
FEMALE GENITAL MUTILATION: A LEGAL AND HUMAN RIGHTS PERSPECTIVE

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ABSTRACT

Female Genital Mutilation (FGM) is a harmful traditional practice that involves partial or total removal of external female genitalia for non-medical reasons. This article explains what FGM is, why it happens, its health and human-rights consequences, and how the law addresses it. The language is simple so students and general readers can follow easily. The article draws on authoritative sources and legal materials.

Keywords: Female genital mutilation; human rights; international law; public health; criminal law; eradication; WHO; UNICEF.

Introduction

Female Genital Mutilation (FGM), sometimes called female circumcision or cutting, affects millions of girls and women worldwide. It is carried out for cultural, social, or religious reasons, but it has no health benefit. FGM causes pain, illness, and long-term problems for girls and women. Many national and international laws condemn and prohibit the practice. This article explains FGM in clear words and describes the legal responses used to stop it.

What is FGM?

FGM means any procedure that cuts, injures, or changes a girl's or woman's external sex organs for non-medical reasons. The World Health Organization (WHO) groups FGM into four main types: from a small cut to more severe removal of external parts and closing the vaginal opening. The procedure is usually done when a girl is a child, but adults can be affected too.

Why is FGM practiced?

People perform FGM for many reasons. In some communities, it is seen as a rite of passage into womanhood. In others, it is linked to ideas about purity, marriageability, or control of women's sexuality. Some people believe it is required by religion, but no major religion

requires FGM. The practice is passed down through tradition and social pressure: families often fear shame, loss of status, or trouble finding a husband if they do not follow the custom.

Health Effects — Immediate and Long-Term Harms

FGM causes serious harm. Immediately, a girl may suffer severe pain, heavy bleeding, shock, and infection. If non-sterile tools are used, there is a risk of tetanus and bloodborne infections such as HIV. Long term, FGM can cause problems with urination, painful sexual intercourse, complications in childbirth, and lasting psychological trauma like anxiety or depression. Health systems also bear a financial burden treating these complications.

Human Rights View — Why Law Matters

International bodies say FGM violates human rights. It is a form of gender-based violence and discrimination. Rights that FGM violates include the right to health, the right to be free from torture and cruel treatment, the right to life (in extreme cases), and the child's right to protection. Because FGM harms basic human dignity and bodily integrity, international law and human-rights agencies call for its elimination.

International Legal Framework — Key Instruments

Many international organizations and treaties oppose FGM. Important instruments and statements include:

- United Nations declarations and Human Rights Council reports that describe FGM as a Human rights violation.
- WHO and UNICEF technical guidance and data that show the scale and health impact of FGM. These international sources do not always create criminal law on their own, but they create strong moral and legal pressure on countries to pass laws and protect girls.

National Laws — How Countries Respond

Countries use different legal tools to stop FGM: criminal laws that punish those who perform or arrange FGM; child protection laws that shield girls; health laws that ban medical professionals from doing FGM; and travel provisions that stop people from taking girls abroad

to be cut. Some countries also add education and community programs. Civil remedies (like compensation) and protective orders are sometimes available. International organizations track these laws and help countries improve them.

Examples of Legal Approaches

- **Criminal prohibition:** Many countries make FGM a crime with jail time and fines for perpetrators and for parents who allow it.
- **Extra-territorial laws:** Some states criminalize arranging FGM even if it happens abroad — to prevent families from sending girls to other countries to be cut.
- **Medicalization bans:** To stop doctors or nurses from performing FGM in clinics, some countries prohibit medical professionals from doing so.
- **Support and protection:** Laws often include services for survivors — medical care, counselling, and legal support. Equality and human-rights groups publish guides showing which laws work best.

Challenges in Law Enforcement

Even when laws exist, stopping FGM can be hard:

- **Hidden practice:** FGM often happens in private or at home, making detection difficult.
- **Community pressure:** Families may hide the practice due to social expectations.
- **Medicalization:** When health workers perform FGM, it becomes harder to spot and harder to prosecute.
- **Fear of punishment:** Survivors and families may fear legal consequences and avoid health services.

Good law must be paired with education, community dialogue, and safe reporting systems.

Law and Human Rights: A Balanced Strategy

Experts recommend combining criminal law with prevention and care:

- Prevention: School programs, public awareness, and working with community leaders to change social norms.
- Protection: Clear child protection rules and safe reporting channels.
- Prosecution: Well-designed laws that protect victims and fairly punish perpetrators, while avoiding secondary harm to families seeking help.
- Support services: Medical and psychological care for survivors, legal aid, and rehabilitation programs. International agencies and NGOs often support these measures.

Role of Courts and Human Rights Bodies

Courts and human-rights bodies can interpret laws to protect girls. They may order governments to act, require services, or interpret constitutions to recognize FGM as a rights violation. International reports also pressure states to do more. These judicial and reporting steps help make laws meaningful in real life.

Practical Steps for Law Students and Advocates

- Learn local laws and compare them with international standards.
- Work with health professionals and community groups to provide alternatives to the practice.
- Promote safe reporting and survivor-centred responses.
- Use evidence (health data, human-rights reports) when arguing for legal reform.
- Remember that law alone cannot change culture — legal tools must be combined with education and community engagement.

Conclusion

FGM is a serious harm that affects millions. It has no health benefits and violates many human rights. Law plays a vital role: criminal laws, protection rules, and health regulations help stop

FGM when paired with education and care. Winning the fight against FGM means listening to survivors, supporting affected communities with respectful dialogue, and using legal tools that protect rather than punish victims. By combining law, health services, and social change, societies can protect girls and help end this practice.

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