BanFGM Conference on
the worldwide ban on female genital mutilation

Ministry of Foreign Affairs and International Cooperation
Italian Senate

Rome, 30 January – 1 February 2017

CONCEPT NOTE

As an issue that challenges governments to take a clear stance to protect the most vulnerable and promote their rights, the battle to end female genital mutilation (FGM) is an emblematic one that paves the way for all battles that invoke the rule of law on behalf of individual rights and self-determination and autonomy, particularly as it relates to sexual and reproductive choice. FGM is both a result and a perpetuation of gender inequality and discrimination against women and girls and constitutes an extreme form of social control over women’s bodies and particularly their sexuality, denying them the most basic form of autonomy. Like forced marriage, rape, domestic violence, ‘honour’ crimes, harassment, political and economic inequality, FGM must be a top priority of governments, civil society and international organizations worldwide.

Legislation and normative frameworks that prohibit and criminalise any attacks on an individual’s integrity, addressing both prevention and response, play an essential role. It is therefore of fundamental importance to call for specific and effective legislative measures – which attest to a government’s commitment to safeguard human rights – that can provide legitimacy, protection and essential legal tools, both to the human rights advocates working to turn the tide of regressive social norms, and to victims and potential victims resisting the societal expectations to silently acquiesce.
Background and objectives

On 20 December 2012, the United Nations General Assembly adopted Resolution 67/146 banning FGM worldwide. On the basis of a Declaration of African Heads of State at the African Union Summit in Malabo in 2011, the African Group at the United Nations spearheaded efforts that led to the Resolution being co-sponsored by two thirds of Member States and adopted by consensus. Its adoption, the culmination of years of advocacy by the BanFGM Campaign undertaken by the Inter-African Committee on Traditional Practices and No Peace without Justice and their partners, reflects the universal agreement that FGM constitutes a violation of human rights, which all countries should address by undertaking “all necessary measures, including enacting and enforcing legislation to prohibit FGM and to protect women and girls from this form of violence, and to hold perpetrators to account”. The Resolution was renewed and further strengthened in 2014 (69/150) and 2016.

FGM is also targeted in other human rights instruments, both international and regional, and an increasing number of countries are adopting legislation to criminalise it in all its forms. In addition to the UNGA Resolution, significant turning points in the development of the legal framework are the Protocol to the African Charter of Human and People’s Rights on the Rights of Women (Maputo Protocol, 2005), the UN Human Rights Council Resolution “Intensifying global efforts and sharing good practices to effectively eliminate female genital mutilation” (2014, 2016), the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention, 2014) and Sustainable Development Goal 5 – “Gender equality and women's empowerment” which calls to eliminate all harmful practices, such as child, early and forced marriage and FGM.

As with previous BanFGM Campaign activities, the BanFGM Rome Conference will engage ministers, parliamentarians and civil society activists who have been at the forefront of efforts to bring an end to FGM, working towards the adoption of and compliance with legislation that bans this human rights violation. The focus will be widened beyond Africa, with the involvement of activists from other regions of the world where FGM remains a persistent violation, and will be addressed in the context of a broader political struggle for individual freedom, guaranteed by the law, and for its potential to pave the way for other campaigns on autonomy and personal self-determination.

Session description

The first day will start with a high-level opening session at which participating dignitaries will speak.

This will be followed by six parallel sessions (two on the afternoon of the first day and four on the second day), chaired by a Minister, with a moderator and a rapporteur, supported by staff in the fulfilment of their respective roles. The Chair will oversee the session, and provide guidance as needed to the moderator and the rapporteur. The moderator will facilitate the discussion, while the rapporteur will oversee the preparation of a brief report of the highlights of the session.
Each panel will explore a particular theme over two hours. The panelists will be asked to make a presentation of no more than 10 minutes, followed by 1 hour of moderated discussion extended to all participants and intended to deepen the exploration of the theme and bring in additional perspectives from the other experts present.

The second day will end with a closing plenary which will allow for an overview and wrap-up of the proceedings, with closing statements by dignitaries followed by the Ministerial Declaration.

Panel session I, “Self-determination vs. harmful practises” will delve into the issue of FGM as a violation of personal autonomy, and specifically sexual autonomy. FGM is perpetrated to make women and girls conform to societal expectations about gender roles.

Panel session II will look at “the UNGA Resolution on FGM and regional organisations”. The aim of this session is to build on the BanFGM Campaign as a model of successful advocacy in mobilising national governments and the international community to promote national, regional and international instruments, which in turn can be used by local activists to hold national institutions accountable for the protection and promotion of women’s rights as human rights.

Panel session III, “the normative framework: setbacks and developments” will focus on the challenges and advances worldwide in implementing laws and other normative frameworks to effectively challenge FGM, and the necessity to provide the legal tools with which girls and women and their advocates can act to defend their rights, victims have channels for redress, and perpetrators and their accomplices are held to account.

Panel session IV will confront how “misidentifying the problem gives rise to challenges in combating violations of personal integrity” with a discussion of counterproductive approaches to combatting FGM, such as medicalization and financial incentives; the need to increase awareness of common fallacies surrounding the practice, such as perceived links to certain geographic areas or religions; and to ensure that the fight against FGM is understood as an issue of personal autonomy and self-determination. The panel will explore how women’s empowerment and the wider reality of SGBV within which FGM is best understood.

Panel session V, “Starting from Girls: investing in the future of girls”, will focus on outreach by and with young people, including the actions undertaken by the Starting from Girls Initiative.

Panel session VI, “Effective advocacy for sustainable change”, will explore successful advocacy that encourages state structures to implement existing legislation, or, where it has not yet been adopted, to promote its adoption, both of which have been significant challenges for anti-FGM activists worldwide. Furthermore, NGOs have also conducted outreach to ensure that knowledge of the law and about how access justice is at the forefront of education campaigns on FGM, and accompany sensitisation campaigns on the harmful nature of FGM. This session will explore successful campaigns on these two fronts, and challenges that have been addressed.

The third day of the Conference will be dedicated to a discussion among parliamentarians and civil society on “Strategies for strengthening the legislative framework”, hosted at the Italian Senate and leading to a Joint Declaration of Parliamentarians and Civil Society.