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the twenty-first century”

Statement submitted by Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being
circulated in accordance with paragraphs 36 and 37 of Economic and Social Council
resolution 1996/31.

* The present statement is issued without formal editing.



Statement

The six partners namely, the African Union Commission, the African Committee of Experts on the Rights and Welfare of the Child, the United Nations Economic Commission for Africa, the United Nations Children's Fund (UNICEF/Liaison Office to the AU and UNECA), the United Nations Population Fund (UNFPA/Liaison Office to the AU and UNECA) and the Inter-African Committee on Traditional Practices, share the common main objective to address sustainably the elimination of harmful practices in general and female genital mutilation in particular that are detrimental to the psychosocial development and human rights of women and children in Africa.

Harmful traditional practices are forms of physical or psychological violence that prejudice the bodily integrity or mental well-being of women and children — especially girls — on the basis of the inferior position they have in the social grouping. The practices are inclusive of all sets of behaviour, and corresponding attitudes that negatively affect the fundamental rights of women and children.

Increased collaboration is needed to achieve a common goal, ensuring the promotion of a human-rights-based comprehensive approach to promoting the elimination of the practices. This will include the harmonization of existing legal frameworks and mechanisms and enforcement of laws in addressing the issues of harmful traditional practices within the context of the African Charter on the Rights and Welfare of the Child (1999), particularly Article 21 entitled “Protection against Harmful Social and Cultural Practices”, together with the African Union Social Policy Framework for Africa (2008), the Renewed Call for Action on The Implementation of the Plan of Action Towards Africa Fit For Children, in particular the 6th commitment of Member States to enhance life chances and the 8th commitment of Member States to reinforce national efforts to provide full protection of children against all forms of abuse, neglect, exploitation and harmful practices (2012). Also to be considered, the Convention on the Elimination of all forms of Discrimination Against Women and the Convention on the Right of the Child in its article 24, paragraph 3, which calls “States Parties to take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children”. Also to be considered the African Youth Charter in its article 23, paragraphs a, d, g, I, and m.

The Decision by the African Head of States, during the Summit of the African Union held in July 2011 in Malabo, Equatorial Guinea to recommend and support the Resolution on Female Genital Mutilation to the United Nations General Assembly at its 67th Session was a significant step forward towards ensuring and strengthening the commitment of African Union Member States.

The concerted action of the African Union Member States has ensured African leadership in the unanimous adoption of the “Resolution “Intensifying global efforts for the elimination of female genital mutilation” by the United Nations General Assembly at its 67th Session on 20 December 2012.

This action-oriented strategy of collaboration among the six Parties is further enhancing coherent and complementary efforts for lobbying and advocacy.

This Strategy will address Female Genital Mutilation and early marriage. Female Genital Mutilation is the most well-known harmful traditional practice in

Africa. It is a manifestation of gender inequality as is child marriage, another harmful practice prevalent in many African countries. Long neglected, child marriage has recently been elevated in prominence in the global development debate.

The short and long-term complication of Female Genital Mutilation has negative effects on the psychosocial well-being of women and children. A recent study (2006) by the World Health Organization “Estimating the obstetric costs of female genital mutilation in six African countries” that included Burkina Faso, Ghana, Kenya, Nigeria, Senegal and Sudan, found that the costs of treating obstetric complications resulting from Female Genital Mutilation imposes a huge strain on the health systems of these countries. The World Health Organization estimates 10-20 babies die per 1,000 deliveries as a result of Female Genital Mutilation of about 15-32 with 55 per cent neo-natal mortality depending on Female Genital Mutilation Type (I, II, III).

Moreover, the consequences of Female Genital Mutilation on the health of women and children could be disastrous, affecting and impeding women’s active participation in the social, economic and cultural development processes in their countries.

Another practice is early marriage, which is well established as hazardous to the best interests of the girl child, given the health risks of premature pregnancy, denial of education and, frequently, the marriage being arranged or enforced contrary to or regardless of girl’s consent, often with a substantial age difference between the girl and her husband. For such reasons, the African Charter on the Rights and Welfare of the Child explicitly prohibits child marriage that is the marriage of any African child under the age of 18 years. As already pointed out, the African Charter on the Rights and Welfare of the Child is also clear about the child’s best interest prevailing when there is a conflict with those interests and claimed as cultural, religious or traditional practices. Nevertheless, of all 20-24 year old African women, one in three was married before the age of 18 years. The rate is twice as high for rural (44 per cent) than urban (22 per cent) in Africa. The highest country rates include: Malawi (50 per cent), Mozambique (52 per cent), Sierra Leone (56 per cent), Central African Republic (61 per cent), Guinea (63 per cent), Mali (71 per cent), Chad (72 per cent), and Niger (75 per cent). (Source: The State of Africa’s Children Report 2010. African Union Commission).

Objectives

Promote the rights of women and children in Africa through elimination of Harmful Traditional Practices in general and Female Genital Mutilation in particular, and promotion of conducive practices to the well-being of women and children;

Encourage African Union Member States to review and strengthen existing policies and programs aimed at the elimination of harmful practices in general and Female Genital Mutilation in particular, taking into account the complementarities of punitive measures and of measures aimed to enable practicing groups to increase individual and collective awareness of the harms of the practices and of the benefits of ending them, with a view to strengthening social action aimed at elimination of the practices;

Encourage African Union Member States to pass and enforce enabling legislation to protect children particularly girls, and women as well as implement and domesticate relevant Africa and international commitments including the United Nations General Assembly Resolution on Female Genital Mutilation;

Ensure evidence based information and action oriented research to further strengthen action and monitor its impact;

Support the development and utilization of efficient and reliable Monitoring and Evaluation systems on the elimination of Harmful Traditional Practices, particularly Female Genital Mutilation and early marriage at the national level in order to track progress made by the Member States;

Implement High-Level Africa Consultation/Commission on child marriage and as appropriate on other harmful practices, and launch a massive awareness campaign at continental and national levels.

Areas of collaboration of the six partners

Strengthening knowledge of content and implication of all African relevant references (instruments, tools and frameworks) related to harmful practices including the United Nations General Assembly Resolution on Female Genital Mutilation, the African Charter on the Rights and Welfare of the Child within African Union Member States and at continental level;

Creating awareness and promoting the implementation of programs that advance the rights of women and children within the African Union Member States and ensure “Accountability for Investment in Children” through the “Renewed Call for Action on the Implementation of the Plan of Action Towards Africa Fit For Children”;

Sharing relevant data and information on issues related to harmful practices affecting women and children collected from African Union Member States and other relevant competent partners;

Participating in or organizing joint conferences; events, research and advocacy work on issues related to the elimination of harmful practices and on the promotion of the conducive practices;

Producing and publishing comprehensive and timely knowledge products while engaging more with African Union Member States and Renewable Energy Credits through more research and policy analysis work, hands-on capacity building using the tools developed; tailored technical support and advisory services.