

# Female Genital Mutilation (FGM)

## Legal Prohibitions Worldwide

### FGM Is a Human Rights Violation

FGM violates a number of human rights of women and girls. Since FGM involves the removal of healthy sexual organs without medical necessity and is usually performed on adolescents and girls, often with harmful physical and psychological consequences, it violates the rights to non-discrimination, health, and bodily integrity. Although FGM is not undertaken with the intention of inflicting harm, its damaging physical, sexual, and psychological effects make it an act of violence against women and children.

Finally, FGM sometimes threatens the lives of girls and women, thereby violating their human rights to life, liberty, and security of the person. Additionally, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa explicitly recognize that practices harmful to women such as FGM are violations of human rights.

### Harmful Effects of FGM

Short-term complications include severe pain and risk of hemorrhage that can lead to shock and death. In addition, there is a very high risk for local and systemic infections, with documented reports of abscesses, ulcers, delayed healing, septicemia, tetanus, and gangrene. Long-term complications include urine retention resulting in repeated urinary infections; obstruction of menstrual flow leading to frequent reproductive tract infections and infertility; and prolonged and obstructed labor. In addition to the physical complications, there are psychological and sexual effects.

### What is FGM?

Female Genital Mutilation (FGM) is the collective name given to a number of cultural practices that involve the partial or total cutting of female genitals. FGM can be performed as early as infancy and as late as age thirty. However, most commonly, girls experience FGM between four and twelve years of age. The origins of FGM remain unclear.

### Legal Measures to Eliminate FGM

Many governments in Africa and elsewhere have taken steps to eliminate the practice of FGM in their countries. These steps include laws criminalizing FGM, educational and outreach programs, and the use of civil remedies and administrative regulations to prevent the practice.

### AFRICAN NATIONS

Eighteen countries—Benin, Burkina Faso, Central African Republic, Chad, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Ghana, Guinea, Kenya, Mauritania, Niger, Senegal, South Africa, Tanzania, and Togo—have enacted laws criminalizing FGM. The penalties range from a minimum of three months to a maximum of life in prison. Many states also impose monetary fines.

There have been reports of prosecutions or arrests in cases involving FGM in several African countries, including Burkina Faso, Egypt, Ghana, Senegal, and Sierra Leone.

#### INDUSTRIALIZED NATIONS

Twelve industrialized countries that receive immigrants from countries where FGM is practiced—Australia, Belgium, Canada, Cyprus, Denmark, Italy, New Zealand, Norway, Spain, Sweden, United Kingdom, and United States—have passed laws criminalizing the practice. In Australia, six out of eight states have passed laws against FGM. In the United States, the federal government and 17 states have criminalized the practice.

One country—France—has relied on existing criminal legislation to prosecute both practitioners of FGM and parents procuring the service for their daughters.

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[www.reproductiverights.org](http://www.reproductiverights.org)

#### Prevalence of FGM

It is estimated that about 100-140 million women worldwide have undergone FGM, with an additional three million girls and women undergoing the procedure every year. FGM is prevalent in about 28 African countries and among a few minority groups in Asia. Prevalence varies significantly from one country to another. For example, the prevalence rate is 92% in Mali, compared to 28% in Senegal. In addition, there are many immigrant women in Europe, Canada, and the United States who have undergone FGM. It is estimated that 15% of all circumcised women have undergone the most severe form of FGM—infilibulation, which involves the stitching and narrowing of the vaginal opening. However, approximately 80% to 90% of all circumcisions in Djibouti, Somalia and Sudan are of this type.

### NATIONAL EFFORTS TO ELIMINATE FGM

#### Criminal Legislation/Decree (year enacted)

##### AFRICAN NATIONS

Benin (2003)	Ethiopia (2004)	Togo (1998)
Burkina Faso (1996)	Ghana (1994)	Nigeria (multiple states, 1999-2002)
Central African Republic (1966)	Guinea (1965, 2000)	
Chad (2003)	Kenya (2001)	
Côte d'Ivoire (1998)	Mauritania (2005)	
Djibouti (1994)	Niger (2003)	
Egypt (2008)	Senegal (1999)	
Eritrea (2007)	South Africa (2005)	
	Tanzania (1998)	

##### INDUSTRIALIZED NATIONS

Australia (6 of 8 states, 1994-97)  
Belgium (2000)  
Canada (1997)  
Cyprus (2003)  
Denmark (2003)  
Italy (2005)  
New Zealand (1995)  
Norway (1995)  
Spain (2003)  
Sweden (1982, 1998)  
United Kingdom (1985)  
United States (Federal law, 1996; 17 of 50 states, 1994-2006)

#### Sources:

Anika Rahman & Nahid Toubia, *Female Genital Mutilation: A Guide to Laws and Policies Worldwide* (Zed Books, 2000)

Center for Reproductive Rights, *Female Genital Mutilation: A Matter of Human Rights – An Advocate's Guide to Action* (2006)