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FEMALE GENITAL MUTILATION
A human rights issue

“FGM is an issue that concerns women and men who believe in equality, dignity and fairness to all human beings, regardless of gender, race, religion or ethnic identity. It must not be seen as the problem of any one group or culture, whether African, Muslim or Christian. FGM is practiced by many cultures. It represents a human tragedy and must not be used to set Africans against non-Africans, one religious group against the other, or even women against men.”

Nahid Toubia, A Call for Global Action

At a seminar organized by Amnesty International Ghana in early 1996, Hannah Koroma, Women’s Officer for Amnesty International’s members in Sierra Leone, recounted her traumatic experience at the age of 10:

“I was taken to a very dark room and undressed. I was blindfolded and stripped naked... I was forced to lie flat on my back by four strong women, two holding tight to each leg. Another woman sat on my chest to prevent my upper body from moving. A piece of cloth was forced in my mouth to stop me screaming. I was then shaved. When [it] began, I put up a big fight. The pain was terrible and unbearable. During this fight I was badly cut and lost blood. All those who took part... were half drunk with alcohol.”

This is not a testimony about torture in custody. Hannah’s assailants were not members of the country’s warring factions. They were friends of her family. She is describing how she was taken by her grandmother to be genitally mutilated with a blunt penknife.

Every day, thousands of girls are targeted for mutilation. Like torture, female genital mutilation (FGM) involves the deliberate infliction of severe pain and suffering. Its effects can be life-threatening. Most survivors have to cope with the physical and mental scars for the rest of their lives.

This violence has been inflicted systematically on millions of women and girls for centuries. Governments in the countries concerned have done little or nothing effective to prevent the practice.

But while the prohibition of torture has been enshrined in international law since shortly after the Second World War, FGM has only recently found a place on the international human rights agenda.

Several factors prevented it from being seen as a human rights issue for many years. FGM is encouraged by parents and family members, who believe it will have beneficial consequences for the child in later life. Violence against women and girls in the home or in the community was seen as a “private” issue; the fact that perpetrators were private actors rather than state officials precluded FGM from being seen as a legitimate human rights concern. An additional barrier was the fact that FGM is rooted in cultural tradition. Outside intervention in the name of universal human rights risked being perceived as cultural imperialism.

Today, however, the human rights implications of FGM are clearly and unequivocally recognized at an international level. The 1993 UN World Conference on Human Rights in Vienna was a milestone in this respect. The Vienna Declaration and Programme of Action sounded a historic

call for the elimination of all forms of violence against women to be seen as a human rights obligation:

“In particular, the World Conference stresses the importance of working towards the elimination of violence against women in public and private life... and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices.”

The Universal Declaration of Human Rights and a host of international standards that flow from it, underscore the obligation of states to respect and ensure respect for basic human rights, such as the right to physical and mental security, freedom from discrimination on the basis of gender, and the right to health. Governmental failure to take appropriate action to ensure the eradication of FGM violates these obligations.

Moreover, a number of more recent international standards, including widely ratified treaties, contain explicit prohibitions of FGM. The issue has been on the agenda of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities since the early 1980s. FGM was recognized as a form of violence against women in the UN Declaration on the Elimination of Violence against Women and in the UN Beijing Declaration and Platform for Action. A range of UN specialized agencies have more recently developed policies and programs on FGM (see FGM and International Standards and FGM: UN initiatives).

Many non-government actors have also adopted a human rights framework for their approach to eradication.

The implications of framing FGM as a human rights issue

A human rights perspective sets FGM in a broader continuum of violence against women which occurs in all societies in different forms. FGM is just one manifestation of gender-based human rights violations which aim to control women’s sexuality and autonomy, and which are common to all cultures. Though striking because of its severity and scale, FGM cannot be viewed in isolation. Recognizing that FGM is one of many forms of social injustice which women suffer worldwide is key to overcoming the perception that international interventions on FGM are neo-imperialist attacks on particular cultures.

A human rights perspective also sets FGM in the context of women’s social and economic powerlessness. Recognizing that civil, political, social, economic and cultural rights are indivisible and interdependent is a crucial starting point for addressing the whole range of underlying factors behind the perpetuation of FGM.

A human rights perspective affirms that the rights of women and girls to physical and mental integrity, to freedom from discrimination and to the highest standard of health are universal. Cultural claims cannot be invoked to justify their violation.

A human rights perspective requires governments, local authorities and others in positions of power and influence to honour their obligations — established under international law — to prevent, investigate and punish violence against women.

A human rights perspective also obliges the international community to assume its share of responsibility for the protection of the human rights of women and girls. The fact that FGM is a

cultural tradition should not deter the international community from asserting that it violates universally recognized rights.

“It is unacceptable that the international community remain passive in the name of a distorted vision of multiculturalism. Human behaviours and cultural values, however senseless or destructive they may appear from the personal and cultural standpoint of others, have meaning and fulfil a function for those who practise them. However, culture is not static but it is in constant flux, adapting and reforming. People will change their behaviour when they understand the hazards and indignity of harmful practices and when they realize that it is possible to give up harmful practices without giving up meaningful aspects of their culture.”

Joint statement by the World Health Organization,
UN Children’s Fund (UNICEF) and UN Population Fund, February 1996.