



FOR IMMEDIATE RELEASE

Press statement

Women's rights organizations challenge Mali's lack of anti FGM law at the ECOWAS Court of Justice

ABUJA, Nigeria, April 12, 2021 – Leading women's rights organizations have jointly filed a case at the Economic Community of West African States (ECOWAS) Court of Justice in Abuja, Nigeria, to challenge Mali's failure to prohibit Female Genital Mutilation (FGM) by adopting a legal and policy framework that would criminalize the practice. Currently, there is no legislation that addresses FGM, leaving women and girls without recourse or protection from this human rights violation.

The case, which was filed by [Association Malienne pour le Suivi et l'Orientation des Pratiques Traditionnelles -AMSOPT](#) and [Association pour le Progrès et la Défense des Droits des Femmes au Mali – APDF](#) [represented by the [Institute for Human Rights and Development in Africa \(IHRDA\)](#) and [Equality Now](#)], seeks to hold the Government of Mali to account on its failure to protect Malian girls and women from FGM.

Speaking in Nairobi after the filing, Faiza Mohamed, Director of Equality Now's Africa Office, said that FGM is a grave and systemic violation of girls and women's rights in Mali and that the government had failed in its duty of care.

She pointed out that at least 89% of girls and women in Mali between the ages of 15 and 49 have been subjected to FGM, with 73% of Malian girls undergoing the cut before their 15th birthday, according to the [2018 Demographic and Health Survey](#). Furthermore, Type II FGM (excision) is the most common form, affecting 48.9% of women and girls aged between 15 and 49. Type IV (nicking) and Type III are also practised in the country.

"We have made several calls to Mali for the past 18 years urging it to honor its national, regional and international obligations to protect girls and women from this harmful practice. However, this remains to be done and we can no longer sit still as thousands of girls and women in Mali continue being subjected to FGM," said Ms. Mohamed.

In June 2020, the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) reported that the failure by the Malian government to criminalize FGM puts at risk the lives and wellbeing



of girls and women in the country. Equality Now welcomed the Committee's findings and reiterated calls to Mali urging it to protect girls and women from this harmful practice.

The CEDAW report further revealed that Mali had the highest prevalence rate of FGM among girls aged 0-14 years old in West Africa. Of similar concern was the transnational nature of the practice with the report noting that girls in neighboring countries that have laws prohibiting FGM, are taken to Mali where they undergo the cut to avoid prosecution in their respective countries. The Committee therefore urged Mali to take extra measures to collaborate with other countries in the sub-region to eliminate cross border FGM.

Mali has not criminalized FGM even though it ratified CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ("The Maputo Protocol") and is therefore obligated to end FGM by enacting the requisite and supportive national legislations. According to CEDAW's report, in 2002 religious leaders blocked the adoption of a bill that would lead to the prohibition of FGM in Mali. Since then, there has been no other attempt by the government to criminalize FGM with the state indicating that an anti FGM law would make the practice covert.

IHRDA's Executive Director, Gaye Sowe, explained that the case has the potential to establish another landmark in women and girls' rights jurisprudence in Africa.

"This case would not only prompt the ECOWAS Court to make binding pronouncement on the situation of FGM in Mali, but would also establish legal precedent and standard applicable not only in Mali and West Africa, but across Africa as a whole", he said.

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Editor's notes:

- **About Equality Now**

Equality Now is an international non-governmental, human rights organization that was founded in 1992 to advance the rights of women and girls across the world. The organization holds governments responsible for ending legal inequality, sex trafficking, sexual violence and harmful practices, such as Female Genital Mutilation (FGM) and "child marriage". While working through various projects, Equality Now champions for legal and systemic change by setting important legal precedents and exposing barriers that hinder access to justice.

- **About IHRDA**

IHRDA is a Pan-African non-governmental organization created in 1998 and based in The Gambia. IHRDA works to promote the use and effectiveness of the African human rights system by ensuring African human rights treaties and mechanisms are widely known, accessible, effective, dynamic and better used by all. IHRDA's work is in threefold: capacity-building for actors in the promotion, defense and protection



of human rights in Africa; pro bono legal assistance to victims of human rights violations in Africa; and disseminating and facilitating access to information to support the work of actors and stakeholders in the promotion, defense and protection of human rights in Africa.

- **About Association Malienne pour le Suivi et l'Orientation des Pratiques Traditionnelles**

Association Malienne pour le Suivi et l'Orientation des Pratiques Traditionnelles (AMSOPT) is the National Committee of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC) in Mali. AMSOPT's mission is to contribute to the emancipation and promotion of the rights and welfare of women and children in Mali. To achieve this, AMSOPT wishes to see a Malian society free from gender-based discrimination and all traditional practices that have harmful effects on the health and well-being of women and children.

- **About Association pour le Progrès et la Défense des Droits des Femmes**

Association pour le Progrès et la Défense des Droits des Femmes was created in 1991, to bring together women's rights organisations working to promote and safeguard women and girls' rights including ending violence against women and effective participation of women in the development process.

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