

Title: Female Genital Mutilation

Category: Safeguarding Children

Description: Under international law, female genital mutilation (FGM) is a human rights violation, torture, and an extreme form of violence and discrimination against girls and women. FGM violates a number of human rights, including women's and girls' rights to equality, life, security of the person, and dignity, as well as freedom from discrimination and torture, cruel, inhuman or degrading treatment.

International law is the set of rules and minimum standards that governs relations between States. There are various sources of international law, which include but are not limited to:

Treaties: A treaty is a written agreement between States, and legally binding on those States that have ratified the treaty.

General Comments/Recommendations of Treaty Monitoring Bodies: Treaty monitoring bodies oversee the implementation of several United Nations human rights treaties, and on occasion issue General Comments/Recommendations to clarify or explain any ambiguities in treaty texts. Though General Comments/Recommendations are not strictly legally binding, they are highly authoritative.

International Consensus Documents: Consensus documents, such as resolutions or declarations, are formal expressions of opinion or will of the United Nations, African Union, Council of Europe, or Organization of American States organs, such as the United Nations General Assembly. Most resolutions or declarations typically are not considered binding on States, but may represent widely accepted principles of international law.

Several treaties, General Comments/Recommendations of treaty monitoring bodies, and consensus documents explicitly condemn FGM as a human rights violation. Other core human rights treaties of the United Nations and African Union provide general protections for the human rights of women and girls, which have been interpreted to prohibit FGM. Many of the sources of international law that are most frequently referenced to end FGM are listed below, though this list is not exhaustive.

Read the relevant text about FGM from each of the sources listed below.

International Law Source Documents

Two regional human rights treaties explicitly condemn FGM as a human rights violation.

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Adopted 11 July 2003; Entered into Force 25 November 2005.

Council of Europe Convention on preventing and combating violence against women and domestic violence. Adopted 11 May 2011; Entered into Force 1 August 2014.

Several United Nations human rights treaty monitoring bodies have explicitly condemned FGM as a human rights violation.

Committee on the Elimination of All Forms of Discrimination against Women. General Recommendation No. 14 on Female circumcision under the Convention on the Elimination of All Forms of Discrimination against Women. 1990.

Committee on the Elimination of Discrimination against Women. General Recommendation No. 19 on Violence against women under the Convention on the Elimination of All Forms of Discrimination against Women. 1992.

Committee on the Elimination of All Forms of Discrimination against Women. General Recommendation No. 24 on Article 12 (Women and health) of the Convention on the Elimination of All Forms of Discrimination against Women. 1999.

Committee on the Rights of the Child. General Comment No. 4 on Adolescent health and development under the Convention on the Rights of the Child. 19 May-6 June 2003.

Human Rights Committee. General Comment No. 28 on Article 3 (Equality of rights between men and women) of the International Covenant on Civil and Political Rights. 29 March 2000.

Committee on Economic, Social and Cultural Rights. General Comment No. 14 on Article 12 (The right to the highest attainable standard of health) of the International Covenant on Economic, Social and Cultural Rights. 25 April-12 May 2000.

Several United Nations consensus documents have explicitly condemned FGM as a human rights violation.

Transforming our World: The 2030 Agenda for Sustainable Development. General Assembly Resolution A/RES/70/1. 25 September 2015.

General Assembly Resolution 67/146, Intensifying global efforts for the elimination of female genital mutilations. 20 December 2012.

General Assembly Resolution 48/104, Declaration on the Elimination of Violence against Women. 20 December 1993.

Beijing Declaration and Platform for Action of the Fourth World Conference on Women. 4-15 September 1995.

Programme of Action of the International Conference on Population and Development. 5-13 September 1994.

Commission on the Status of Women Resolution 51/2 on Ending of Female Genital Mutilation. 26 February-9 March 2007.

Several other core international and regional human rights treaties generally protect women's and girls' human rights, including protection from female genital mutilation.

Convention on the Elimination of All Forms of Discrimination against Women. Adopted 18 December 1979; Entered into force 3 September 1981.

Convention on the Rights of the Child. Adopted 20 November 1989; Entered into force 2 September 1990.

International Covenant on Civil and Political Rights. Adopted 16 December 1966; Entered into force 23 March 1976.

International Covenant on Economic, Social, and Cultural Rights. Adopted 16 December 1966; Entered into force 3 January 1976.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Adopted 10 December 1984; Entered into force 26 June 1987.

African Charter on Human and Peoples' Rights. Adopted 27 June 1981; Entered into force 21 October 1986.

African Charter on the Rights and Welfare of the Child. Adopted 1 July 1990; Entered into force 29 November 1999.