

Female Genital Mutilation and Other Harmful Practices

Government Duties to Protect the Rights of Women and Girls

Women and girls in countries around the world are forced to undergo practices that, while condoned by their families and communities, violate their basic human rights. These practices, which include female genital mutilation (FGM), inflict physical harm while carrying a strong message of women's inferiority to men. The last three decades have seen increasing recognition that governments are required to take action to end practices that violate the rights of women and girls. International law binds governments not only to enact laws that prohibit these practices, but also to work to change the beliefs and values that perpetuate them.

This briefing paper takes an in-depth look at the standards developed by six United Nations (UN) "treaty monitoring bodies," or committees, in the areas of female genital mutilation (FGM) and other harmful practices. Following a brief overview of the origin and work of the committees, the briefing paper reviews standards each body has adopted as it has monitored governments' compliance with their duties under international human rights law. The committees have made it clear that governments are bound to protect women's health and lives by working to end FGM and other harmful practices.

Background

Treaty Monitoring Bodies and their Role in Developing International Law

The UN treaty monitoring system was created to ensure governments' compliance with their treaty obligations.¹ Each of the major international human rights treaties provides for the establishment of a committee whose primary mandate is to monitor governmental progress in implementing the treaty. Monitoring is achieved primarily through a "country reporting" process, which requires states to report periodically on their efforts to respect, protect, and fulfill the human rights enshrined in a particular treaty.² Following in-person dialogues with government representatives, committee members issue concluding observations to the reporting government. Every year, these observations are compiled in a report and sent to the General Assembly of the UN.³

In addition to the concluding observations, committees have the authority to issue "general comments" or "general recommendations." These documents elaborate on a treaty's broadly worded human rights guarantees in order to guide government efforts to implement the treaty, providing a working interpretation of the rights in each of the major treaties.⁴ Some committees also have a mandate to examine individual complaints of human rights violations, in which cases they issue written decisions.⁵

Key Human Rights Treaties and their Monitoring Committees	
HUMAN RIGHTS TREATY	COMMITTEE
Convention on the Elimination of All Forms of Discrimination against Women (<i>CEDAW</i>)	Committee on the Elimination of Discrimination against Women (<i>CEDAW Committee</i>)
Convention on the Rights of the Child (<i>Children's Rights Convention</i>)	Committee on the Rights of the Child (<i>CRC</i>)
International Covenant on Civil and Political Rights (<i>Civil and Political Rights Covenant</i>)	Human Rights Committee (<i>HRC</i>)
International Covenant on Economic, Social and Cultural Rights (<i>Economic, Social and Cultural Rights Covenant</i>)	Committee on Economic, Social and Cultural Rights (<i>CESCR</i>)
International Convention on the Elimination of All Forms of Racial Discrimination (<i>Convention against Racial Discrimination</i>)	Committee on the Elimination of Racial Discrimination (<i>CERD</i>)
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (<i>Convention against Torture</i>)	Committee against Torture (<i>CAT</i>)

Taken together, the concluding observations, general comments, and case decisions of the committees guide governments and advocates in further promoting human rights. They are also a crucial tool for holding governments accountable under international human rights law. The standards elaborated upon by the committees, summarized in this briefing paper, can and should be used to measure government compliance with human rights treaty obligations. Materials cited in this paper can be used to support legal challenges in national, regional, and international human rights institutions. They can also be used to hold governments politically accountable in campaigns aimed at stopping FGM and other harmful practices.

What follows is a discussion of the statements relating to FGM made between January 1993 and June 2008 by six committees: the Committee on the Elimination of Discrimination against Women (CEDAW Committee); the Committee on the Rights of the Child; the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of Racial Discrimination; and the Committee against Torture.⁶

1.

RELEVANT PROVISIONS OF CEDAW

Article 5 *requires states parties to take all appropriate measures to eliminate social and cultural patterns and practices that perpetuate notions of women's inferiority.*

Article 12 *protects women's right to health and requires states parties to eliminate discrimination against women in the area of health care, including reproductive health care such as family planning services.*

Committee on the Elimination of Discrimination against Women

General Recommendations

General Recommendation 14: Female Circumcision⁷

The CEDAW Committee is the only treaty monitoring body to adopt a general recommendation solely addressing FGM. In General Recommendation 14, the Committee recognizes the cultural, traditional, and economic factors that perpetuate the practice of FGM. It also identifies the health-related consequences and makes recommendations to states parties regarding ways to eliminate the practice. These recommendations are aimed at addressing the health-related aspects of FGM and changing cultural attitudes toward FGM through educational programs. The recommendations do not include the need for specific legislative measures to prohibit FGM.

General Recommendation 19: Violence against Women⁸

FGM is also specifically mentioned in General Recommendation 19. The CEDAW Committee equates the practice with violence against women and characterizes it as a threat to women's rights to life and physical integrity. It is particularly significant that this recommendation underscores states parties' responsibility for violence against women, whether committed by private or state actors.⁹

General Recommendation 24: Women and Health¹⁰

In its General Recommendation 24, the CEDAW Committee emphasizes states parties' obligation to take steps to eliminate FGM. The Committee specifically recommends the "enactment and effective enforcement of laws that prohibit female genital mutilation,"¹¹ marking a progressive change in the Committee's approach to FGM, which previously focused mainly on education and outreach. Whereas in the earlier recommendation, the Committee used the term "female circumcision," the Committee adopted the stronger term "female genital mutilation" in the more recent General Recommendation 24.

Concluding Observations

Female Genital Mutilation

The CEDAW Committee has expressed deep concern over FGM in numerous sets of concluding observations;¹² it has explicitly identified the practice as discriminatory against women.¹³

Since adopting General Recommendation 14 in 1990, the Committee's concluding observations to states parties have exhibited a progressively more comprehensive treatment of the issue of FGM. For example, while General Recommendation 14 does not specifically call for legislative measures, the Committee has recommended enacting legislation criminalizing FGM¹⁴ and praised states parties that have adopted such legislation.¹⁵ The Committee has also expressed concern about the effectiveness of punitive legislation¹⁶ and about the persistence of the practice in spite of legislation prohibiting it.¹⁷

Acknowledging the role that custom and religion play in the perpetuation of FGM,¹⁸ the Committee has placed legislative measures in the broader context of states' obligations to implement strategies to change individual behavior and social norms through education and outreach.¹⁹ The Committee has also requested statistical data from states parties to document the impact of FGM on women and girls.²⁰ Further, the Committee has called for education²¹ and awareness-raising campaigns,²² with the aim of eliminating the practice. It has expressed concern over the medicalization of the practice.²³

In enlisting the aid of individuals and organizations at the national and international levels, the Committee promotes a holistic approach to altering the underlying belief systems that promote FGM. The Committee has also recognized the importance of enabling practitioners of FGM to earn their livelihoods through alternative means.²⁴ The Committee has not yet, however, explored the use of noncriminal legal mechanisms, such as civil suits or child-protection procedures for minors, as a way of stopping the practice.²⁵

Other Harmful Practices

The CEDAW Committee has denounced other harmful practices in its concluding observations, such as female infanticide;²⁶ son preference;²⁷ witch hunts;²⁸ trokosi (enslavement of young girls to a fetish shrine for offenses allegedly committed by a relative);²⁹ food taboos;³⁰ forced pregnancy;³¹ honor killings;³² dowry;³³ child³⁴ or early marriage;³⁵ forced marriage;³⁶ polygamy;³⁷ marital rape;³⁸ denial of ownership or inheritance;³⁹ levirat (the practice of a husband inheriting his brother's widow as wife),⁴⁰ sororat (the practice of a husband inheriting his deceased wife's sister as wife),⁴¹ and other widowhood practices;⁴² ritual bondage and repudiation;⁴³ sati (the practice of widows voluntarily committing suicide); devadasi⁴⁴ and deuki (dedicating girls to a deity and forcing them into ritualized prostitution); jhuma (compelling second sisters to remain unmarried and spend their lives in a monastery); kumari pratha (naming a girl child as a living goddess); and badi (practice of prostitution among young girls).⁴⁵ The Committee has recommended that states parties take steps to abolish such practices, including launching public awareness campaigns;⁴⁶ adopting measures to ensure adequate legal recourse;⁴⁷ enforcing criminal laws;⁴⁸ giving formal law supremacy over customary law;⁴⁹ training the judiciary and law enforcement;⁵⁰ and collaborating with civil society organizations, women's non-governmental organizations (NGOs), and community leaders.⁵¹

2.

Committee on the Rights of the Child

General Comments

General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child⁵²

In its General Comment 4, the Committee on the Rights of the Child notes the duty of states parties to fulfill their obligation to protect adolescents from all harmful traditional practices, such as early marriages, honor killings, and FGM, in the broader context of states parties' obligations with respect to the life, health and development of adolescents.⁵³

General Comment 7: Implementing Child Rights in Early Childhood⁵⁴

In its General Comment 7, the Committee on the Rights of the Child frames the issue of FGM and other harmful traditional practices in the context of discrimination. The Committee notes that sex selective abortion, FGM, neglect, and infanticide constitute discrimination against girl children and are serious violations of rights.⁵⁵

RELEVANT PROVISIONS OF THE CHILDREN'S RIGHTS CONVENTION

Article 19 *requires states parties to protect children from all forms of abuse.*

Article 24 *guarantees children's right to the highest attainable standard of health and places responsibility on states parties to ensure proper health care for mothers, children, and families.*

**RELEVANT PROVISIONS
OF THE CHILDREN'S
RIGHTS CONVENTION**

Article 24(3) *requires states parties to take measures to abolish traditional practices that are harmful to children's health.*

Concluding Observations

Female Genital Mutilation

The Children's Rights Convention is the only international human rights treaty that calls for the elimination of harmful traditional practices⁵⁶ and is therefore an ideal tool to combat the practice of FGM. The Committee on the Rights of the Child has addressed the issue of FGM in numerous sets of concluding observations and demonstrated a broad awareness of the effect of FGM on the health, well-being, development, and survival of children.⁵⁷ The Committee, however, has less frequently framed the practice in explicit terms of gender discrimination.⁵⁸ Although there is evidence that the Committee considers FGM to be a form of gender-based violence, it does not expressly discuss the practice in this context in its concluding observations to states parties.

In the context of FGM, the Committee's general concern with the health and welfare of girl children has resulted in recommendations to states parties related to legislation.⁵⁹ The Committee has commended states for passing legislation banning FGM,⁶⁰ has expressed deep concern where a legal prohibition of FGM is lacking, and has urged states parties to implement specific legislative measures prohibiting FGM.⁶¹ The Committee has also expressed concern that in some industrialized countries, FGM is being practiced by immigrant communities⁶² as well as on residents abroad.⁶³ The Committee has called upon at least one state party to consider making punishable by law the acts of those involved in having FGM performed outside the country.⁶⁴ Along similar lines, the Committee has called upon another state party to extend financial and technical assistance to immigrants' countries of origin that have active programs designed to eliminate FGM.⁶⁵

The Committee has recognized that much more than legal measures are needed to ultimately eliminate harmful practices such as FGM. It has called for public awareness⁶⁶ and sensitization programs,⁶⁷ thus recognizing the need to change not just individual behavior, but also societal norms. It has made recommendations calling for the involvement of religious and community leaders⁶⁸ and for sensitization programs for practitioners.⁶⁹ It has also called upon states parties to encourage children to report the practice to health professionals and competent authorities,⁷⁰ and it has recommended that another state party establish support services to protect girls who refuse to undergo FGM and to rehabilitate girl victims of the practice.⁷¹

In the context of FGM, the Committee has recommended that states parties seeking to eliminate FGM take advantage of the efforts of other states in the region,⁷² collaborate with neighboring states,⁷³ work with NGOs⁷⁴ and UN agencies,⁷⁵ and undertake studies on the nature and extent of the practice.⁷⁶ In one instance, the Committee recommended that a state party ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁷⁷ The Committee has commended states for creating national committees,⁷⁸ adopting national strategies,⁷⁹ and collaborating with civil society⁸⁰ to stop the practice.

The Committee has identified the links between FGM and economic, social, and cultural rights. In various concluding observations, the Committee has acknowledged that economic factors have contributed to the problem of FGM and has recommended that states parties train FGM practitioners to develop alternative sources of income.⁸¹

Other Harmful Practices

The Committee on the Rights of the Child has issued a host of concluding observations condemning various harmful practices. For example, the Committee has expressed concern regarding the practice of trokosi⁸² and traditions such as the deuki, kumari, jhuma, badi, kamlari (selling girls into indentured servitude), and chaupadi (isolating women and girls during their periods and immediately after childbirth).⁸³ The Committee has also denounced certain child betrothal and widowhood practices;⁸⁴ dowry practices⁸⁵ and dowry-related violence;⁸⁶ female infanticide;⁸⁷ son preference; ritual prostitution;⁸⁸ crimes of honor;⁸⁹ uvulectomy;⁹⁰ milk-teeth extraction;⁹¹ virginity testing;⁹² food taboos;⁹³ forced feeding;⁹⁴ scarification;⁹⁵ early marriages;⁹⁶ and forced marriages.⁹⁷

3.

RELEVANT PROVISIONS OF THE CIVIL AND POLITICAL RIGHTS COVENANT

Article 6 *recognizes every person's right to life.*

Article 7 *denounces torture and cruel, inhuman, or degrading treatment.*

Human Rights Committee

General Comments

General Comment 28: Equality of Rights between Men and Women⁹⁸

In its General Comment 28, the Human Rights Committee touches on FGM in the context of domestic and sexual violence against women and girls. It frames FGM as a violation of Article 7 of the Civil and Political Rights Covenant,⁹⁹ the right to be free from torture and other cruel, inhuman, or degrading treatment, stating that “[i]n states parties where the practice of genital mutilation exists, information on its extent and on measures to eliminate it should be provided.”¹⁰⁰ Although the practice of FGM may cause death in some cases, the general comment does not discuss it as a violation of the right to life.¹⁰¹

Concluding Observations

Female Genital Mutilation

The Human Rights Committee has discussed the issue of FGM in several sets of concluding observations.¹⁰² In contrast to General Comment 28, these concluding observations have framed the issue of FGM as both a violation of Article 6, the right to life,¹⁰³ and Article 7, the right to be free from cruel, inhuman, or degrading treatment.¹⁰⁴ The Committee has also equated FGM with discrimination against women under Article 3¹⁰⁵ and with discrimination against girls under Article 24 of the Civil and

Political Rights Covenant.¹⁰⁶ The Committee has also discussed the need to eliminate social attitudes toward women that interfere with the exercise of their rights, in the context of FGM.¹⁰⁷

In several instances, the Committee has recommended that states parties implement educational and awareness programs surrounding FGM,¹⁰⁸ enact legislation to eliminate the practice,¹⁰⁹ ensure that offenders are prosecuted,¹¹⁰ and promote a human rights culture within immigrant communities.¹¹¹ The Committee has commended legislation by states parties prohibiting FGM,¹¹² although it has expressed regret where FGM, even in its most serious forms, still persists in spite of such legislation.¹¹³ It has encouraged radio and television broadcasts of messages aimed at combating FGM.¹¹⁴ The Committee has also expressed its concern that a well-founded fear of genital mutilation or other harmful practices does not always result in favorable asylum decisions.¹¹⁵

Other Harmful Practices

The Human Rights Committee has expressed concern about other harmful practices, including sati; sex selective abortion and female infanticide;¹¹⁶ dowry and bride price;¹¹⁷ polygamy;¹¹⁸ marital rape;¹¹⁹ guardianship of unmarried women;¹²⁰ widowhood practices;¹²¹ debt bondage;¹²² the practices of kuzvarita (pledging of girls for economic gain) and kuripa ngozi (appeasement of the spirits of a murdered person);¹²³ and honor crimes.¹²⁴

4.

Committee on Economic, Social and Cultural Rights

General Comments

General Comment 14: The Right to the Highest Attainable Standard of Health¹²⁵

General Comment 14 is potentially an important tool to combat the practice of FGM. The Committee on Economic, Social and Cultural Rights expressly calls for “appropriate measures to abolish harmful traditional practices affecting the health of children, particularly girls, including child marriage, female genital mutilation, and preferential feeding and care of male children.”¹²⁶ The general comment also discusses the need to “shield women from the impact of harmful traditional cultural practices and norms that deny them their full reproductive rights.”¹²⁷

General Comment 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights¹²⁸

The Committee on Economic, Social and Cultural Rights, in referring to states’ duties to ensure men and women equal enjoyment of the right to health (under Article 12) declares that states must, at a minimum, remove “legal and other obstacles that prevent men and women from accessing and

RELEVANT PROVISIONS OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS COVENANT

Article 3 *protects the equal right of men and women to the enjoyment of all economic, social, and cultural rights.*

Article 12 *recognizes the right of everyone to the highest standard of physical and mental health.*

RELEVANT PROVISIONS OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS COVENANT

Article 12(2)(a) *requires states parties to provide for the healthy development of the child.*

benefiting from health care on a basis of equality. This includes...the prohibition of female genital mutilation..."¹²⁹

Concluding Observations

Female Genital Mutilation

The Committee on Economic, Social and Cultural Rights has commented on FGM on several occasions¹³⁰ and clearly recognizes the health-related dangers¹³¹ and discriminatory aspects of the practice.¹³² The Committee has recommended general measures to combat FGM as well as educational and awareness-raising measures,¹³⁴ legislation,¹³⁵ mechanisms to protect women, training for law enforcement and the judiciary,¹³⁶ and educational programs and financial support for practitioners who cease the practice.¹³⁷ The Committee has also commended efforts to criminalize FGM¹³⁸ and expressed concern regarding states parties' failure to implement such legislation.¹³⁹

Other Harmful Practices

The Committee on Economic, Social and Cultural Rights has expressed concern over harmful practices such as early marriage;¹⁴⁰ polygamy;¹⁴¹ dowry;¹⁴² "widow-cleansing" (requiring that a widow have sex with one of her husband's relatives); honor crimes;¹⁴³ sati; witch-hunting;¹⁴⁴ devadasi and deuki;¹⁴⁵ badi; chaupadi;¹⁴⁶ and son preference.¹⁴⁷

5.

RELEVANT PROVISIONS OF THE CONVENTION AGAINST RACIAL DISCRIMINATION

Article 5(b) *links the right to be free from racial discrimination to the enjoyment of the right to security of person and the right to protection from violence and bodily harm.*

Committee on the Elimination of Racial Discrimination

General Recommendations

General Recommendation 25: Gender-Related Dimensions of Racial Discrimination¹⁴⁸

In its General Recommendation 25, the Committee on the Elimination of Racial Discrimination explicitly recognizes that some forms of racial discrimination may be experienced only by women and may be directed at women specifically because of their gender.¹⁴⁹ In the recommendation, the Committee states that it will take into account gender factors when evaluating and monitoring racial discrimination against women as well as how such discrimination affects the exercise of all their rights.¹⁵⁰ This would include the rights to health and to bodily integrity, both of which are implicated in the case of FGM. In addition, the Committee could interpret FGM and other harmful practices as ethnically or culturally based; as such, they would fall within the mandate of the Committee as elaborated upon in Recommendation 25.

RELEVANT PROVISIONS OF THE CONVENTION AGAINST RACIAL DISCRIMINATION

Article 5(e) *links the right to be free from racial discrimination to the enjoyment of a number of economic, social, and cultural rights, including the right to health.*

Concluding Observations

Female Genital Mutilation

The Committee on the Elimination of Racial Discrimination has expressed concern over the practice of FGM¹⁵¹ and has welcomed and requested information from states parties on measures taken to end the practice.¹⁵² The Committee has expressed concern that the practice still occurs within some states despite legislative efforts to stop it.¹⁵³ The Committee has recommended that states parties take all necessary measures to put an end to FGM, including raising awareness among the population.¹⁵⁴ The Committee has recommended that at least one state party reinforce the measures adopted to end the practice, “in particular through sensitization programmes directed at promoting changes in attitudes towards this practice, in consultation with traditional communities.”¹⁵⁵

Other Harmful Practices

The Committee on the Elimination of Racial Discrimination has expressed general concern about negative traditional practices and has welcomed information on the measures being taken to eliminate such practices.¹⁵⁶ The Committee has generally urged states parties to implement measures to address discrimination of women related to marriage¹⁵⁷ and inheritance rights.¹⁵⁸ It has urged states parties to enforce laws prohibiting child marriage; dowry violence; sanctions against intercaste marriage; and devadasi. It recommends public education and training for law enforcement, judges, and teachers.¹⁵⁹

6.

Committee against Torture

General Comments

General Comment 1: Implementation of Article 3 of the Convention in the Context of Article 22¹⁶⁰

In its General Comment 1, the Committee against Torture discusses the use of the individual complaint mechanism of Article 22 of the Convention against Torture to enforce states parties’ obligations to individuals who would risk being tortured if returned to their country of origin.

Concluding Observations

Female Genital Mutilation

The Committee against Torture has commended states parties for implementing legislation banning FGM,¹⁶¹ and it has also expressed concern regarding the persistence of the practice despite such legislation.¹⁶² The Committee has called upon states parties to enact legislation banning FGM¹⁶³ and to

RELEVANT PROVISIONS OF THE CONVENTION AGAINST TORTURE

Article 1 *defines torture as any intentional act, inflicted for reasons based on discrimination of any kind, which causes severe physical or mental suffering and is committed with the consent or acquiescence of a public official.*

RELEVANT PROVISIONS OF THE CONVENTION AGAINST TORTURE

Article 3 prohibits states parties from returning or expelling a person to another state where that person would be in danger of suffering torture.

take the necessary steps to end the practice,¹⁶⁴ including through awareness-raising campaigns, prevention and detection measures, and punishment of perpetrators.¹⁶⁵

Other Harmful Practices

The Committee against Torture has welcomed one state party's adoption of legislation prohibiting honor crimes, but regrets the lack of data provided on incidences and prosecutions of perpetrators of such crimes.¹⁶⁶

KEY CONCLUDING OBSERVATIONS ON FEMALE GENITAL MUTILATION

“The Committee recommends that the State party strengthen and accelerate its ongoing efforts to prevent FGM and conduct awareness-raising campaigns to combat and eradicate this and other traditional practices harmful to the health, survival and development of children, especially girls. The Committee recommends that the State party introduce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes, and to prohibit harmful practices, engaging with the extended family and the traditional and religious leaders. The Committee also recommends that the State party establish follow-up procedures for the practitioners of FGM who have abandoned their profession and, in this respect, strengthen the links with local authorities in the neighbouring countries, as mentioned during the dialogue with the State party.”

*Concluding Observations of the Committee on the Rights of the Child: **Benin**, ¶ 54, U.N. Doc. CRC/BEN/CO/2, (2006).*

“The State party should continue its efforts to prevent and eradicate [female genital mutilation] and ‘honour crimes’...In particular, it should ensure that offenders are prosecuted, while promoting a human rights culture in the society at large, especially among the most vulnerable sectors of immigrant communities.”

*Concluding Observations of the Human Rights Committee: **Sweden**, ¶ 8, U.N. Doc. CCPR/CO/74/SWE, (2002).*

“The Committee recommends that the State party include detailed information in its next periodic report on the practice of female genital mutilation. The Committee further recommends that the State party reinforce the measures adopted to eradicate this persistent practice, in particular through sensitization programmes directed at promoting changes in attitudes towards this practice, in consultation with traditional communities.”

*Concluding Observations of the Committee on the Elimination of Racial Discrimination: **United Republic of Tanzania**, ¶ 19, U.N. Doc. CERD/C/65/CO/5, (2007).*

Summary Assessment

While all of the committees have addressed FGM in their concluding observations, the **CEDAW Committee** and the **Committee on the Rights of the Child** have notably made the issue a priority. Both committees have actively condemned the practice and recommended measures to combat it, focusing mainly on punitive legal measures. While the **CEDAW Committee**, the **Committee on the Rights of the Child**, the **Human Rights Committee**, and the **Committee against Torture** all have recommended the criminalization of FGM in general comments, concluding observations, or both, the use of noncriminal legal measures has not yet been explored by any of the committees.

The **CEDAW Committee** has clearly defined FGM, which affects women and girls exclusively, as a form of gender discrimination. Other committees have discussed the discriminatory attitudes and cultural stereotypes that contribute to the practice of FGM; the **Committee on the Rights of the Child** and the **Human Rights Committee** have joined the **CEDAW Committee** in recognizing the role of custom and religion in the perpetuation of the practice. All six committees have recommended measures to change underlying belief systems through education and outreach.

The **Committee on the Rights of the Child**, in a general comment, has placed FGM squarely within states parties' obligation to protect the health and development of adolescents. The Committee has recognized that states' residents might go abroad to have FGM performed. In that regard, the Committee has called for greater collaboration and information sharing among states parties, NGOs, and UN agencies, to tackle the problem.

The **Committee on Economic, Social and Cultural Rights** has recognized the importance of training law enforcement and the judiciary in the implementation of measures to combat FGM. The **CEDAW Committee**, the **Committee on the Rights of the Child**, and the **Committee on Economic, Social and Cultural Rights** all have acknowledged that economic factors contribute to the practice of FGM and have called upon states parties to establish educational programs and alternative sources of income for former practitioners. However, they have not advocated for the economic empowerment of women and girls as a way of combating the practice.

While the **Committee on the Rights of the Child** has recommended making support services available to protect girls who refuse to undergo FGM and to rehabilitate girls who have undergone the procedure, the committees have not discussed the importance of ensuring access to reproductive health services for women and girls who have undergone the procedure.

All of the committees have increasingly recognized other harmful practices in their concluding observations, yet their treatment of these practices has not been as comprehensive as their treatment of FGM. Nevertheless, their comments reflect recognition that certain harmful practices are serious rights violations.

Conclusions

- In an effort to systematize the treatment of FGM, it is important that all committees include a discussion of the practice and the effectiveness of measures to combat it in their concluding observations to countries where FGM is still prevalent, as well as to those with immigrant populations that practice FGM.

- *The **Human Rights Committee's** General Comment 28 is an excellent tool to combat FGM as well as other harmful practices. The Committee is particularly well situated to address the discriminatory aspects of FGM in violation of Article 3, the right to equality, in addition to Article 6, the right to life, and Article 7, the right to be free from cruel, inhuman, and degrading treatment, of the Civil and Political Rights Covenant.*

- The committees could recommend that governments reform their constitutions to ensure protections from harmful practices for women and girls and to ensure that such provisions are fully implemented. In countries where constitutional provisions do not already exist, committees could recommend that states parties undertake other legislative reforms to promote women's equality and to use these to enhance policy and programmatic efforts to bring about social change and improvements in the status of women. In particular, the committees should ask governments to prevent enforcement of customary and religious laws and practices that discriminate against women.

- *The **Human Rights Committee** is an appropriate forum in which to emphasize the importance of women's and girls' access to appropriate legal remedies in connection with harmful practices, in compliance with Article 26 of the Civil and Political Rights Covenant.*

- The committees could recommend that states parties ensure women's access to comprehensive reproductive and sexual health services, including treatment for complications arising from FGM. These services could be regarded as a means to educate women and change attitudes about the practice of FGM.

*- General Comment 14 on the right to health of the **Committee on Economic, Social and Cultural Rights** can be directly applied to FGM and other harmful practices. For example, the comment's provisions on availability and accessibility of health-care facilities as well as non-discrimination in access to health care are very relevant to a discussion of FGM.*

- The committees could more frequently make the important links between FGM and the economic and social marginalization of women by recommending that states parties take measures to promote economic empowerment of women as a way to combat the practice. Such measures could include the repeal of laws that interfere with women's ability to achieve economic self-sufficiency and the provision of alternate career training for FGM practitioners. The **CEDAW Committee**, the **Committee on the Rights of the Child**, and the **Committee on Economic, Social and Cultural Rights** have called upon states parties to establish alternative sources of income for former practitioners; the remaining committees should make similar recommendations and further consider the role that economics plays in perpetuating FGM.
- The committees' observations could include an exploration of noncriminal legal measures to address FGM, such as civil injunctions and legislation regarding measures for child protection, in particular where FGM persists despite the existence of legislation criminalizing the practice.
- Because communities that undertake FGM are members of a minority group in many countries, the Committee on the Elimination of Racial Discrimination could play a crucial role in examining the conflicts between cultural rights and the rights of minorities as they interfere with the exercise of women's rights.
- When the committees have information on other harmful practices, they should address them as human rights violations in their concluding observations. It is particularly important to point out the underlying socioeconomic factors contributing to the perpetuation of these practices, as well as the resulting health consequences.■

Endnotes:

- ¹ See OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, THE UNITED NATIONS HUMAN RIGHTS TREATY SYSTEM: AN INTRODUCTION TO THE CORE HUMAN RIGHTS TREATIES AND THE TREATY BODIES 7, <http://www.ohchr.org/english/bodies/docs/OHCHR-FactSheet30.pdf>.
- ² A particular provision of each treaty establishes the treaty body and provides for its oversight mandate. See Convention on the Elimination of All Forms of Discrimination against Women, *adopted* Dec. 18, 1979, G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, art. 17, U.N. Doc. A/34/46, (1979) (*entered into force* Sept. 3, 1981); Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, art. 43, U.N. Doc. A/44/49 (1989), *reprinted* in 28 I.L.M. 1448 (*entered into force* Sept. 2, 1990); International Covenant on Civil and Political Rights, *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 52, art. 28, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (*entered into force* Mar. 23, 1976); International Convention on the Elimination of All Forms of Racial Discrimination, *adopted* Dec. 21, 1965, G.A. Res. 2106 (XX), art. 8, 660 U.N.T.S. 195 (*entered into force* Jan. 4, 1969); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *adopted* Dec. 10, 1984, G.A. Res. 39/46, UN GAOR, 39th Sess., Supp. No. 51, at 197, art. 17, U.N. Doc. A/39/51 (1984), 1465 U.N.T.S. 85 (*entered into force* June 26, 1987). The International Covenant on Economic, Social and Cultural Rights *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (*entered into force* Jan. 3, 1976), does not actually provide for the establishment of the committee. The Economic and Social Council established the committee in 1985. ESC Res. 1985/17, U.N. ESCOR, 1985, Supp. No.1, at 15, U.N. Doc. No. E/1985/85 (1985).
- ³ For a fuller explanation of the work of the committees, see CENTER FOR REPRODUCTIVE RIGHTS, BRINGING RIGHTS TO BEAR 21-34 (2002).
- ⁴ Andrew Byrnes, *Toward More Effective Enforcement of Women's Human Rights Through the Use of International Human Rights Law and Procedures*, in HUMAN RIGHTS OF WOMEN 218 (Rebecca Cook ed., 1994).
- ⁵ The following treaties have either an additional optional protocol empowering the treaty monitoring body to hear individual complaints, or a similar mechanism found in the treaty itself: Convention on the Elimination of All Forms of Discrimination against Women, International Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- ⁶ This briefing paper covers materials available in the United Nations Treaty Body Database from 1993 through June 2008, <http://www.unhchr.ch/tbs/doc.nsf>
- ⁷ Committee on the Elimination of Discrimination against Women, *General Recommendation 14: Female Circumcision* (9th Sess., 1990), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 211, U.N. Doc. HRI/GEN/1/Rev.5 (2001)..
- ⁸ Committee on the Elimination of Discrimination against Women, *General Recommendation 19: Violence against Women* (11th Sess., 1992), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, 216, ¶ 9, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ⁹ General Recommendation 19 affirms that: "States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation." Committee on the Elimination of Discrimination against Women, *General Recommendation 19: Violence against Women* (11th Sess., 1992), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, 216, ¶ 9, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁰ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health (20th Session, 1999)*, U.N. Doc. A/54/38/Rev.1 (1999).
- ¹¹ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health (20th Session, 1999)*, ¶ 15(d), U.N. Doc. A/54/38/Rev.1 (1999).
- ¹² See, e.g., **Cameroon**, ¶¶ 53–54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Eritrea**, ¶ 18, U.N. Doc. C/ERI/CO/3 (2006); **Ethiopia**, ¶ 148, U.N. Doc. A/51/38 (1996); **Gambia**, ¶ 195, U.N. Doc. A/60/38, (2005);

- Ghana**, ¶ 21, U.N. Doc. C/GHA/CO/5 (2006); **Guinea**, ¶¶ 122, 128, U.N. Doc. A/55/38 (2001); **Israel**, ¶¶ 163, 178, U.N. Doc. A/52/38 Rev.1, Part II (1997); **Kenya**, ¶ 213, U.N. Doc. A/58/38 (Part 1) (2003); **Mali**, ¶ 23, U.N. Doc. C/MLI/CO/5 (2006); **Nigeria**, ¶ 153, U.N. Doc. A/53/38/Rev.1 (1998); **Nigeria**, ¶ 299, U.N. Doc. A/59/38 (2004); **Norway**, ¶ 425, U.N. Doc. A/58/38 (Part 1) (2003); **Senegal**, ¶ 721, U.N. Doc. A/49/38 (1994); **South Africa**, ¶¶ 133–134, U.N. Doc. A/53/38/Rev.1 (1998); **Togo**, ¶ 14, U.N. Doc. C/TGO/CO/5 (2006); **Uganda**, ¶ 333, U.N. Doc. A/50/38 (1995); **Yemen**, ¶ 398, U.N. Doc. A/57/38 (2002).
- ¹³ See, e.g., **Burkina Faso**, ¶ 261, U.N. Doc. A/55/38 (2000); **Cameroon**, ¶¶ 53–54, U.N. Doc. A/55/38 (2000);, **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Netherlands**, ¶ 207, U.N. Doc. A/56/38 (2001); **Senegal**, ¶ 721, U.N. Doc. A/49/38 (1994).
- ¹⁴ See, e.g., **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 216, U.N. Doc. A/55/38 (2000); **Eritrea**, ¶ 19, U.N. Doc. C/ERI/CO/3 (2006); **Ethiopia**, ¶ 155, U.N. Doc. A/51/38 (1996); **Gambia**, ¶ 196, U.N. Doc. A/60/38 (2005); **Indonesia**, ¶ 21, CEDAW/C/IDN/CO/5 (2007).
- ¹⁵ See, e.g., **Burkina Faso**, ¶¶ 261–262, U.N. Doc. A/55/38 (2000); **Egypt**, ¶ 348, U.N. Doc. A/56/38 (2001); **Guinea**, ¶ 115, U.N. Doc. A/56/38 (2001); **Kenya**, ¶ 23, CEDAW/C/KEN/CO/6 (2007).
- ¹⁶ See **Benin**, ¶ 147, U.N. Doc. A/60/38 (2005).
- ¹⁷ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/38 (2005); **Kenya**, ¶ 213, U.N. Doc. A/58/38 (Part 1) (2003); **Kenya**, ¶ 23, CEDAW/C/KEN/CO/6 (2007).
- ¹⁸ See, e.g., **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Ethiopia**, ¶ 139, U.N. Doc. A/51/38 (1996); **Guinea**, ¶¶ 115, 122, U.N. Doc. A/56/38 (2001); **Senegal**, ¶ 725, U.N. Doc. A/49/38, (1994).
- ¹⁹ See, e.g., **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 216, U.N. Doc. A/55/38 (2000); **Egypt**, ¶ 349, U.N. Doc. A/56/38 (2001); **Ethiopia**, ¶ 155, U.N. Doc. A/51/38 (1996); **Guinea**, ¶ 123, U.N. Doc. A/56/38 (2001); **Senegal**, ¶ 725, U.N. Doc. A/49/38, (1994).
- ²⁰ See, e.g., **Sweden**, ¶¶ 28–29, U.N. Doc. CEDAW/C/SWE/CO/7 (2008).
- ²¹ See **Togo**, ¶ 15, U.N. Doc. C/TGO/CO/5 (2006).
- ²² See, e.g., **Ethiopia**, ¶ 252, U.N. Doc. A/59/38 (2004); **Gambia**, ¶ 196, U.N. Doc. A/60/38 (2005); **Kenya**, ¶ 214, U.N. Doc. A/58/38 (Part 1) (2003); **Nigeria**, ¶ 300, U.N. Doc. A/59/38 (2004); **Togo**, ¶ 15, U.N. Doc. C/TGO/CO/5 (2006); **Yemen**, ¶ 399, U.N. Doc. A/57/38 (2002).
- ²³ See **Indonesia**, ¶ 20, ¶ 36, CEDAW/C/IDN/CO/5 (2007).(2007).
- ²⁴ See, e.g., **Egypt**, ¶ 348, U.N. Doc. A/56/38 (2001); **Guinea**, ¶ 115, U.N. Doc. A/56/38 (2001); **Kenya**, ¶¶ 213–14, U.N. Doc. A/58/38 (Part 1) (2003).(2007).
- ²⁵ See CENTER FOR REPRODUCTIVE LAW AND POLICY (CRLP), THE RESEARCH, ACTION, AND INFORMATION NETWORK FOR THE BODILY INTEGRITY OF WOMEN (RAINBO), FEMALE GENITAL MUTILATION, A GUIDE TO LAWS AND POLICIES WORLDWIDE 67 (Anika Rahman, Nahid Toubia eds., 2000).
- ²⁶ See **China**, ¶¶ 299(d), 301, U.N. Doc. A/54/38 (1999).
- ²⁷ See, e.g., **China**, ¶ 301, U.N. Doc. A/54/38 (1999); **China**, ¶ 17, U.N. Doc. C/CHN/CO/6 (2006); **India**, ¶¶ 50, 60, 78–79, U.N. Doc. A/55/38 (2000); **Viet Nam**, ¶ 12 U.N. Doc. C/VNM/CO/6 (2007).
- ²⁸ See, e.g., **Ghana**, ¶ 21, U.N. Doc. C/GHA/CO/5 (2006); **India**, ¶ 26, U.N. Doc. C/IND/CO/3 (2007).
- ²⁹ See **Ghana**, ¶ 21, U.N. Doc. C/GHA/CO/5 (2006).
- ³⁰ See, e.g., **Democratic Republic of the Congo**, ¶ 232, U.N. Doc. A/55/38 (2000); **United Republic of Tanzania**, ¶ 235, U.N. Doc. A/53/38/Rev.1 (1998).
- ³¹ See **Netherlands**, ¶ 23, U.N. Doc. A/56/38 (2001).
- ³² See, e.g., **Egypt**, ¶¶ 344, 346–347, U.N. Doc. A/56/38 (2001); **Iraq**, ¶¶ 193–194, U.N. Doc. A/55/38 (2000); **Israel**, ¶¶ 163, 178, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Jordan**, 178–179, U.N. Doc. A/55/38 (2000); **Turkey**, ¶¶ 179, 195, U.N. Doc. A/52/38/Rev.1 (1997); **Turkey**, ¶¶ 363, 367, U.N. Doc. A/60/38 (2005).
- ³³ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/38 (2005); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **India**, ¶ 195, U.N. Doc. A/55/38 (2000); **India**, ¶ 26, U.N. Doc. C/IND/CO/3 (2007); **Kenya**, ¶ 22, CEDAW/C/KEN/CO/6 (2007); **Nepal**, ¶¶ 153–154, U.N. Doc. A/54/38 (1999); **Nepal**, ¶ 208, U.N. Doc. A/59/38 (2004); **Vanuatu**, ¶ 38, U.N. Doc.

BRIEFING PAPER: FEMALE GENITAL MUTILATION

- CEDAW/C/VUT/CO/3 (2007).
- ³⁴ See, e.g., **Nepal**, ¶ 208, U.N. Doc. A/59/38 (2004); **Nigeria**, ¶ 299 U.N. Doc. A/59/38 (2004).
- ³⁵ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/3 (2005); **Cameroon**, ¶¶ 53–54, U.N. Doc. A/55/38 (2000); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Kenya**, ¶ 33, CEDAW/C/KEN/CO/6 (2007); **Mali**, ¶ 17, U.N. Doc. C/MLI/CO/5 (2006); **Mozambique**, ¶ 22, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Togo**, ¶ 14, U.N. Doc. C/TGO/CO/5 (2006).
- ³⁶ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/38 (2005); **Cameroon**, ¶¶ 53–54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Guinea**, ¶ 122, U.N. Doc. A/56/38 (2001); **Jordan**, ¶ 9, CEDAW/C/JOR/CO/4 (2007); **Kenya**, ¶ 22, CEDAW/C/KEN/CO/6 (2007); **Mali**, ¶ 17, U.N. Doc. C/MLI/CO/5 (2006); **Mozambique**, ¶ 22, ¶ 33, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Nigeria**, ¶ 299, U.N. Doc. A/59/38 (2004); **Togo**, ¶ 14, U.N. Doc. C/TGO/CO/5, (2006).
- ³⁷ See, e.g., **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Guinea**, ¶ 122, U.N. Doc. A/56/38, (2001); **Indonesia**, ¶ 18, CEDAW/C/IDN/CO/5 (2007); **Morocco**, ¶¶ 36–37, CEDAW/C/MAR/CO/4 (2008); **Mozambique**, ¶ 22, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Nepal**, 18/03/2004, U.N. Doc. A/59/38, ¶ 208; **Vanuatu**, ¶ 38, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ³⁸ See **Mozambique**, ¶ 24, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007).
- ³⁹ See **Kenya**, ¶¶ 41–42, CEDAW/C/KEN/CO/6 (2007).
- ⁴⁰ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/38 (2005); **Cameroon**, ¶¶ 53–54, U.N. Doc. A/55/38 (2000); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/55/38 (2000); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Ethiopia**, ¶ 251, U.N. Doc. A/59/38 (2004); **Guinea**, ¶ 122, U.N. Doc. A/56/38 (2001); **Mali**, ¶ 17, U.N. Doc. C/MLI/CO/5 (2006); **Togo**, ¶ 14, U.N. Doc. C/TGO/CO/5 (2006).
- ⁴¹ See, e.g., **Burkina Faso**, ¶ 341, U.N. Doc. A/60/38 (2005); **Guinea**, ¶ 122, U.N. Doc. A/56/38 (2001); **Mali**, ¶ 17, U.N. Doc. C/MLI/CO/5 (2006).
- ⁴² See, e.g., **Burundi**, ¶¶ 23–24, CEDAW/C/BDI/CO/4 (2008); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Ghana**, ¶ 21, U.N. Doc. C/GHA/CO/5 (2006); **Mali**, ¶ 17, U.N. Doc. C/MLI/CO/5 (2006); **Nigeria**, ¶ 299, U.N. Doc. A/59/38 (2004).
- ⁴³ See **Togo**, ¶ 14, U.N. Doc. C/TGO/CO/5 (2006).
- ⁴⁴ See **India**, ¶ 26, U.N. Doc. C/IND/CO/3 (2007).
- ⁴⁵ See **Nepal**, ¶ 208, U.N. Doc. A/59/38, (2004).
- ⁴⁶ See, e.g., **Burundi**, ¶ 18, CEDAW/C/BDI/CO/4 (2008); **Mozambique**, ¶ 23, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Nepal**, ¶ 209, U.N. Doc. A/59/38, (2004); **Togo**, ¶ 15, U.N. Doc. C/TGO/CO/5 (2006).
- ⁴⁷ See, e.g., **Kenya**, ¶ 42, CEDAW/C/KEN/CO/6 (2007); **Mozambique**, ¶ 24, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007).
- ⁴⁸ See **Mozambique**, ¶ 44, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Vanuatu**, ¶ 24, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ⁴⁹ See **Nepal**, ¶ 192, U.N. Doc. A/59/38 (2004).
- ⁵⁰ See, e.g., **Burundi**, ¶ 24, CEDAW/C/BDI/CO/4 (2008); **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004).
- ⁵¹ See, e.g., **Burundi**, ¶ 18, CEDAW/C/BDI/CO/4 (2008); **Togo**, ¶ 15, U.N. Doc. C/TGO/CO/5 (2006).
- ⁵² Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child* (33rd Sess., 2003), U.N. Doc. CRC/GC/2003/4 (2003).
- ⁵³ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child* (33rd Sess., 2003), ¶¶ 24, 39(g), U.N. Doc. CRC/GC/2003/4 (2003).
- ⁵⁴ Committee on the Rights of the Child, *General Comment 7: Implementing Child Rights in Early Childhood* (40th Sess., 2005), U.N. Doc. CRC/C/GC/7Rev.1 (2006).
- ⁵⁵ Committee on the Rights of the Child, *General Comment 7: Implementing Child Rights in Early Childhood* (40th Sess., 2005), ¶11(b), U.N. Doc. CRC/C/GC/7Rev.1 (2006).
- ⁵⁶ Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, Art. 24.3, U.N. Doc. A/44/49 (1989),

reprinted in 28 I.L.M. 1448 (entered into force Sept. 2, 1990).

- ⁵⁷ See, e.g., **Australia**, ¶¶ 19, 34, U.N. Doc. CRC/C/15/Add.79 (1997); **Benin**, ¶ 26, U.N. Doc. CRC/C/15/Add.106 (1999); **Benin**, ¶¶ 53-54, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Burkina Faso**, ¶ 14, U.N. Doc. CRC/C/15/Add.19 (1994); **Burkina Faso**, ¶¶ 44-45, U.N. Doc. CRC/C/15/Add.193 (2002); **Cameroon**, ¶¶ 48-49, U.N. Doc. CRC/C/15/Add.164, (2001); **Central African Republic**, ¶¶ 58-59, U.N. Doc. CRC/C/15/Add.138 (2000); **Chad**, ¶ 29, U.N. Doc. CRC/C/15/Add.107 (1999); **Côte d'Ivoire**, ¶¶ 6, 44-45, U.N. Doc. CRC/C/15/Add.155 (2001); **Democratic Republic of the Congo**, ¶¶ 56-57, U.N. Doc. CRC/C/15/Add.153 (2001); **Djibouti**, ¶¶ 43-44, U.N. Doc. CRC/C/15/Add.131 (2000); **Egypt**, ¶¶ 45-46, U.N. Doc. CRC/C/15/Add.145 (2001); **Eritrea**, ¶¶ 45-46, U.N. Doc. CRC/C/15/Add.204 (2003); **Ethiopia**, ¶¶ 14, U.N. Doc. CRC/C/15/Add.67 (1997); **Ethiopia**, ¶ 14-15, U.N. Doc. CRC/C/15/Add.144 (2001); **Ethiopia**, ¶¶ 59-60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Gambia**, ¶¶ 48-49, U.N. Doc. CRC/C/15/Add.165 (2001); **Ghana**, ¶ 42, U.N. Doc. CRC/C/15/Add.73 (1997); **Ghana**, ¶¶ 55-56, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Guinea**, ¶ 26, U.N. Doc. CRC/C/15/Add.100 (1999); **Kenya**, ¶¶ 47-48, U.N. Doc. CRC/C/15/Add.160 (2001); **Lesotho**, ¶¶ 47-48, U.N. Doc. CRC/C/15/Add.147 (2001); **Liberia**, ¶¶ 52-53, U.N. Doc. CRC/C/15/Add.236(2004); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Netherlands**, ¶ 18, U.N. Doc. CRC/C/15/Add.114 (1999); **Niger**, ¶¶ 52-53, U.N. Doc. CRC/C/15/Add.179 (2002); **Nigeria**, ¶¶ 15, 36, U.N. Doc. CRC/C/15/Add.61 (1996); **Nigeria**, ¶¶ 56-58, U.N. Doc. CRC/C/15/Add.257 (2005); **Oman**, ¶¶ 51-52, U.N. Doc. CRC/C/OMN/CO/2 (2006); **Senegal**, ¶¶ 50-51, U.N. Doc. CRC/C/SEN/CO/2 (2006); **Sierra Leone**, ¶¶ 61-62, U.N. Doc. CRC/C/15/Add.116 (2000); **South Africa**, ¶ 33, U.N. Doc. CRC/C/15/Add.122 (2000); **Togo**, ¶¶ 56-57, U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶¶ 55-56, U.N. Doc. CRC/C/15/Add.270 (2005); **United Republic of Tanzania**, ¶¶ 50-51, U.N. Doc. CRC/C/15/Add.156 (2001); **United Republic of Tanzania**, ¶¶ 50-51, U.N. Doc. CRC/C/TZA/CO/2 (2006); **Yemen**, ¶ 26, U.N. Doc. CRC/C/15/Add.102 (1999); **Yemen**, ¶¶ 59-60, U.N. Doc. CRC/C/15/Add.267 (2005).
- ⁵⁸ See, e.g., **Burkina Faso**, ¶ 14, U.N. Doc. CRC/C/15/Add.19 (1994); **Ethiopia**, ¶ 24, U.N. Doc. CRC/C/ETH/CO/3 (2006).
- ⁵⁹ See, e.g., **Australia**, ¶ 34, U.N. Doc. CRC/C/15/Add.79 (1997); **Austria**, ¶ 44, U.N. Doc. CRC/C/15/Add.251 (2005); **Burkina Faso**, ¶ 45, U.N. Doc. CRC/C/15/Add.193 (2002); **Cameroon**, ¶¶ 48-49, U.N. Doc. CRC/C/15/Add.164 (2001); **Central African Republic**, ¶ 59, U.N. Doc. CRC/C/15/Add.138 (2000); **Chad**, ¶ 29, U.N. Doc. CRC/C/15/Add.107 (1999); **Côte d'Ivoire**, ¶¶ 6, 44-45, U.N. Doc. CRC/C/15/Add.155 (2001); **Democratic Republic of the Congo**, ¶¶ 56-57, U.N. Doc. CRC/C/15/Add.153 (2001); **Djibouti**, ¶ 44 U.N. Doc. CRC/C/15/Add.131 (2000); **Eritrea**, ¶¶ 45-46, U.N. Doc. CRC/C/15/Add.204 (2003); **Ethiopia**, ¶¶ 14-15, U.N. Doc. CRC/C/15/Add.144, (2001); **Ethiopia**, ¶ 60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Gambia**, ¶¶ 48-49 U.N. Doc. CRC/C/15/Add.165 (2001); **Ghana**, ¶ 42, U.N. Doc. CRC/C/15/Add.73 (1997); **Ghana**, ¶ 56, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Guinea**, ¶ 26, U.N. Doc. CRC/C/15/Add.100 (1999); **Guinea Bissau**, 177, ¶ 43(b), U.N. Doc. CRC/C/15/Add (2002); **Ireland**, ¶ 55, U.N. Doc. CRC/C/IRL/CO/2 (2006); **Kenya**, ¶ 48, U.N. Doc. CRC/C/15/Add.160 (2001); **Liberia**, ¶ 53, U.N. Doc. CRC/C/15/Add.236 (2004); **Mauritania**, ¶ 44(a), U.N. Doc. CRC/C/15/Add.159 (2001); **Netherlands**, ¶ 18, U.N. Doc. CRC/C/15/Add.114 (1999); **Niger**, ¶¶ 53(a), 53(b), U.N. Doc. CRC/C/15/Add.179 (2002); **Nigeria**, ¶ 58, U.N. Doc. CRC/C/15/Add.257 (2005); **Oman**, ¶ 52, U.N. Doc. CRC/C/OMN/CO/2 (2006); **Sierra Leone**, 24/02/2000, ¶ 62, U.N. Doc. CRC/C/15/Add.116 (2000); **Spain**, ¶ 41(c), U.N. Doc. CRC/C/15/Add.185, (2002); **The Republic of the Congo**, ¶ 65, U.N. Doc. CRC/C/COG/CO/1 (2006); **Togo**, ¶ 48, U.N. Doc. CRC/C/15/Add.83 (1997); **Uganda**, ¶ 56, U.N. Doc. CRC/C/15/Add.270 (2005); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/TZA/CO/2 (2006).
- ⁶⁰ See, e.g., **Austria**, ¶ 43, U.N. Doc. CRC/C/15/Add.251 (2005); **Burkina Faso**, ¶ 3(e), U.N. Doc. CRC/C/15/Add.193 (2002); **Eritrea** ¶ 60, U.N. Doc. CRC/C/TLS/CO/1 (2008); **Kenya**, ¶ 53, U.N. Doc. CRC/C/KEN/CO/2 (2007); **Nigeria**, ¶ 4(b), U.N. Doc. CRC/C/15/Add.257 (2005); **Senegal**, ¶¶ 3(b), 7, 50, U.N. Doc. CRC/C/SEN/CO/2 (2006); **Togo**, ¶¶ 4(d), 56, U.N. Doc. CRC/C/15/Add.255 (2005).
- ⁶¹ See, e.g., **Mali**, ¶ 53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Sierra Leone**, ¶¶ 57-58, CRC/C/SLE/CO/2 (2008).
- ⁶² See, e.g., **Austria**, ¶ 43, U.N. Doc. CRC/C/15/Add.251 (2005); **Germany**, ¶ 46, U.N. Doc. CRC/C/15/Add.226 (2004); **Ireland**, ¶ 5, U.N. Doc. CRC/C/IRL/CO/2, 4(2006); **Spain**, ¶ 40, U.N. Doc. CRC/C/15/Add.185 (2002).
- ⁶³ See, e.g., **Austria**, ¶ 43, U.N. Doc. CRC/C/15/Add.251 (2005); **Switzerland**, ¶ 40, U.N. Doc. CRC/C/15/Add.182, (2002).
- ⁶⁴ See **Austria**, ¶ 44, U.N. Doc. CRC/C/15/Add.251 (2005).

⁶⁵ See **Germany**, ¶ 47(d), U.N. Doc. CRC/C/15/Add.226, (2004).

⁶⁶ See, e.g., **Australia**, ¶ 34, U.N. Doc. CRC/C/15/Add.79 (1997); **Austria**, ¶ 44, U.N. Doc. CRC/C/15/Add.251 (2005); **Benin**, ¶ 26, U.N. Doc. CRC/C/15/Add.106 (1999); **Benin**, ¶ 54, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Central African Republic**, ¶ 59, U.N. Doc. CRC/C/15/Add.138 (2000); **Chad**, ¶ 29, U.N. Doc. CRC/C/15/Add.107 (1999); **Côte d'Ivoire**, ¶ 45, U.N. Doc. CRC/C/15/Add.155 (2001); **Democratic Republic of the Congo**, ¶ 57, U.N. Doc. CRC/C/15/Add.153 (2001); **Djibouti**, ¶ 43, U.N. Doc. CRC/C/15/Add.131 (2000); **Egypt**, ¶ 46, U.N. Doc. CRC/C/15/Add.145 (2001); **Eritrea**, ¶¶ 45-46, U.N. Doc. CRC/C/15/Add.204 (2003); **Ethiopia**, ¶ 23, U.N. Doc. CRC/C/15/Add.67 (1997); **Ethiopia**, ¶ 60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Gambia**, ¶¶ 48-49, U.N. Doc. CRC/C/15/Add.165 (2001); **Germany**, ¶ 47(b), U.N. Doc. CRC/C/15/Add.226, (2004); **Ghana**, ¶ 42, U.N. Doc. CRC/C/15/Add.73 (1997); **Ghana**, ¶ 56, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Guinea**, ¶ 26, U.N. Doc. CRC/C/15/Add.100 (1999); **Guinea Bissau**, ¶ 43(b), U.N. Doc. CRC/C/15/Add.177 (2002); **Kenya**, ¶ 48, U.N. Doc. CRC/C/15/Add.160 (2001); **Kenya**, ¶ 54, U.N. Doc. CRC/C/KEN/CO/2 (2007); **Lesotho**, ¶ 48, U.N. Doc. CRC/C/15/Add.147 (2001); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Mali**, ¶ 53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Mauritania**, ¶ 44(b), U.N. Doc. CRC/C/15/Add.159 (2001); **Netherlands**, ¶ 18, U.N. Doc. CRC/C/15/Add.114 (1999); **Niger**, ¶ 53(c), U.N. Doc. CRC/C/15/Add.179 (2002); **Nigeria**, ¶ 58, U.N. Doc. CRC/C/15/Add.257 (2005); **Senegal**, ¶ 18, U.N. Doc. CRC/C/15/Add.44 (1995); **Senegal**, ¶ 51(a), U.N. Doc. CRC/C/SEN/CO/2 (2006); **Sierra Leone**, ¶ 61, U.N. Doc. CRC/C/15/Add.116 (2000); **South Africa**, ¶ 33, U.N. Doc. CRC/C/15/Add.122 (2000); **Spain**, ¶ 41(b), U.N. Doc. CRC/C/15/Add.185 (2002); **Sudan**, ¶ 22, U.N. Doc. CRC/C/15/Add.10 (1993); **Switzerland**, ¶ 41(d), U.N. Doc. CRC/C/15/Add.182 (2002); **The Republic of the Congo**, ¶ 65, U.N. Doc. CRC/C/COG/CO/1 (2006); **Togo**, ¶ 24, U.N. Doc. CRC/C/15/Add.83 (1997); **Togo**, ¶ 57(c), U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶ 56, U.N. Doc. CRC/C/15/Add.270 (2005); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/15/Add.156 (2001); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/TZA/CO/2 (2006).

⁶⁷ See, e.g., **Benin**, ¶ 54, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Burkina Faso**, ¶ 45, U.N. Doc. CRC/C/15/Add.193 (2002); **Cameroon**, ¶ 49, U.N. Doc. CRC/C/15/Add.164 (2001); **Gambia**, ¶¶ 48-49, U.N. Doc. CRC/C/15/Add.165 (2001);

Ghana, ¶ 56, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Ireland**, ¶ 55, U.N. Doc. CRC/C/IRL/CO/2 (2006); **Kenya**, ¶ 48, U.N. Doc. CRC/C/15/Add.160 (2001); **Kenya**, ¶ 54, U.N. Doc. CRC/C/KEN/CO/2 (2007); **Liberia**, ¶ 53, U.N. Doc. CRC/C/15/Add.236, (2004); **Mali**, ¶ 53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Niger**, ¶ 53(c), U.N. Doc. CRC/C/15/Add.179 (2002); **Oman**, ¶ 52, U.N. Doc. CRC/C/OMN/CO/2 (2006); **Uganda**, ¶ 56, U.N. Doc. CRC/C/15/Add.270 (2005); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/TZA/CO/2, (2006).

⁶⁸ See, e.g., **Benin**, ¶ 54, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Chad**, ¶ 29, U.N. Doc. CRC/C/15/Add.107 (1999); **Ethiopia**, ¶ 23, U.N. Doc. CRC/C/15/Add.67 (1997); **Ethiopia**, ¶ 60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Ghana**, ¶ 56, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Ireland**, ¶ 55, U.N. Doc. CRC/C/IRL/CO/2 (2006); **Niger**, ¶ 53(c), U.N. Doc. CRC/C/15/Add.179 (2002); **Oman**, ¶ 52, U.N. Doc. CRC/C/OMN/CO/2, (2006); **Senegal**, ¶ 18, U.N. Doc. CRC/C/15/Add.44 (1995); **Senegal**, ¶ 51(b), U.N. Doc. CRC/C/SEN/CO/2 (2006); **Sudan**, ¶ 22, U.N. Doc. CRC/C/15/Add.10 (1993); **Sudan**, ¶ 48, U.N. Doc. CRC/C/15/Add.190 (2002); **Togo**, ¶ 48, U.N. Doc. CRC/C/15/Add.83 (1997); **Togo**, ¶¶ 57(b), 57(c), U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶ 56,, U.N. Doc. CRC/C/15/Add.270 (2005).

⁶⁹ See, e.g., **Benin**, ¶ 26, U.N. Doc. CRC/C/15/Add.106 (1999); **Benin**, ¶ 54, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Chad**, ¶ 29, U.N. Doc. CRC/C/15/Add.107, (1999); **Djibouti**, ¶ 44, U.N. Doc. CRC/C/15/Add.131 (2000); **Gambia**, ¶ 49, U.N. Doc. CRC/C/15/Add.165 (2001); **Ghana**, ¶ 56, U.N. Doc. CRC/C/GHA/CO/2, (2006); **Ireland**, ¶ 55, U.N. Doc. CRC/C/IRL/CO/2 (2006); **Kenya**, ¶ 48, U.N. Doc. CRC/C/15/Add.160 (2001); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Niger**, ¶ 53(c), U.N. Doc. CRC/C/15/Add.179 (2002); **Oman**, ¶ 52, U.N. Doc. CRC/C/OMN/CO/2 (2006); **Senegal**, ¶ 51(b), U.N. Doc. CRC/C/SEN/CO/2 (2006); **Sierra Leone**, ¶ 58, CRC/C/SLE/CO/2 (2008); **South Africa**, ¶ 33, U.N. Doc. CRC/C/15/Add.122 (2000); **Uganda**, ¶ 56, U.N. Doc. CRC/C/15/Add.270 (2005); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/15/Add.156 (2001); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/TZA/CO/2 (2006).

⁷⁰ See **The Republic of the Congo**, ¶ 65, U.N. Doc. CRC/C/COG/CO/1 (2006).

⁷¹ See **Nigeria**, ¶¶ 57-58, U.N. Doc. CRC/C/15/Add.257 (2005).

BRIEFING PAPER: FEMALE GENITAL MUTILATION

- ⁷² See, e.g., **Cameroon**, ¶ 49, U.N. Doc. CRC/C/15/Add.164 (2001); **Liberia**, ¶ 53, U.N. Doc. CRC/C/15/Add.236 (2004); **Mauritania**, ¶ 44(d), U.N. Doc. CRC/C/15/Add.159 (2001).
- ⁷³ See, e.g., **Sudan**, ¶ 48, U.N. Doc. CRC/C/15/Add.190 (2002); **Togo**, ¶ 57(b), U.N. Doc. CRC/C/15/Add.255 (2005).
- ⁷⁴ See **Germany**, ¶ 47(c), U.N. Doc. CRC/C/15/Add.226 (2004); **Mali**, ¶ 52, U.N. Doc. CRC/C/MLI/CO/2 (2007).
- ⁷⁵ See, e.g., **Mauritania**, ¶ 44 (c), U.N. Doc. CRC/C/15/Add.159 (2001); **Togo**, ¶ 57(a), U.N. Doc. CRC/C/15/Add.255 (2005).
- ⁷⁶ See, e.g., **Germany**, ¶ 47(a), U.N. Doc. CRC/C/15/Add.226 (2004); **Spain**, ¶ 41(a), U.N. Doc. CRC/C/15/Add.185 (2002); **Switzerland**, ¶ 41(d), U.N. Doc. CRC/C/15/Add.182 (2002).
- ⁷⁷ See **United Republic of Tanzania**, ¶ 52, U.N. Doc. CRC/C/TZA/CO/2 (2006).
- ⁷⁸ See, e.g., **Burkina Faso**, ¶ 3(e), U.N. Doc. CRC/C/15/Add.193 (2002); **Liberia**, ¶ 52, U.N. Doc. CRC/C/15/Add.236 (2004); **Sudan**, ¶ 5, U.N. Doc. CRC/C/15/Add.190 (2002); **United Republic of Tanzania**, ¶ 50,, U.N. Doc. CRC/C/TZA/CO/2 (2006).
- ⁷⁹ See, e.g., **Eritrea**, ¶ 3(d), U.N. Doc. CRC/C/15/Add.204 (2003); **Eritrea** ¶ 60, U.N. Doc. CRC/C/TLS/CO/1 (2008); **Ghana**, ¶ 15, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Liberia**, ¶ 52, U.N. Doc. CRC/C/15/Add.236 (2004).
- ⁸⁰ See **Kenya**, ¶ 53, U.N. Doc. CRC/C/KEN/CO/2 (2007).
- ⁸¹ See, e.g., **Eritrea** ¶ 61, U.N. Doc. CRC/C/TLS/CO/1 (2008); **Ethiopia**, ¶ 60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Mali**, ¶ 53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Niger**, ¶ 53(d), U.N. Doc. CRC/C/15/Add.179 (2002); **Senegal**, ¶ 51(b), U.N. Doc. CRC/C/SEN/CO/2 (2006); **Sierra Leone**, ¶ 58, CRC/C/SLE/CO/2 (2008); **Togo**, ¶ 57(d), U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶ 56, U.N. Doc. CRC/C/15/Add.270 (2005).
- ⁸² See, e.g., **Ghana**, ¶ 42,7, U.N. Doc. CRC/C/15/Add.73, (1997); **Ghana**, ¶ 55, U.N. Doc. CRC/C/GHA/CO/2 (2006).
- ⁸³ See **Nepal**, ¶¶ 67-68, U.N. Doc. CRC/C/15/Add.261 (2005).
- ⁸⁴ See **Nigeria**, ¶ 15, U.N. Doc. CRC/C/15/Add.61 (1996); **Sierra Leone**, ¶ 57, CRC/C/SLE/CO/2 (2008).
- ⁸⁵ See, e.g., **Bangladesh**, ¶ 15, U.N. Doc. CRC/C/15/Add.74 (1997); **India**, ¶¶ 58–59, U.N. Doc. CRC/C/15/Add.228 (2004); **Togo**, ¶ 56, U.N. Doc. CRC/C/15/Add.255 (2005).
- ⁸⁶ See, e.g., **Bangladesh**, ¶ 61, U.N. Doc. CRC/C/15/Add.221 (2003); **Pakistan**, ¶ 56, U.N. Doc. CRC/C/15/Add.217 (2003).
- ⁸⁷ See, e.g., **India**, ¶ 32, U.N. Doc. CRC/C/15/Add.115 (2000); **United Republic of Tanzania**, ¶ 51, U.N. Doc. CRC/C/15/Add.156 (2001).
- ⁸⁸ See **India**, ¶ 77, U.N. Doc. CRC/C/15/Add.115, (2000).
- ⁸⁹ See, e.g., **Albania**, ¶¶ 28-29, U.N. Doc. CRC/C/15/Add.249 (2005); **Jordan**, ¶¶ 35–36, U.N. Doc. CRC/C/15/Add.125 (2000); **Jordan**, ¶¶ 38-39, U.N. Doc. CRC/C/JOR/CO/3 (2006); **Lebanon**, ¶¶ 28-29, U.N. Doc. CRC/C/15/Add.169 (2002); **Lebanon**, ¶¶ 32-33, U.N. Doc. CRC/C/LBN/CO/3, (2006); **Pakistan**, ¶¶ 34-35, U.N. Doc. CRC/C/15/Add.217 (2003); **Turkey**, ¶ 31, U.N. Doc. CRC/C/15/Add.152, (2001).
- ⁹⁰ See, e.g., **Ethiopia**, ¶ 64, U.N. Doc. CRC/C/15/Add.144 (2001); **Niger**, ¶ 52, U.N. Doc. CRC/C/15/Add.179 (2002).
- ⁹¹ See **Ethiopia**, ¶ 64, U.N. Doc. CRC/C/15/Add.144, (2001).
- ⁹² See **South Africa**, ¶ 33, U.N. Doc. CRC/C/15/Add.122, (2000).
- ⁹³ See, e.g., **Burkina Faso**, ¶¶ 44-45, U.N. Doc. CRC/C/15/Add.193 (2002); **Democratic Republic of the Congo**, ¶¶ 56–57, U.N. Doc. CRC/C/15/Add.153, (2001); **Guinea Bissau**, ¶¶ 42(c), 43(c), U.N. Doc. CRC/C/15/Add.177 (2002).
- ⁹⁴ See, e.g., **Mauritania**, ¶¶ 43-44, U.N. Doc. CRC/C/15/Add.159 (2001); **Niger**, ¶ 52, U.N. Doc. CRC/C/15/Add.179 (2002).
- ⁹⁵ See **Nigeria**, ¶ 56, U.N. Doc. CRC/C/15/Add.257 (2005).
- ⁹⁶ See, e.g., **Angola**, ¶¶ 46-47, U.N. Doc. CRC/C/15/Add.246 (2004); **Eritrea**, ¶¶ 45-46, U.N. Doc. CRC/C/15/Add.204 (2003); **Ethiopia**, ¶ 60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Gambia**, ¶¶ 45, 48, U.N. Doc. CRC/C/15/Add.165 (2001); **Ghana**, ¶ 55,, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Guinea Bissau**, ¶¶ 42(a), 43(a), U.N. Doc. CRC/C/15/Add.177 (2002); **India**, ¶¶ 60-61, U.N. Doc. CRC/C/15/Add.228 (2004); **Kenya**, ¶ 47, U.N. Doc. CRC/C/15/Add.160 (2001); **Liberia**, ¶¶ 50-51, U.N. Doc. CRC/C/15/Add.236 (2004); **Malawi**, ¶¶ 49-50, U.N. Doc. CRC/C/15/Add.174 (2002);

- Niger**, ¶ 53,, U.N. Doc. CRC/C/15/Add.179 (2002); **Pakistan**, ¶¶ 56-57, U.N. Doc. CRC/C/15/Add.217 (2003); **Senegal**, ¶ 50, U.N. Doc. CRC/C/SEN/CO/2 (2006); **Serbia**, ¶¶ 74-75, CRC/C/SRB/CO/1 (2008); **Togo**, ¶ 56,05, U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶¶ 29, 53, 55, U.N. Doc. CRC/C/15/Add.270 (2005); **Yemen**, ¶ 59, U.N. Doc. CRC/C/15/Add.267 (2005).
- ⁹⁷ See, e.g., **Ethiopia**, 01/11/2006, U.N. Doc. CRC/C/ETH/CO/3, ¶ 60; **Mali**, ¶ 53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Sierra Leone**, ¶ 58, CRC/C/SLE/CO/2 (2008).
- ⁹⁸ Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women* (Art. 3) (68th Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 168, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ⁹⁹ Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women* (Art. 3) (68th Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 168, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁰⁰ *Human Rights Committee, General Comment 28: Equality of Rights Between Men and Women* (Art. 3) (68th Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 168, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001)..
- ¹⁰¹ For the Human Rights Committee's discussion of violations of rights under Article 6, the right to life, see Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women* (Art. 3) (68th Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 168, ¶ 10, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁰² See, e.g., **Benin**, ¶ 11, U.N. Doc. CCPR/CO/82/BEN (2004); **Central African Republic**, ¶ 11, U.N. Doc. CCPR/C/CAF/CO/2 (2006); **Egypt**, ¶ 11, U.N. Doc. CCPR/CO/76/EGY (2002); **Gambia**, ¶ 10, U.N. Doc. CCPR/CO/75/GMB (2004); **Kenya**, ¶ 12, U.N. Doc. CCPR/CO/83/KEN (2005); **Lesotho**, ¶ 12, U.N. Doc. CCPR/C/79/Add.106 (1999); **Mali**, ¶ 11, CCPR/CO/77/MLI (2003); **Netherlands**, ¶ 11, U.N. Doc. CCPR/CO/72/NET (2001); **Nigeria**, ¶ 291, U.N. Doc. CCPR/C/79/Add.65, A/51/40 (1996); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Sudan**, ¶ 10, U.N. Doc. CCPR/C/79/Add.85 (1997); **Sweden**, ¶ 8, U.N. Doc. CCPR/CO/74/SWE (2002); **Togo**, ¶ 5,, U.N. Doc. CCPR/CO/76/TGO (2002); **Uganda**, ¶ 10, U.N. Doc. CCPR/CO/80/UGA (2004); **United Republic of Tanzania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.97 (1998); **Yemen**, ¶ 255, U.N. Doc. CCPR/C/79/Add.51, A/50/40 (1995); **Yemen**, ¶ 11,, U.N. Doc. CCPR/CO/84/YEM (2005); , ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹⁰³ See, e.g., **Lesotho**, ¶ 12, U.N. Doc. CCPR/C/79/Add.106 (1999); **Senegal**, ¶ 12,, U.N. Doc. CCPR/C/79/Add.82 (1997).
- ¹⁰⁴ See, e.g., **Central African Republic**, ¶ 11, U.N. Doc. CCPR/C/CAF/CO/2 (2006); **Lesotho**, ¶ 12, U.N. Doc. CCPR/C/79/Add.106 (1999); **Netherlands**, ¶ 11,, U.N. Doc. CCPR/CO/72/NET (2001); **Senegal**, ¶ 12,, U.N. Doc. CCPR/C/79/Add.82 (1997); **Sudan**, ¶ 10, U.N. Doc. CCPR/C/79/Add.85 (1997); **Zimbabwe**, ¶ 12,, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹⁰⁵ See, e.g., **Central African Republic**, ¶ 11, U.N. Doc. CCPR/C/CAF/CO/2 (2006); **Nigeria**, ¶¶ 291, 296, U.N. Doc. CCPR/C/79/Add.65 A/51/40, (1996); **Senegal**, ¶ 12 , U.N. Doc. CCPR/C/79/Add.82 (1997); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹⁰⁶ See, e.g., **Sudan**, ¶ 10, 19/11/97, U.N. Doc. CCPR/C/79/Add.85 (1997); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹⁰⁷ See, e.g., **Nigeria**, ¶ 296, U.N. Doc. CCPR/C/79/Add.65, A/51/40 (1996); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹⁰⁸ See, e.g., **Benin**, ¶ 11, U.N. Doc. CCPR/CO/82/BEN (2004); **Gambia**, ¶ 10, U.N. Doc. CCPR/CO/75/GMB,(2004); **Kenya**, ¶ 12, U.N. Doc. CCPR/CO/83/KEN (2005); **Lesotho**, ¶ 12, U.N. Doc. CCPR/C/79/Add.106 (1999); **Mali**, ¶ 11, CCPR/CO/77/MLI (2003); **Nigeria**, ¶ 296, U.N. Doc. CCPR/C/79/Add.65, A/51/40 (1996); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Sudan**, ¶ 10, U.N. Doc. CCPR/C/79/Add.85 (1997); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89, (1998).
- ¹⁰⁹ See, e.g., **Lesotho**, ¶ 12, U.N. Doc. CCPR/C/79/Add.106 (1999); **Mali**, ¶ 11, CCPR/CO/77/MLI (2003); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Sudan**, ¶ 10, U.N. Doc. CCPR/C/79/Add.85 (1997); **Uganda**, ¶ 10, U.N. Doc. CCPR/CO/80/UGA (2004); **Yemen**, ¶ 11, U.N. Doc. CCPR/CO/84/YEM (2005); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89, (1998).

BRIEFING PAPER: FEMALE GENITAL MUTILATION

- ¹¹⁰ See, e.g., **Benin**, ¶ 11, U.N. Doc. CCPR/CO/82/BEN, (2004); **Sweden**, ¶ 8, U.N. Doc. CCPR/CO/74/SWE (2002).
- ¹¹¹ See **Sweden**, ¶ 8, U.N. Doc. CCPR/CO/74/SWE (2002).
- ¹¹² See, e.g., **Benin**, ¶ 6,, U.N. Doc. CCPR/CO/82/BEN (2004); **Sudan**, ¶ 15, U.N. Doc. CCPR/C/SDN/CO/3 (2007); **Togo**, ¶ 5, U.N. Doc. CCPR/CO/76/TGO, (2002).
- ¹¹³ See **Sudan**, ¶ 15, U.N. Doc. CCPR/C/SDN/CO/3 (2007).
- ¹¹⁴ See **Gambia**, ¶ 10, U.N. Doc. CCPR/CO/75/GMB (2004).
- ¹¹⁵ See **Netherlands**, ¶ 11, U.N. Doc. CCPR/CO/72/NET (2001).
- ¹¹⁶ See **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997).
- ¹¹⁷ See, e.g., **India**, 04/08/97, U.N. Doc. CCPR/C/79/Add.81, ¶ 16; **Zambia**, ¶ 13, U.N. Doc. CCPR/C/ZMB/CO/3 (2007); **Zimbabwe**, 04/08/98, U.N. Doc. CCPR/C/79/Add.89, ¶ 12.
- ¹¹⁸ See, e.g., **Algeria**, ¶ 20, U.N. Doc. CCPR/C/DZA/CO/3 (2007); **Madagascar**, ¶ 12, U.N. Doc. CCPR/C/MDG/CO/3 (2007); **Zambia**, ¶ 13, U.N. Doc. CCPR/C/ZMB/CO/3 (2007).
- ¹¹⁹ See **Algeria**, ¶ 21, U.N. Doc. CCPR/C/DZA/CO/3 (2007).
- ¹²⁰ See, e.g., **Botswana**, ¶ 11, U.N. Doc. CCPR/C/BWA/CO/1 (2008).
- ¹²¹ See **Mali**, ¶ 10, U.N. Doc. CCPR/CO/77/MLI (2003).
- ¹²² See **Nepal**, ¶ 7, U.N. Doc. CCPR/C/79/Add.42 (1994).
- ¹²³ See **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹²⁴ See, e.g., **Kuwait**, ¶ 7, U.N. Doc. CCPR/CO/69/KWT, (2000); **Sweden**, ¶ 8, U.N. Doc. CCPR/CO/74/SWE (2002).
- ¹²⁵ Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health* (Art. 12) (22nd Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 90, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹²⁶ Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health* (Art. 12) (22nd Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 90, ¶ 22, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹²⁷ Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health* (Art. 12) (22nd Sess., 2000), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 90, ¶ 21, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹²⁸ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of all Economic, Social and Cultural Rights* (Art. 3) (34th Sess., 2005), U.N. Doc. E/C.12/2005/4 (2005).
- ¹²⁹ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of all Economic, Social and Cultural Rights* (Art. 3) (34th Sess., 2005), ¶ 29, U.N. Doc. E/C.12/2005/4 (2005).
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BRIEFING PAPER: FEMALE GENITAL MUTILATION

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¹⁶³ See, e.g., **Australia**, ¶ 33, U.N. Doc. CAT/C/AUS/CO/3 (2008); **Cameroon**, ¶¶ 7(b), 11(c), U.N. Doc. CAT/C/CR/31/6, (2004).

¹⁶⁴ See **Indonesia**, ¶ 16, U.N. Doc. CAT/C/IDN/CO/2 (2008).

¹⁶⁵ See e.g., **Australia**, ¶ 33, U.N. Doc. CAT/C/AUS/CO/3 (2008); **Togo**, ¶ 27, U.N. Doc. CAT/C/TGO/CO/1 (2006).

¹⁶⁶ See **Sweden**, ¶ 5(d), ¶ 23, U.N. Doc. CAT/C/SWE/CO/5 (2008). (missing number 196)

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