**Statement submitted by the Working Group on Girls (WGG) in response to the call for research to influence the OHCHR Report of Good Practices and Major Challenges in Preventing and Eliminating Female Genital Mutilation**

**December 4, 2014[[1]](#footnote-1)**

INTRODUCTION

Although human rights pertain equally to males and females, the jeopardy associated with being both young and female consigns millions of girls to the periphery of society where their human rights are routinely disregarded, their safety is denied, they remain powerless, invisible and neglected, and are at a disadvantage relative to their male peers. Research indicates that many girls begin life from a point of disadvantage, which lingers throughout their lifespan, although inequalities in access to opportunities, resources and services, including education, health and protection are significantly greater as they approach adolescence. As noted by Mary Robinson, Former President of Ireland and Former UN High Commissioner for Human Rights:

*“When our societies generate immeasurably more wealth than at any previous period, it is unacceptable that so many human beings continue to live in miserable circumstances – economically marginalized, unable to secure their own or their families’ basic needs, and living under the recurrent threat of violence and conflict. This is particularly true for women and girls.”*

The particular vulnerabilities of girls are exacerbated in many settings around the world because widespread cultural and traditional practices expose them to intense and sometimes deadly acts of violence causing dangerous health and mental health consequences. All too often, these discriminatory and inhumane harmful practices are tolerated and explained away by cultural stereotypes and used to perpetuate the ongoing oppression of girls and women. The problem with such a relativistic approach to maltreatment – one that views abuse as being socially and culturally determined – is that it takes attention away from gender-based violence, fails to protect girls from harm, denies the universality of human rights, and disregards the basic human right to a life free of violence.

Although FGM might be customary in some societies, it is not required by any religion in the world making it a vital human rights and public health issue. In most cases, FGM is performed on girls between the ages of 4 and 12, although in some places it is carried out on young women or babies. It happens across much of Africa, primarily in 28 African states, as well as in some countries in the Middle East, parts of Asia and in regions with large numbers of immigrants such as North America, Australia, and Europe. At the Girl Summit held in the United Kingdom on July 22, 2014, UNICEF reported that over 130 million girls and women are victims of FGM. UNICEF further noted that the number of girls subjected to FGM will continue to increase through 2050 as a result of dramatic population growths in areas where this harmful practice still prevails, including the Middle East and Sub-Saharan Africa.[[2]](#footnote-2) After presenting newly released data, UNICEF Executive Director Anthony Lake reminded participants that *“Girls are not property; they have the right to determine their destiny. When they do so, everyone benefits.”*

FGM poses severe risk to the physical and psychological health of girls, constitutes a major violation of their human rights, and is a major threat to the attainment of the MDGs. The immediate and long-term health effects include infection, tetanus, bleeding, tearing during child delivery, keloid formation and adverse obstetric and prenatal outcomes. Research indicates that women who have had genital mutilation have higher levels of chronic infections, severe pain, ulceration, and death due to excess bleeding and infection, including septic shock, as well as longer-term complications such as menstrual and urinary difficulties. The risk of HIV infection also exists, especially when the same instrument is used to cut several girls at the same time; in some cases, traditional doctors do not have health training, there is no use of anesthesia, and instruments are not sterilized. Finally, research has identified benefits associated with clitoral reconstructive surgery. Although mental health consequences of FGM have been less broadly examined, empirical research suggests that FGM is likely to cause a range of emotional disturbances, forging the way to psychiatric disorders, especially post-traumatic stress disorder (PTSD). Research has identified higher rates of PTSD among girls who had been cut, as well as higher rates of other psychiatric symptoms and feelings of helplessness, horror, intense fear and severe pain.

Finally the voices of those girls and women most harmed by a cruel and harmful practice have been heard, and the last fifteen years have seen an unprecedented mobilization and commitment to end the practice of FGM. At the international level, the commitment of the states to end harmful practices including FGM is reflected in various instruments including the Universal Declaration of Human Rights, and CEDAW. These commitments were reiterated in the plans of action derived from the International Conference on Population and Development held in Cairo, and the Special Session on Children held in New York in May 2002. At the interregional level and regional levels, the Inter African Committee, based in Addis Ababa, Ethiopia, has waged a long war against harmful traditional practices. Its role was to ensure that the practice of FGM is included as a violation of Human Rights in Africa Regional Protocols. Hence in the African Charter on the Rights and Welfare of the Child and the Protocol on the Rights of Women in Africa, also called the Maputo Protocol, the African States further committed to take all appropriate measures to eliminate harmful social and cultural practices. At the first Islamic Conference on the Child organized by the Organization of the Islamic Cooperation that was held in Rabat, Morocco in November 2005, leaders called for all Member States to take the necessary measures to eliminate all forms of discrimination against girls and all harmful traditional or customary practices.

DISCUSSION

As the world celebrates the 25th anniversary of the United Nations Convention on the Rights of the Child in 2014, and prepares to celebrate the 20th anniversary of the Beijing Declaration and Platform of Action in 2015, the WGG is reviewing the progress in implementing the promises that were made and reflecting on further action. In observance of these important anniversaries, we urge a renewed commitment toward the elimination of all forms of discrimination, violence, and harmful practices affecting the girl child.

Effective elimination of FGM will require a shift in thinking towards gender equality and the elimination of all forms of violence against women and girls. The international human rights-based approach establishes the primacy of girls’ rights to live their lives free of discrimination and violence and provides that Member States may not involve notions of custom, religion, or tradition to condone or justify any act of violence, including harmful and traditional practices. It is a *“person-centered”* framework that places children at the center of all efforts to ensure human rights and stipulates that the best interests of the child must be a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislation. Ensuring human rights and gender equality will require a more informed analysis of the root causes of discrimination and violence against girls, particularly their equity dimensions, deeply-rooted patriarchal attitudes, and the notion of male superiority combined with the perception that women and girls are vulnerable and weak. Such an approach will also require legal and institutional reform as well as enhanced efforts to ensure that those who come into contact with children embrace human rights principles in their work. The following recommendations highlight the importance of working with policy-makers at the national and local levels so that they may partner with communities to safeguard the girl child, take immediate action to curtail harmful practices and support the well-being of affected girls.

RECOMMENDATIONS

Criminalize Offenses and Close Gaps in Law Enforcement:

Member States that have not yet established FGM as a criminal offense must be encouraged to take immediate action to close gaps in law enforcement, ensure that laws are effectively implemented, and implement educational measures aimed at changing behavior patterns. In Kenya, for example, strong laws and aggressive prosecution have significantly reduced the prevalence of FGM, from more than 50% of girls in 1980 to 20% in 2010, with complete elimination of the practice possible in Kenya before 2030 (UNICEF, 2014). In Egypt’s first female genital mutilation trial, on the other hand, the doctor and father of a 12-year old girl who died during the alleged procedure were both recently acquitted of her manslaughter – despite that fact that FGM was made illegal in 2008. This sets a very dangerous precedent in a country where 91% of girls and women between the ages of 15 and 49 have been subjected to FGM.

Prevent Abuse Through Social Protection:

Since vulnerability is imbedded not only in gender inequalities but also in social inequalities based on race, class, ethnicity, age and other factors, the marginalization that makes girls vulnerable must be addressed through policies and laws that reflect a commitment to equality and human rights. Ensuring girls’ access to adequate health care, equal opportunities in education, and protection from violence and abuse, including harmful traditional or cultural practices, is the most effective way to ensure that girls achieve their physical, emotional and social potential and go on to become empowered women.

Raise Awareness and Promote Community Involvement:

Raising awareness of equality issues must occur if societies are to learn to view girls as equal human beings instead of as a burden. Policy makers and community members must be educated and engaged to implement public awareness campaigns designed to accelerate social change, eradicate stereotypes that stand in the way of full partnership at home, as well as in the public sphere, promote human rights, eradicate harmful cultural practices, and ensure positive attitudes and behaviors to overcome gender inequality.

Create Safe Spaces for Girls:

In order to address harmful cultural practices, safe spaces must be created in schools and communities where girls and young women can gather and discuss the issues that affect them. Successful practices that foster community participation provide opportunities for girls to have a say in matters that affect their lives and thus result in empowerment.

Provide Resources and Funding for Gender Equality and Empowerment of Girls:

Adequate resources must be provided to support local initiatives designed to strengthen and expand consensus around the concept of the equal value of girls and boys, including the intersection between discrimination and violence against the girl child and harmful practices.

Reinforce Partnership and Collaboration in Order to Prevail Against this Practice:

It is believed that it is possible to bring about the abandonment of harmful practices, including FGM, within one generation, however no one government, no one UN Agency or Non Governmental organization or one community can address this challenge single handedly, we have to do it together. There is a role for everyone to play.

Collect, Analyze and Disseminate Data on Girls:

Institutionalizing the gathering of data (disaggregated by sex, age, socioeconomic status, race and ethnicity) in critical areas inter alia health, education, labor and protection will facilitate an inclusive gender perspective for the planning, implementation and monitoring of government programs and for benchmarking across nations and communities. Such data are crucial in order to identify and evaluate effective strategies for addressing harmful practices, to provide a sound evidence base for carefully planned and coordinated policy development and action and to document lessons learned.

Identify and Share Best Practices:

States parties, in collaboration with others, should identify, share, and promote effective policies and practices where gender sensitive and human rights-based approaches are used to challenge gender-based violence and harmful practices. Identified strategies include enhanced economic opportunities; incentives to share property with wives, daughters, and sisters; education; the promotion of awareness of adverse outcomes through the use of mass education campaigns, including using the media; using social media and discussion forums to encourage boys and men to share information and take action; enforceable legislation; human-rights education; and effective networks of grassroots organizations. The exemplary grass-roots initiatives by local women working to hasten the abandonment process must also be shared (e.g., in Senegal, Ghana, Egypt, and other countries). In one noteworthy example in Western Africa, for example, Tostan focuses on educating communities about democracy and human rights to enhance awareness of the dangers associated with FGM and other issues and to reach a consensus themselves about how they can take steps to abandon it; they identified the involvement of male community leaders and imams as being instrumental in creating change. These examples underscore innovative approaches to draw in community groups to change harmful gender norms, and share the positive roles of all community members in ending the pandemic and fostering communities in which harmful practices are no longer accepted and girls are supported to live productive lives.

Recognize Education is a Human Rights Imperative: Keep Girls in School.

Effective approaches to achieve gender equality must promote the competence and resilience of girls and include their social, political and economic empowerment through education programs and job training to prepare them for their critical roles within their families and communities. Higher levels of education have also been liked with greater opposition to FGM. Effective strategies include (a) ensuring that schooling is affordable by reducing costs and making scholarships available, that there are sufficient secondary schools close to where girls live, and that schools are safe and girl-friendly, (b) reforming curriculum and teacher training to ensure that the content, equality, and relevance of education address gender-based social and cultural norms that perpetuate inequality, discrimination, and violence against girls, and (c) rejecting the reinforcement of gender stereotypes by streaming girl and boy students to different subjects.

Promote the Participation, Visibility, and Empowerment of Girls:

Strategies must be developed to empower girls to deal with violence, raise their voices, increase their self-esteem, advocate for their human rights and embrace their culture. Active engagement with girls and respect for their views in all aspects of prevention, response and monitoring of sexual violence against them is vital, taking into account article 12 of the Rights of the Child. The skills, ideas and energy of all girls, especially those from disadvantaged groups, are vital for the full attainment of gender equality. Opportunities must be developed so that they are able to participate in decisions regarding their education, recreation, and in how to change decision-making within the family. Effective empowerment will also require that they are provided with the necessary services to improve their security, including improved access to information, the services that they need, including access to formal and non-formal education, training in various life skills, and health and mental health care.

*“The numbers tell us we must accelerate our efforts. And let’s not forget that these numbers represent real lives. While these are problems of a global scale, the solutions must be local, driven by communities, families and girls themselves to change mindsets and break the cycles that perpetuate FGM/C and child marriage” “We can’t let the staggering numbers numb us – they must compel us to act.” (Anthony Lake, Girl Summit, 2014)*

1. The information contained in this statement was previously published in two research articles written by Yvonne Rafferty, Ph.D. (Pace University, New York and a member of the WGG - representing the Society for the Psychological Study of Social Issues-SPSSI) with additional information provided by Rima Salah, Ph.D., Former Deputy Executive Director of UNICEF, Faculty at the Yale Child Study Center, Yale School of Medicine, Yale University.

   (1) Rafferty, Y. (2013). International dimensions of discrimination and violence against girls: A human rights perspective. *Journal of International Women’s Studies, 14*(1), 1 – 23.

   *(2)* Rafferty, Y. (2013). Gender as an obstacle to good health: Health related human rights violations and the girl child. *International Psychology Bulletin, 17*(1), 15 - 24.

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   (3). Salah, R. (2007). Paper presented on the occasion of the launch of the Arabic Version of the UN Secretary General Study on Violence Against Children*, "Towards the Abandonment and Elimination of Female Genital Mutilation in a Single Generation."* [↑](#footnote-ref-1)
2. UNICEF (2014). Stronger Measures Needed to Combat Harmful Practices Against Girls. http://www.unicef.org/media/media\_74524.html [↑](#footnote-ref-2)