualized exploitation

The previously discussed UNODC documents, *Global Report on Trafficking in Persons* (UNDOC 2014) and the *Issue Paper* (Gallagher *et al.* 2013) repeatedly connected organized human trafficking and the production of pornography to a demand for sexualized exploitation or prostitution inflicted predominately against the girl child and women. Patriarchal societal support for the subordination of women and girls for sexualized exploitation fuels family based operators to exploit their girl child into sexualized *prostituted* victimization. Subordination otherises and objectifies women and girls consequently normalising being trafficked to strangers, but also to an inner circle of a known like-minded non-State torture group or ring with intergenerational connections and a demand for sadistic torturing of a girl child the family based operators conditioned to withstand. As Sara explained, "I was trained for torturing". Evaluation of the Swedish legal model that prohibits the buying or renting of persons—women or girls—for sexualized exploitation purposes suggests this deters the activities of human traffickers (G.S. Ekberg, personal communication). We assume that such a model could also be a deterring factor for non-State torture human trafficking family based operators.

8.4. Human rights education for school students

The women acknowledged in this article were at one time students. Maybe when discussing human rights equality in class they would have understood they were being tortured, trafficked, and prostituted. Sara may have understood she was being trafficked when walking home from school having been told to get into a car of any person who mentioned the code word she was given before leaving home for school. The United Nations Declaration on Human Rights Education and Training (UN Human Rights Council 2011) is listed in the compilation of international universal human rights instruments under promotion and protection (Office of the United Nations High Commissioner for Human Rights n.d.-b). This Declaration provides a global universal educational guideline for all children. It promotes the Universal Declaration of Human Rights which is the most translated document in the world (Office of the High Commissioner of Human Rights n.d.-a). However, when any country such as Canada does not have law that specifically names non-State torture as a crime that can be inflicted by non-State actors the human right core principles of universality, interdependence, indivisibility, equality, non-discrimination that promotes human dignity and justice for all are not upheld. The

articles of the Declaration do not operationalize as defined in Articles 5, 2, and 7 of the United Nations Universal Declaration of Human Rights (UN General Assembly 1948) which we repeat state that:

No one shall be subjected to torture (Article 5) (...) [and] everyone is entitled to all the rights and freedoms, set forth in this Declaration, without distinction of any kind (Article 2) (...), and all are equal before the law and are entitled without any discrimination to equal protection of the law (Article 7)

We close, having presented insights into the reality of non-State torture and exploitative human trafficking of the girl child within the context of a family based typology. It is time that the girl child so victimized is no longer invisible. We have shared the voices of women speaking of their girlhoods, voicing their her-stories in this paper—it is overdue for the world she lives in to respond to provide her with inclusive legal and human right equality.

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