

1. Institutional Interventions

MOUSHIRA KHATTAB

Ambassador, Secretary General NCCM, Egypt

It is a real privilege to welcome you to this conference and a delight for me to introduce our First Lady and Chairperson of the Technical Advisory Committee of the National Council for Childhood and Motherhood.

I recall when H.E. Mrs. Mubarak referred to the elimination of FGM as a priority that NCCM should include in its five-year plan. Like many other Egyptians at the time, I had not realized that this was a problem. But for many others, who had struggled with the sensitivity of the issue for years, the news was enlightening. And indeed the decision by the NCCM to embrace the elimination of FGM as one of the rights of young girls was nationally and internationally applauded. Finally the wall of silence was broken over a taboo that had survived generation after generation. I speak for many across Egypt, the Arab and African regions and the entire international community as I convey my appreciation to H.E. Mrs. Suzanne Mubarak for her courage and relentless efforts to advance children's rights and particularly girl's rights.

The vision that has guided our endeavors, the faith and the commitment that Mrs. Mubarak has given to the national FGM movement since the launch of our National Program speaks for itself. Today, the national debate on FGM is open to everyone who wants to argue and find out the truth about this obsolete tradition. For the first time in Egypt, NGOs that have been working in silence can now share their experiences with the entire Egyptian public and mobilize advocates to eliminate FGM whom were reluctant to join in the past. And today we are hosting this Afro-Arab expert consultation under her auspices to communicate our common vision and different viewpoints and experiences in a professional and objective discussion around legal tools and the struggle to stop FGM. It is the start of a regional dialogue at the highest political level, and I am confident that our strides from hereon will be an important step toward the elimination of FGM in our countries.

It is a great honor that Mrs. Mubarak has accepted to preside and place our expert's meeting under her auspices. The meeting is currently addressing one of the issues, namely violence against girls, of which the National Council for Childhood and Motherhood has repeatedly exposed its gravity, and asked for its eradication. This violence perpetrated against girls has no religious or scientific grounds.

Today, this gathering is entrusted to analyze and compare laws and policies from around the world aimed at eliminating FGM. This event takes place in close partnership with the African and Arab countries, as well as renowned international figures, non governmental organizations working in the field of childhood and motherhood and for the welfare of the community and mankind in general.

The active participation of Mrs. Mubarak in the realm of childhood and motherhood, and her ceaseless endeavors in sending messages of understanding and peace are all

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commendable achievements worthy of praise.

The Girls' Education Initiative, the announcement of the year 2003 to be the year of the Egyptian Girl, the national project, Reading for All, are all part of one great picture, targeting the same objective. Our meeting today falls in this category. One additional touch of a brush drawing a radiant picture of what we aspire to for our girls; the image of girls enjoying a sane body and soul, armed with knowledge and ethics, looking up to the future, not haunted by chains of ignorance.

H.E. MRS. SUZANNE MUBARAK

First Lady, Arab Republic of Egypt

I would like to welcome you to Cairo, a city that combines within its features a diversity of cultures derived from our African and Arab ties; a city that embraces within its spirit the fundamentals of holy religions, and indeed, a city whose history blends smoothly in many ways with modern aspects of life.

This conference bears special significance as we pool our experiences to address the practice of Female Genital Mutilation, at a time when global and national agendas in our continent have put the rights of children at the forefront. What this means, is that it is time for parents to make sound choices based on knowledge, moral values and traditions, as well as religious principles that support the rights of both boys and girls. This is not simply an assembly that brings together experts and policymakers; it is a warning signal to obsolete traditions and their perpetuators that their validity has expired. Hence, I would like to share with you a spirit of enthusiasm and a momentum that we have been able to trigger and with which we are targeting the hearts and minds of parents, families, communities, advocates and intellectuals to end the practice of FGM.

As we discuss legal instruments and their relevance to this African tradition, we should remind ourselves that the power of law alone can seldom match the power of a relationship that bonds parents and their children. We should also remind ourselves that parents who choose to circumcise their daughter, do so out of love and a need to protect her based on misconceptions that have been rooted within our societies for generations. We have the opportunity today to change the fate of a generation and interrupt the transmission of myths and false justifications of such a violation to the next ones. By no means, will this be an easy task. Yet it is a responsibility that we have included among our priorities at the National Council for Childhood and Motherhood; and indeed presents itself as an overwhelming responsibility that is attached to a process of challenges and so far, rewarding milestones. The impact that our initial media campaign - which we launched earlier this year - has created was remarkable and exceeded our expectations. In the public eye, a long wall of silence built over years was broken, opening up a debate where we declared our position in a firm and consistent manner; a position that publicly states "No to FGM."

In many parents' eyes, the controversy around a malpractice is finally being settled as we

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continue - through a variety of approaches - to confirm the absence of religious, medical and social justification that necessitate it. In the girls' eyes, the shadow of fear and insecurity is being gradually dismantled and becoming less visible as our campaign advances to the governorate and village levels where the practice prevails.

We could not have come this far in our struggle against this practice without the dedicated efforts that many NGOs and advocates in Egypt and elsewhere have invested over the past decade. Taking stock of that experience and others across our African region, we are guided by a powerful sense of faith and commitment toward the elimination of this harmful practice.

We believe that the integration of advocacy tools can support the government's efforts to terminate the practice. We also believe in the power of communication channels to facilitate outreach and dissemination of our message. In designing our national program - which is being supported by the international community- we have assessed many experiences that offer best practices and more importantly lessons of failure and success. Our conclusion was that the ultimate responsibility of ending the practice is that of the parents, since they are the only ones responsible for making decisions pertinent to their children. Having said that, we have a very critical role to play in supporting parents' responsibilities and decisions as they affect members of this society. Legal instruments represent one form of achieving this role. Another more effective entry point in the struggle against FGM, is the influence we can create on the socio-cultural environment that continues to support the practice. Many experiences that have argued the religious and medical grounds of the practice have achieved success of a confined scope and a short duration. In contrast, experiences that have piloted the socio-cultural approach have managed to reverse community support of the practice and achieve rewarding results, as has been the case in a number of Egyptian villages.

For our national campaign, our strategy can be summed up in the following lines of action: Create the forum for parents to question the basis of the practice. Give parents the opportunity to ask why and to find objective and reliable answers to their questions. Our strategy also relies on advocacy networks that will be created at the village and local levels to sustain the movement. And finally, we succeeded in mobilising national and local communication channels to support the campaign and mainstream it in their various programs.

We are challenged by those who have for years benefited by the practice and violated not only our child protection laws, but also, the national penal code, which prohibits such an injurious act to the human body. And we believe that the only way is to employ an integrated tool kit of policy, communication and community-based interventions.

More importantly we have positioned the priority of addressing FGM within the wider context of the rights of young girls. These represent a package that we are promoting during the Year of the Young Girl which I announced last January, and will continue over the next few years. The Rights of the Young Girl package includes, as priorities: the Girls Education Initiative and a number of additional programs addressing early marriage, violence, and functional literacy.

At this juncture, I would like to emphasize the value that education can add to our efforts concerning FGM and other elements of the right-based agenda targeting girls. Yet girls education should not be viewed from an exclusively service delivery perspective. For girls to assume control of their lives and that of their families, they need education programs that mainstream within their design principles of quality, creativity and empowerment. For many

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years, traditional school systems in many countries have failed to maintain a girl's commitment, and that of her parents, to education. This may have been partly due to economic reasons, but that is not all. Our research has also indicated that girls dropping out of school do so because of the lack of interest in traditional school curricula, teaching, and learning techniques. We have taken these into consideration in the design of the National Girls Education Initiative. The National Council for Childhood and Motherhood launched the initiative last January, following two years of extensive preparation and consultations that involved girls, parents, local taskforces as well as ministries and UN expertise. The progress achieved so far in implementing this initiative is encouraging and promising. Since the beginning of the year, I have met twice with girl representatives from different governorates across Egypt. The interaction revealed many stories of girls whose lives have been completely transformed as a result of education; stories of girls who spoke for the first time of their trauma following circumcision and girls who challenged their parents on the issue and managed to spare themselves from the practice. These are a few examples. My ambition and that of the teams who are actively involved in implementing these programs, is for every Egyptian girl to be able to exercise her rights and influence the quality of life for herself, her family, and her community. This is the only way for our country to realize its development goals and indeed it is the way that we chose to direct our resources for our present plan at the NCCM.

Ladies and Gentlemen, on several occasions, I have discussed with African first ladies and friends, visions and hopes we hold for our children. I believe that in sharing experiences and enhancing our regional cooperation, we can overcome many of the challenges that impede the implementation of our social development targets. We should be able -through the power of knowledge, communication, and information technology- to facilitate and develop our networking - particularly on concerns such as the practice of female genital mutilation that emerges from a common origin and where we share a common goal.

As I conclude, I would like to acknowledge the individual and collective experiences of delegates represented here today, and last but not least, I would like to commend the organizers of this event for the time and effort they have invested in order to make this meeting feasible at such an important time in the history of women's rights in Egypt, Africa and the rest of the world.

Thank you for your attention.

MARIAM LAMIZANA

Minister of Social Action and National Solidarity, Burkina Faso

Your Excellency Madame Mubarak, distinguished delegates, ladies and gentlemen, please let me start by saying how happy I am at the recognition I received after my speech to AIDOS and No Peace Without Justice. I would also like to thank the Egyptian Society for the Prevention of Traditional Practices for the opportunity to participate here. I should also like to thank the Egyptian authorities - in particular the National Council for Childhood and Motherhood - for chairing this important meeting and for their very warm welcome to Africa.

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Your Excellency Madame Mubarak, distinguished delegates, ladies and gentlemen, times such as these bring us hope and what is more, an opportunity to deal with international, regional, national, or local issues. This meeting of experts will examine the legal measures for preventing female genital mutilation.

In spite of their numbers and the contributions they have made to economic development in all of our countries, it is women who are most at risk of being poor and illiterate. This puts them in a state of perpetual dependency which jeopardises both their lives and their children's lives. This perpetual state of insecurity is worsened not only by the AIDS epidemic - which affects them terribly - but also by the continuing traditional practices which can only be described as violent, and which make a mockery of women's rights and dignity.

Among these practices, female genital mutilation is the most widespread, particularly in Africa and the Middle East, where it is rooted in traditional mentalities and customs. FGM often has irreparable effects on the victims' health, and many international conferences have helped move nations to pass special laws to eliminate these practices. The number of countries concerned about these practices has increased, and societies are moving towards taking multiple measures aimed at eradicating them.

Helped in their efforts by a powerful international movement, and backed by organisations such as the Inter-African Committee, AIDOS, No Peace Without Justice, RAINBO, the specialist agencies of the United Nations, and bilateral and unilateral co-operation structures, several national organisations have seen the passage of legislative measures banning female genital mutilation. This has occurred in Burkina Faso, Togo, Guinea, Nigeria, Senegal, Ghana, Benin, and the Ivory Coast. Unfortunately, it must be stated that these laws often remain either improperly applied - because lawyers do not know them well enough - or because they are "forgotten in the bottom drawer," for fear of the social upset their application might cause. On the other hand, even where they are properly applied, enforcement is made difficult due to the clandestine nature of the practice as well as the population movement and emigration of the circumcisers.

The principle of adopting legislative measures against FGM is often countered by pressure from certain social groups, which very often include religious leaders acting against accepted religious ethics, which would never endorse such a barbarous set of practices.

Your Excellency Madame Mubarak, distinguished delegates, ladies and gentlemen, our countries have ratified laws for promoting and respecting women's and children rights, yet something is clearly stopping their effective application. With regard to FGM, the political will is required to bring this issue to the forefront of the national stage, and it is the duty of civilian organisations to propose effective, alternative solutions. This meeting, I think, has this aim, and is a means of suggesting laws for preventing FGM. We must make a proper analysis of policies and strategies so that we may find the necessary measures that will strengthen any legislation we suggest in an FGM document.

I am moved by the importance and the necessity of this meeting for the following reasons: first, in our fight against female genital mutilation (or female circumcision) in Burkina Faso, we have been able to put our case before the politicians only because the members of the organisation of which I have the honour of being President were convinced that our case had to be heard. As a result, the penal code is being reviewed so that there are specific articles to ban and punish the practice of female circumcision. Without going into detail, an anti-FGM law was passed in December 1996, which entered into force soon afterwards. Now, though certain socio-cultural forces have yet to be entirely eliminated, the application of Burkina

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Faso's anti-FGM law is a reality. Secondly, the government of my country has shown its willingness to definitively eradicate female genital mutilation. Therefore, I, as the minister in charge of FGM Affairs, was entrusted with the duty of working to accelerate the eradication of female circumcision in my country.

To legitimise our struggle and to help us in our task, the government has set up an "Anti-Female Circumcision Day" on May 18th, and has authorised the police to participate in countrywide campaigns to educate people about the new law and to apply it. That is to say, we are expecting a lot from this conference. In addition to changes in policies and strategies, any unified decision on anti-FGM legal measures which comes out of this conference will strengthen international solidarity to eliminate female genital mutilation.

The efforts for total eradication of FGM will be in vain if political leaders only support it to gain votes, or even oppose it. Tolerance and cover-ups will do nobody any good. I do not doubt that the experts we have here will provide decision-makers with the best means to fight against FGM by pointing out the laws which need to be adopted and applied to ban it. The eradication of FGM is a great challenge. I appeal to each and every one of you to make it clear that female genital mutilation is nothing but an act of cruel barbarity with no place in the modern world. Let us have the courage to open people's eyes to the painful reality and the danger to the lives and health of these victims. Toleration in the name of tradition is an attitude only ignorance - or selfishness - can justify.

Your Excellency Madame Mubarak, distinguished delegates, ladies and gentlemen, the number of little girls who have lost their lives is innumerable. They have bled to death after circumcision; they have been repudiated and sent off to end their days at the bottom of a cave because they are fistular or childless and depressed; they are covered in scar tissue and damned to bear this shame for the rest of their lives. During our long consciousness-raising campaigns, we have seen women who have made us all the more determined to spare no effort and to never tire from working to put an end to these practices.

That is why I am so glad to have the chance to share the gratitude of my government in recognising not only the efforts of the Inter-African Committee, and women politicians such as Emma Bonino and other promoters of the International campaign against FGM, but also those who have opened their eyes to the reality of FGM, so that the world-wide campaign against it is strengthened. I dare to hope that all the members of the anti-FGM Campaign will take part in the decision-making process so that FGM receives the treatment it deserves, and that it be relegated to the pages of history as soon as possible.

Your Excellency Madame Mubarak, distinguished delegates, ladies and gentlemen, let me finish by quoting a Cameroonian singer. He said that nothing is more beautiful than a child filled with hope. We must do all we can to provide these children with the happiness they deserve, for a crying child is a sign that her future has been destroyed. I wish you all success in your work. Thank you all.

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Your Excellency, Madam Mubarak, it is a pleasure and an honour to be here. The Committee on the Rights of the Child is well aware of your numerous activities in promoting children's rights, not only in the area of FGM, but also outside of the specific field of this practice. We very much appreciate all your efforts. It is also a much appreciated opportunity and I welcome the initiative of the National Council of Childhood and Motherhood to convene this gathering of so many representatives from so many countries.

Ladies and gentlemen, Article 24, Paragraph 3 on the Convention on the Rights of a Child, requires that states' parties take all effective and appropriate measures with the goal of abolishing traditional practices prejudicial to the health of children. It was the first time that a major human rights convention explicitly addressed traditional practices prejudicial to one's health. From the drafting history of the Convention on the Rights of a Child it is clear that FGM is one of those traditional practices that state parties should abolish. Although the UN working group on traditional practices affecting the health of women and children was already active in 1985 and 1986, with three sessions in Geneva, it was particularly active in the 1990's with a growing number of international human rights documents explicitly addressing FGM as a serious violation of human rights. The African Charter on the Rights and Welfare of Children contains in Article 21, proficient, /.../ elaborated but in essence similar to Article 24, paragraph 3 of the Convention of the Rights of the Child calling for the elimination of harmful practices, in particular those prejudicial to a healthy childhood.

In 1993 the UN General Assembly adopted a Declaration on the Elimination of Violence against Women, explicitly stating that violence against women encompasses FGM. A plan of action for the elimination of harmful traditional practices affecting the health of women and children was adopted by the sub-commission on prevention of discrimination and protection of minorities in 1994. These and other documents clearly underscore the fact that FGM is not only detrimental to the health of women and children and hence a violation of the rights to a healthy life, but that it is also a violation of the right to physical integrity and the right to be protected from cruel, inhuman and degrading treatment. Rights, as can be found in all the major Human Rights Conventions. In short FGM is unacceptable on legal grounds because it constitutes a violation of most of the fundamental universally accepted human rights. There is no longer any excuse for allowing the perpetration of this custom, neither at the governmental nor at the professional level.

By ratifying the Convention on the Rights of the Child, 192 states around the world committed themselves to taking all effective and appropriate measures to abolish FGM. Let me make some observations on effective and appropriate measures. Prohibition by law is a crucial element of the fight against the practice of FGM. This is not only in line with the international standard in this regard but also provides a legal basis for the necessary measures in terms of raising awareness, education, and prevention. Do I think that legal prohibition will eliminate an often deeply rooted custom? No, I do not. I have been a Juvenile Court Judge for many years and I am still a Justice in the Court of Appeals in my country, so I know that the

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law in itself does not change the reality. I am aware of the fact that a prohibition clause in the law may result in illegal or underground activities that may increase health issues. These and similar arguments can be and have been raised regarding /.../ drug trafficking, drug abuse, alcohol abuse and other substance abuse. These arguments did not prevent many states around the world from introducing strong prohibition clauses in the law with severe penalties. I know that almost every comparison works, "with a limp" as we say in my country, but the common point is that if a practice - however explainable it may be from an historical or traditional point of view - if a practice is a serious violation of fundamental human rights, a clear legal prohibition with sanctions that reflect the seriousness of this violation is the basic necessity for further action. In short, legal prohibition is the first appropriate measure in our efforts to abolish FGM. In order to make this prohibition effective clear enforcement is necessary, or well-trained law enforcement officers and judges. Let us not make the mistake of thinking that a policy of suppression based on penal law prohibition is enough. In a policy aiming at an effective and appropriate response to FGM, the criminal law is, despite its necessity as a standard setting instrument, a last resort. If we discuss the legal tools for the prevention of FGM much more is needed than the prohibition by a criminal law provision. There is evidence from the persistence of FGM in countries that do have such provisions. In other words the elimination of FGM should not be undertaken in isolation but as part of a comprehensive policy aiming at improvement of the status of girls and women in society. This means amongst other things, legislative and other measures to improve the legal status of women and children, which include equal treatment of women and men, and the creation, if necessary through affirmative action, of accessible and affordable educational opportunities for women and young girls. Legislative and other measures must also provide self-interested persons involved in the perpetration of FGM, (particularly midwives but also others) with alternatives to compensate for the loss of income and social status which may result from the elimination of FGM. All these and other appropriate measures have to be supported by on-going, well-targeted educational campaigns addressing parents and children, health service personnel, women's groups, teaching personnel, community and religious leaders, policy makers, the mass media and the public at large.

What I have said so far is not meant to suggest that little has been done, on the contrary, because over the past two decades a lot has been done, both at the international and at the national level. This is true of UN agencies like World Health, speaking out against all forms of female circumcision in 1976 calling governments to ensure total eradication of this custom, but also UNICEF, the Commission on Human Rights, international and regional and national NGOs, like Save the Children alliance, Anti-Slavery International, Minority Rights Group International, the NGO working group on traditional practices, and for this region in particular the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, which has national committees in more than twenty-five African countries. It goes beyond the time given to me to even summarize all these activities. Unfortunately, and despite an increase of the activities in the 1990's it has to be said that FGM is still widely practised in many African countries. It still exists in countries in the Arabian peninsula and in other regions of the world, and at the same time quite a number of European countries have to deal with the practice of FGM. The rather limited progress made so far may have many reasons, but it also indicates, as the Chairperson of the Inter-African

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committee once said a number of years ago, the challenge is formidable and it requires tremendous courage and determination since we are faced with an age old status quo. The efforts for the elimination of FGM also require a well-organized international action comparable, for instance, with the international action to combat and to eradicate commercial sexual exploitation. That effort, that started with an international conference in Stockholm followed up five years later with a mid-term refuel in Yokohama in Japan, shows that international collective action can work and can make considerable changes. This expert consultation could lay the ground work for such an international action based on a comprehensive international plan of action, adopted and supported not only by the governments of states in which FGM still takes place, but also by as many other governments as possible, as an expression of international solidarity. A formidable challenge requires formidable action on behalf of everybody.

HALIMA WARZAZI

United Nations Special Rapporteur on Traditional Practices

As Special Representative of the Sub-Commission on traditional practices affecting the health of women and young girls, I am extremely happy to be here among you during the "No Peace Without Justice" conference of Afro-Arab experts, organised by AIDOS, and the Egyptian Society for the Prevention of Traditional Practices, under the Auspices of Her Excellency Madame Mubarak and of the National Council for Childhood and Motherhood of Egypt.

I wish this initiative all the success it deserves and recognise the commitment it has shown, just as I thank the European Commission for its involvement in the "Stop FGM" campaign.

Before coming to the subject I wish to discuss – legislative measures for the prevention of female genital mutilation – I must take one step backwards to September 1982, when for the first time at the United Nations a Specialist Body investigating human rights violations decided to deal with an area which had been considered taboo, i.e. female circumcision (as it was then called) or female genital mutilation.

The Sub-Commission dealing with discriminatory measures and the protection of minorities (which is exactly what this was) realised the gravity of the situation thanks to the work of the Representative of the Anti-Slavery NGO – Mrs. Ras-Work – who had eloquently exposed the evil of this practice, which had previously been strenuously denounced (1975) by the Secretary-General of Terre des Hommes. Long before that (in 1952) the Women's Commission had dealt with this subject, during a period of investigation into the condition of women in non-independent countries, but nothing was achieved. For this reason, all overseas intervention in this area was rejected by the peoples involved, who saw it as an act of aggression against their traditional cultures and values.

Shortly after independence, some African women tried to speak out about the dangers of female circumcision, but the time was not right for discussion of such a controversial question; it provoked violent reactions among the general public. What this meant was that

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the Sub-Commission, when it decided – as was often the case – to act as plaintiff and speak out against human rights violations (which, in certain cases, had benefited from the lack of debate about such a taboo subject), it played a more important role in awakening and raising the international community's conscience about the evils of this practice. It then benefited, during its work, from the unfailing co-operation of the President of what was to become the Inter-African Committee. I feel I must stress the role of the Sub-Commission in the fight against this pernicious practice because, on the one hand, it seems to me that all the work done has passed unobserved by many people involved in this field.

On the other hand, the methodology adopted by the Sub-Commission has produced some excellent results. If we consider the extreme delicacy of the area in question, all advances made have been extremely prudent, respectful towards the peoples concerned and their cultures, and fully aware that rather than judging and condemning, it was better to demonstrate clearly the evil effects which this practice has had on the physical and mental health of women and young girls.

To this end, it is worthwhile to remember that if such a serious problem as the one we are examining has taken so long to be discussed at an international level, it is because European feminists, in all their ingenuity, only considered female circumcision in terms of its effects upon sexual pleasure. This position and, probably, the inquisitorial and condemnatory tone adopted when dealing with this subject brought about a feeling of indignation among Africans, who would have preferred some sort of active solidarity in order to deal with the problem in a more concrete and more efficient way. The consequence of campaigns against female circumcision was that the African delegates to the Copenhagen Conference spoke out against attempts at inserting this practice into the Conference documents.

Furthermore, the Sub-Commission decided to take all possible precautions before putting a foot into this minefield. During the information-gathering phase, and when making recommendations to the Human Rights Commission and raising consciousness among its members, prudence was the watchword.

The first initiative was the adoption of a resolution (to be adopted by the Human Rights Commission) which assigned two experts to carry out a study into all aspects of female circumcision. This initiative, however, met with opposition from the African members of the Human Rights Commission, who felt it was an attempt at "putting them in the dock". But the resolution was not lost because the Senegal delegate thankfully intervened to amend it: the proposed study was to be carried out by a working group into all harmful, traditional practices. Female circumcision was to be included among these, but it was not specifically mentioned.

Under the terms of the resolution adopted by the Human Rights Commission, a working group was set up in March 1985, with two experts from the Sub-Commission and representatives from the WHO, UNESCO, and UNICEF. The group set to work immediately and, in accordance with the criteria which had been laid down, dealt exclusively with the problem of female circumcision. In carrying out their work, study group members shared the opinion expressed by all NGO's: this practice was a serious violation of human rights. They took care, though, not to say as much in their final report, so that the Human Rights Commission would accept their findings.

In addition, I realised full well the shock we were going to cause within the Commission. Meanwhile, the study group chairman was contacting countless delegations to ask them to

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make sure they didn't put African Delegates in a delicate situation, especially since the question was now considered a human rights issue. It was a first in the history of the United Nations.

This extremely prudent approach bore fruit, because it permitted dialogue between the Sub-Commission and the countries concerned. In addition to this, in the report submitted (later adopted by the Human Rights Commission) several conclusions – which I had written out myself – stated that: "Certain traditional practices, in traditional societies, aimed at assimilating individuals into society better, in order to share individual rights around society.

"Nowadays, these practices are in contradiction with the standards laid out in various international laws which deal with human rights.

"In view of these principles, all countries which have ratified the international laws must face up to the incompatibility which nowadays is between the obligations the countries have assumed (as Parties to international conventions) and the continuation of certain practices, [which] have been seen to be prejudicial to the physical and mental health of women and children."

In March 1988, the Human Rights Commission entrusted the Sub-Commission with a study of the measures to be taken at the national and international level to eliminate harmful, traditional practices, and then to report back to it. The Sub-Commission thus nominated me as its Special Representative, and two seminars were held: one in Africa in 1991, the other in Asia in 1994.

After the two seminars had been held, and in the light of their conclusions and recommendations, a Plan of Action was drawn up and submitted to the Sub-Commission, which adopted it in August 1994. Since then, the Special Representative has been drawing up a report every year on the policies and activities adopted by governments to ensure that the Plan of Action is being enforced.

In this way, under the supervision of the Sub-Commission, remarkable progress has been made since 1982 in the fight against female circumcision. The taboo surrounding it has evaporated, to the point where it is nowadays referred to as female genital mutilation. At the national level, many African governments have shown their sensitivity towards the evil done, and are seriously committed to fighting against it. They have received much help from homegrown NGO's and countless politicians, not to mention the Inter-African Committee, which has spared itself no effort in informing them and motivating them.

At the international level, activity is increasing, and all specialist agencies at the United Nations now dedicate part of their time to the fight against female genital mutilation.

At the same time, all the conventional mechanisms used by the United Nations have included this problem among the reports submitted by member states. As for the U. N. Assembly General, it has taken over the question as it was left in 1993 and 1995 by the Conferences of Vienna, Cairo and Peking.

If female genital mutilation is now one of the international community's main worries, as it is of most African countries and those where the practice continues, we must not allow this worry to be taken over by the media in many countries (as happens in my country). This practice is treated as some sort of sensational news item, and there have even been photographs of circumcised women: such an act can only be a further violation, in addition to the one already inflicted upon them.

Furthermore racist treatment of the people responsible for these operations by several barristers and magistrates in the courts where their cases were judged forced me (both in a

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personal capacity and in my role as Special Representative for violence against women) to publish, several years ago, a joint declaration which strongly condemned any attempt at damaging the health of the people involved. The report stated: "Any punishment or sentencing based on prejudice is bound to be counter-productive. The people involved will only become more closed, and they will certainly find other, more harmful practices which they will say are an expression of their cultural identity. Court hearings in cases such as these must only be used as a last resort, when it has been seen that education and information campaigns have not met with the hoped-for success."

Let me conclude by making special reference to the theme of our meeting. As Special Representative, I have always given priority to consciousness-raising, persuasion, education, information, and even to alternative symbolic rites, if these can be used as a way for communities to continue in their traditional cultures. It must not be forgotten that the people carrying out circumcision also have a right to earn a living. Punishment and repressive measures must only be used after we have seen that the politics of change have had no effect. We must try to change the mentality of the peoples involved by peaceful means. Let me quote an example. Sweden and New Zealand used to consider female genital mutilation as a crime worthy of the most severe punishment. However, the governments in these two countries have realised that criminal law is not sufficient, and is less than 100% effective. So they have begun to apply measures which they hope will bring about a change in mentality.

The fight against female genital mutilation certainly requires government commitment, and their political will is a requirement that cannot be understated. But as well as governments, there are also all those people who play an important role in the life of the country, and they too must become involved. I am thinking mainly of politicians, MPs, teachers, journalists, religious leaders, people with moral or intellectual authority, the husbands and fathers of potential victims and, last but not least, NGO's and women's groups. In fact, all efforts within a country must be directed first of all towards consciousness-raising in women, providing them with access to proper education, information, and an acquaintance with – and understanding of – their human rights. This will be the most effective weapon in the fight against this terrible practice and all other harmful practices: lifting women and children out of ignorance, out of the Middle Ages, out of fatalism, and out of the subjugation in which they are the captives of inexplicable suffering. These efforts must receive financial and material aid.

Now, as Special Representative of the Sub-Commission, I am counting on the results and recommendations this conference will reach. I thank you all for your contributions, and I shall speak about you to the Sub-Commission. I would be failing in my duty were I not to express my gratitude to all those who have organised this conference, for the warmth of their greetings and for the extraordinary opportunity they have given us to talk about our individual experiences and points of view concerning such a painful subject as female genital mutilation.

It must be said that in September 2001 the Inter-Parliamentary Union organised a conference in Ouagadougou on violence against women and female genital mutilation. The delegates present underlined the importance of legislation in this area. However the parliamentarians considered that as just one aspect of wider issues dealing with ancestral practice.

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EMMA BONINO

Member of the European Parliament

First Lady Mrs. Suzanne Mubarak, Ladies and Gentlemen, Dear Activists: It is an emotionally charged experience to be here in some ways, and I am sure that I am not the only one who shares this sentiment. I think I know most of you sitting here and coming from so far away, I know that you have great expectations from this conference. I know that people from AIDOS and NPWJ have been working hard with Moushira and her staff because we really care, you really care. The moment has come, I think, to evaluate and say some clear and simple things based on what I have been hearing this morning.

First of all, we are talking about human rights. We are talking about women's rights, which of course are encompassed in human rights. There is no division between them. We are all human beings. Certainly we are different, fortunately. But that does not mean that one is inferior to the other.

Secondly, as we heard this morning, religion, be it Islam or the Coptic religion, has nothing to do with this practice. Please, say it over and over again. Say it anytime you can. Please say it out of respect for Islam and the Coptic religion, and for the people following these religions. Say it again! Anytime you can!

In our battle for women's rights, in my country, here, and all over the world, we have certainly been fighting against a fierce enemy, i.e., tradition. When we challenge something and say, "Why?", the answer has many times been that it is because of tradition, with no further explanation, though it is sometimes accompanied by a misinterpretation of religion. Since it is you who fear the incorrect application and interpretation of your religion, it is you who need to repeat over and over again, "FGM has nothing to do with religion!"

We know too, that FGM has nothing to do with health. It is, in fact, detrimental to one's health. Doctors and experts present here will explain and restate that it is not a healthy practice, that it is not good for anything, that it is a cruel and useless practice. If you combine both cruelty and uselessness, then the time has come to say as you say here in Egypt.... Khalas... Khalas! You can say it here, thanks to the commitment of long-time activists working over the past 20 years, to recent activists, and to the involvement of personalities: the silence has finally been broken. However as many delegations will tell you during the conference, it is not yet the case in every country. In many countries that I have visited, it is still difficult to go public on Female Genital Mutilation. Some activists are still suffering from harassment and death threats. Therefore, this conference and your work will offer support and encouragement to other activists in other parts of the world, who still do not have your support, your words, and your commitment.

Finally, I think we realize that throughout the world, from Sub-Saharan Africa to the Arab peninsula, from certain regions of the Far East to the expatriate communities in Europe, the United States, Canada, Australia, etc., women are reacting against being genitally, and sometimes even socially, civilly, and politically mutilated. When you say it is not enough to tackle Female Genital Mutilation, you are correct. Generally speaking, it has to do with the empowerment of women, women's human rights. There are no boundaries between human rights and women's rights. The fight against FGM is your fight, but it is important that all women from all over the world and from different institutions support your fight. You are on the frontline and there are no substitutes for you.

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What women from everywhere in the world can provide is solidarity, concrete support and a way to march forward, providing the support of a comprehensive effort, aimed at empowering and giving civil rights to women, 50% of the population or more world-wide. What we really want is the opportunity to build our future based on equal footing on an equal level, with an equal burden of responsibility and freedom. Freedom is fascinating, but it is also a fantastic burden because it requires you to choose.

Over the last few years, I had the chance to meet hundreds of individuals and groups, and I have been to places where this practice exists. Committed people have made the fight against Female Genital Mutilation a priority in their lives. Most of them are here and their courage, expertise, dedication and resolve are encouraging, but we must not leave them to fight the battles alone. We should simply say that, since it is a universal crime or a universal violation of universal rights, all of us have a responsibility.

In this conference we want to take stock and analyse where the laws work, where they do not work, and why, with the help of the Inter-African Committee and other organisations such as RAINBO, and in particular, the Center for Reproductive Rights. The basic paper has been distributed and it shows an analysis of the existing legislation in the 28 countries. This is important in order to really see that legislation is needed, but we cannot wait. In a complex situation, before a solution to a problem is found, you need a thread to pull. When they tell us, "Yes, but first you have to solve the problems of education, poverty, etc.", these are alibis! Let's start in a comprehensive manner, but let's start. Let's agree why it is important to have legislation.

It is important because in every society, every citizen needs to know what is allowed and what is forbidden. It is important for relations between men and women, between citizens and institutions. So thanks to the conference work and preparations, we will spend these three days discussing these issues. You broke the silence, and now others will also be encouraged to break the silence.

It is a sensitive issue, but I know that the courage and the determination of the people here will help us to go forward. What we need are clear words, a clear message. Activists are in the field doing their jobs, but we need one clear message. I would like to thank the organisers and all of you attending. Many people that I see here have been working on this for 20 years, so I would not say that this is a start, but what we do hope is that it can be a new start with renewed energy. Everybody has his or her own responsibility to effect change because our children, our daughters, deserve this kind of attention and this kind of commitment. Thanks for coming. Thank you everybody.